

~~2~~ # 1

Travis County Commissioners Court Agenda Request

Voting Session 10/28/08
(Date)

Work Session _____
(Date)

I. A. Request made by: Joseph P. Gieselman Phone # 854-9383
Signature of Elected Official/Appointed Official/Executive Manager/County Attorney

B. Requested Text:

Consider and take appropriate action on approving the setting of a Public Hearing on October 28, 2008 to receive comments regarding a request to authorize the filing of an instrument to vacate 25' wide drainage easement located over and across Lot 21 of Majestic Hills Ranchettes - a subdivision in Travis County, Precinct 3.

C. Approved by: _____
Commissioner Gerald Daugherty, Precinct Three

- II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request (original and eight (8) copies of agenda request and backup).
- B. Please list all of the agencies or officials names and telephone numbers that might be affected or be involved with the request. Send a copy of the Agenda Request and backup to them:

John Hille:	854-9415	Joe Arriaga:	854-7562
Anna Bowlin:	854-7561	Don Grigsby:	854-7560

III. Required Authorizations: Please check if applicable:

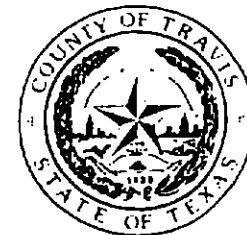
- Planning and Budget Office (854-9106)
- Additional funding for any department or for any purpose
- Transfer of existing funds within or between any line item budget
- Grant
- Human Resources Department (854-9165)
- A change in your department's personnel (reclassifications, etc.)
- Purchasing Office (854-9700)
- Bid. Purchase Contract, Request for Proposal, Procurement
- County Attorney's Office (854-9415)
- Contract, Agreement, Policy & Procedure

AGENDA REQUEST DEADLINE: This Agenda Request complete with backup memorandum and exhibits MUST be submitted to the County Judge's Office no later than 5:00 p.m. on Tuesday for the following week's meeting. Late or incomplete requests will be deferred.

RECEIVED
COUNTY JUDGE'S OFFICE
OCT 17 2008

TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER



411 West 13th Street
Executive Office Building
PO Box 1748
Austin, Texas 78767
(512) 854-9383
FAX (512) 854-4697

MEMORANDUM

DATE: September 25, 2008

TO: Members of the Commissioners' Court

THROUGH: Joseph P. Gieselman, Executive Manager

FROM: Anna Bowlin, Division Director of Development Services

SUBJECT: **Consider and take appropriate action on approving the setting of a Public Hearing on October 28, 2008 to receive comments regarding a request to authorize the filing of an instrument to vacate 25' wide drainage easement located over and across Lot 21 of Majestic Hills Ranchettes – a subdivision in Travis County, Precinct 3.**

Summary and Staff Recommendation:

TNR has received a request from the property owner's agent requesting to vacate a 25' wide drainage easement located over and across Lot 21 of Majestic Hills Ranchettes as recorded at Volume 77, Page 17 of the Official Public Records of Travis County. Lot 21 fronts on Serene Hills Court, a Travis County maintained street. The property owner is requesting this vacation stating "The Drainage Easement's current location restricts home and site construction on the Lot's building pad..."

Travis County Engineer, Don Grigsby, reviewed the submittal, which included a drainage study sealed by the professional Engineer, Danny R. Martin. After reviewing the submittal, Don stated that there is no concentrated runoff that would require this easement to remain. Therefore, Don had no objections to this vacation. TNR recommends the vacation of the 25' wide drainage easement as described in the attached Order of Vacation and as shown on the attached field notes and sketch.

Budgetary and Fiscal Impact:

None.

Issues and Opportunities:

Travis County has relied on professional engineer Danny R. Martin's drainage study with regards to this vacation. With the information supplied, Travis County feels that vacating this drainage easement will have no negative impact on surrounding properties. The lot owner will dedicate a 25'

September 26, 2008
Page 2

wide replacement drainage easement, which will be located along the common lot line of
Lots 21 and 22.

Required Authorizations:
None.

Exhibits:
Order of Vacation
Letter of Request
Drainage Study
Field Notes and Sketch
Location Maps

PS:AB:ps

1105 Serene Hills Court

08-DE-03

ORDER OF VACATION

STATE OF TEXAS §

COUNTY OF TRAVIS §

WHEREAS, the property owner's agent requests the vacation of a 25' wide drainage easement located over and above Lot 21 of Majestic Hills Ranchettes as recorded at Volume 77, Page 17 of the Real Property Records of Travis County, Texas, so that future lot improvements do not encroach on the easement; and

WHEREAS, a Professional Engineer has demonstrated through a drainage study that the existing easement is not necessary and vacating the said easement will have no adverse impact on the drainage system; and

WHEREAS, a Travis County Engineer has stated that, after review of the request and drainage study, there is no objection to the vacation of the drainage easement as described in the attached field notes and sketch; and

WHEREAS, the Travis County Transportation and Natural Resources Department recommends the vacation of the 25' wide drainage easement as described in the attached field notes and sketch; and

WHEREAS, the required public notice was posted and the Travis County Commissioners Court held a public hearing on October 28, 2008 to consider the proposed action; and

NOW, THEREFORE, the Commissioners Court of Travis County, Texas, orders that the 25' wide drainage easement, as described in the attached field notes and sketch, located over and above Lot 21 of the Majestic Hills Ranchettes, as recorded in Volume 77, Page 17 of the Real Property Records of Travis County, is, in accordance with State Law, hereby vacated.

ORDERED THIS THE _____ DAY OF _____ 2008.

SAMUEL T. BISCOE, COUNTY JUDGE

COMMISSIONER RON DAVIS
PRECINCT ONE

COMMISSIONER SARAH ECKHARDT
PRECINCT TWO

COMMISSIONER GERALD DAUGHERTY
PRECINCT THREE

COMMISSIONER MARGARET GOMEZ
PRECINCT FOUR



1200 Buffalo Springs Rd
Austin, TX 78704
P: 512.266.6667
F: 512.266.6671

9/2/2008

09-04-08A09:21 (207)

Paul Scoggins
Engineering Specialist
Travis County - Transportation & Natural Resources
411 West 13th St., 8th Floor
Austin, Texas 78701

RE: LOT 21 MAJESTIC HILLS RANCHETTES, VOL. 77, PG. 17
Vacation of Existing Drainage Easement and Dedication of New Drainage Easement

Dear Mr. Scoggins,

As agent for Leo and Dorie DeGeest, the owner of Lot 21 in the Majestic Hills Ranchettes subdivision, we respectfully request that Travis County Vacate the 25 foot drainage easement over and across Lot 21, Majestic Hills Ranchettes as seen in Exhibit 'A'. A proposed 25 foot drainage easement over and across Lot 21, Majestic Hills Ranchettes as seen in Exhibit 'B' shall be dedicated to Travis County following vacation of the existing easement. The drainage easement's current location restricts home and site construction on the Lot's building pad as seen in Exhibit 'C'. The down hill subdivision drainage plan has been designed to accommodate the relocation of said drainage easement.

Enclosure:

- Exhibit 'A': Existing Drainage Easement
- Exhibit 'B': New 25 Foot Drainage Easement
- Exhibit 'C': Site Plan Lot 21 Majestic Hills Ranchettes
- Exhibit 'D': Majestic Hills Ranchettes Plat
- Exhibit 'E': Drainage Study

If you need any additional information regarding this request please contact us.

Sincerely,

Blake Freeman
Managing Partner

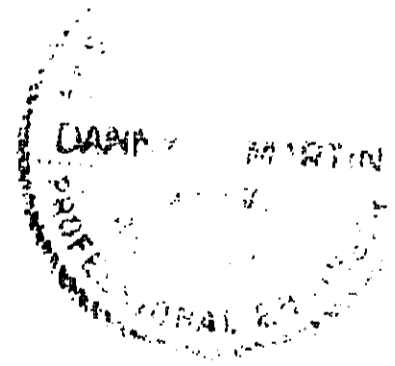


Engineering & Development Consultants

Professional Engineer
 License No. 12345
 State of California
 Mechanical Engineering
 1234 Main Street
 San Francisco, CA 94102
 Phone: (415) 555-1234
 Fax: (415) 555-5678
 Email: info@edc.com

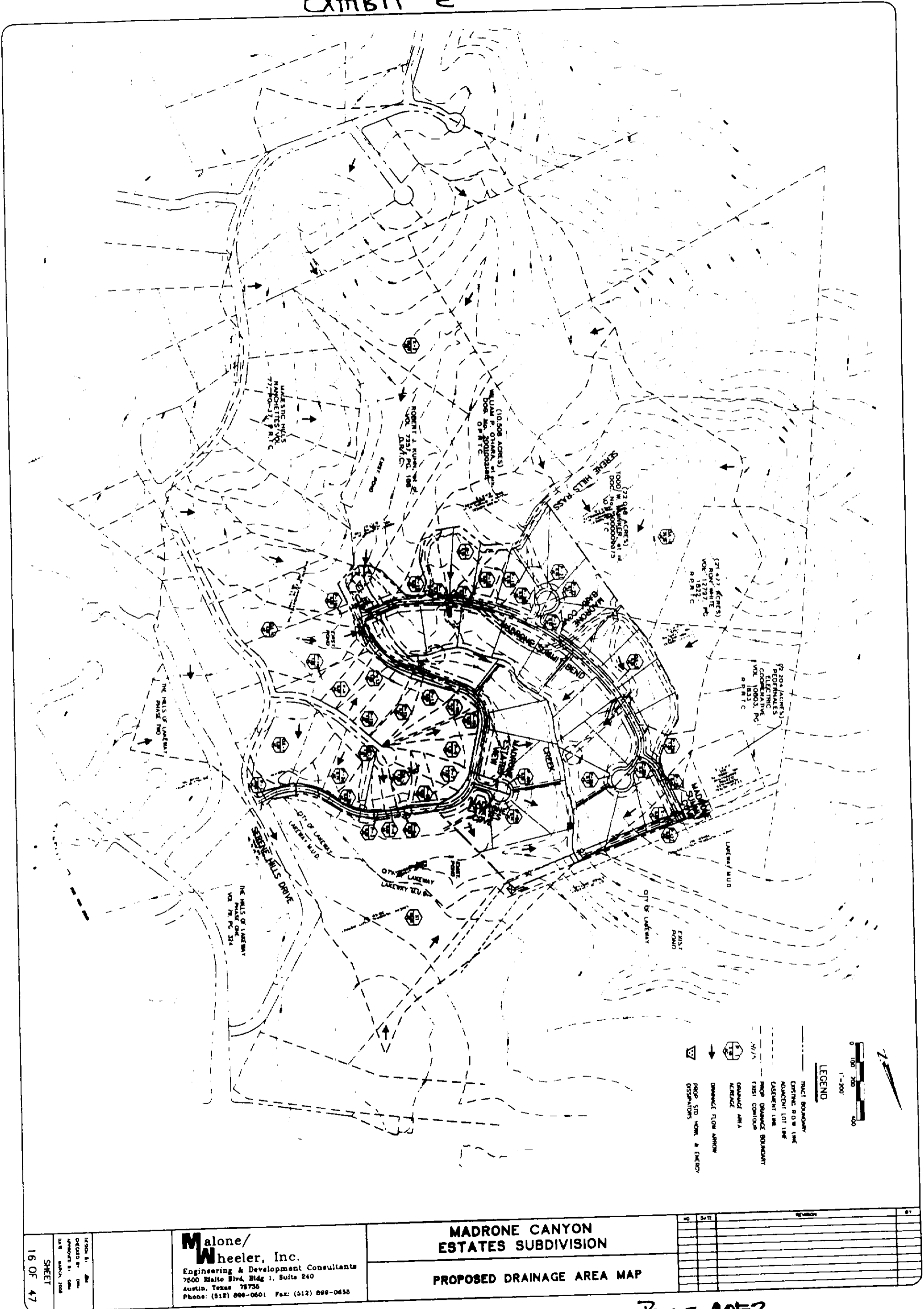
The undersigned hereby certifies that the above information is true and correct to the best of his knowledge and belief, and that he is duly licensed as a Professional Engineer in the State of California, and that he is duly qualified to perform the duties of a Professional Engineer in the State of California.

Executed on this 12th day of December, 2008.



James Martin
 Professional Engineer

EXHIBIT 'E'



SHEET
16 OF 47

DESIGN BY: [Signature]
 CHECKED BY: [Signature]
 APPROVED BY: [Signature]
 DATE: MARCH 2008

Malone/Wheeler, Inc.
 Engineering & Development Consultants
 7500 Malto Blvd, Bldg 1, Suite 240
 Austin, Texas 78736
 Phone: (512) 899-0601 Fax: (512) 899-0655

**MADRONE CANYON
 ESTATES SUBDIVISION
 PROPOSED DRAINAGE AREA MAP**

NO	DATE	REVISION

EXHIBIT 'E'

PROPOSED DRAINAGE AREAS

Table with columns: Drainage Area No., Area, Perimeter, Slope, etc. Rows P1 through P38.

CURB INLETS & CUTS FOR MADRONE CANYON - 100 YR

Table with columns: Inlet Number, Catchment Area, Capacity, etc. Multiple rows of data.

CURB INLETS & CUTS FOR MADRONE CANYON - 25 YR

Table with columns: Inlet Number, Catchment Area, Capacity, etc. Multiple rows of data.

AS-BUILT AREA INLETS

Table with columns: Inlet Number, Capacity, etc.

Small table with columns: NO, DATE, PERSON.

MADRONE CANYON ESTATES SUBDIVISION DRAINAGE CALCULATIONS

Malone/Wheeler, Inc. Engineering & Development Consultants 7600 Rialto Blvd, Bldg 1, Suite 240 Austin, Texas 78735

DR: [Name], [Title], [Date] SHEET 17 OF 47

EXHIBIT 'A'



2250 US 281 N
Blanco, TX 78606
Phone: 830-833-2250
Toll Free: 877-833-2250
FAX: 830-833-2257
EMAIL: abakersurvey.com

Field notes of a 0.18 of an acre, 25.00 foot wide Existing Drainage Easement, to be released, situated in Travis County, Texas out of the C. W. Waldron Survey No. 79, being over a part of Lot 21, Majestic Hills Subdivision of record in Volume 77, Page 17 of the Official Public Records of Travis County, Texas and being more particularly described by metes and bounds with its centerline as follows:

Beginning at a 1/2" iron pin found in a cul-de-sac in the northeast line of Serene Hills Court at the northwest end of said street and the southwest line of Lot 21 for the south end of this easement, said point being N 07° 32' W. 35.72 feet from a 1/2" iron pin found in said cul-de-sac at the beginning of a curve into the northeast line of Serene Hills Court.

Thence with the center line of this easement as follows:

N 01° 36' 10" W. 129.09 feet to an angle point.

N 17° 50' 09" W. 66.84 feet to an angle point.

N 11° 56' 09" W. 67.61 feet to a point in the north line of Lot 21 and the south line of a Variable Width Ingress-Egress and the proposed Madrone Canyon Estates Drive for the north end of this easement, said point being N 77° 57' 44" W. 83.81 feet from a 1/2" iron pin found at an angle in said line and covering 0.18 of an acre of land according to a survey on the ground on August 4, 2008 by Baker Surveying, Inc.

Job No. 07-193
Accompanying Plat Prepared
File;N/draw2007/07-193 Lot 21
Released Easement.

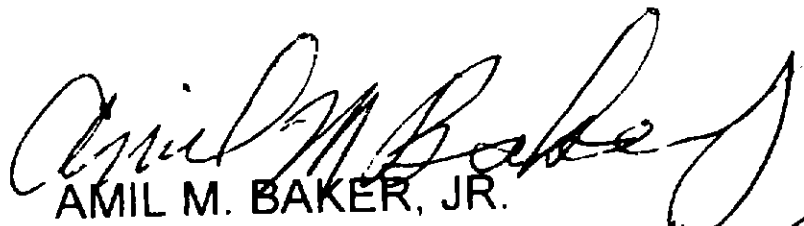
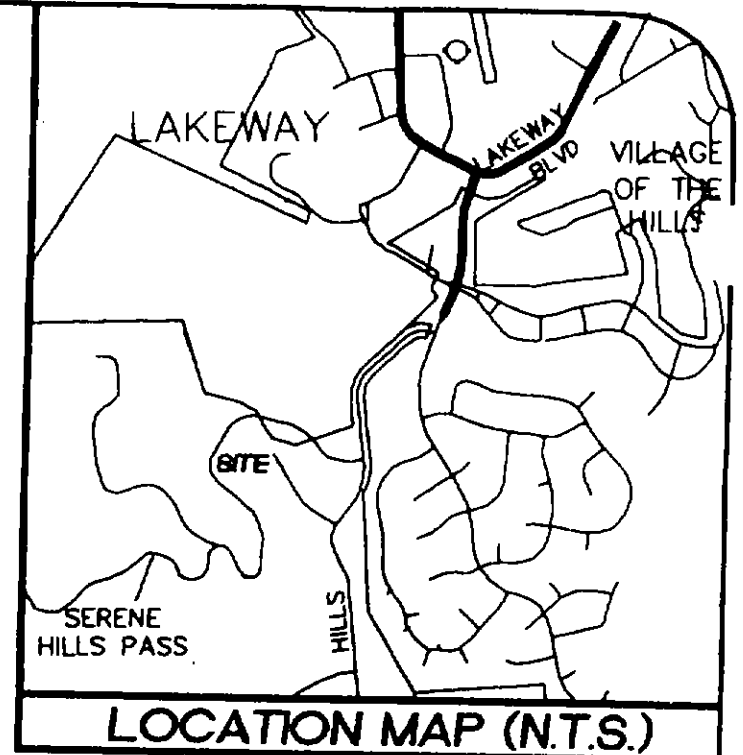

AMIL M. BAKER, JR.
Registered Professional Land
Surveyor # 1469



EXHIBIT 'A'



IRON NAIL FOUND CEDAR TREE

N77°57'44"W
128.94'

83.81'
S77°57'44"E

N11°56'09"W
67.61'

N17°50'09"W
66.84'

N01°36'10"W
129.09'

S00°07'32"E
35.72'

LOT 21
MAJESTIC HILLS RANCHETTES
VOL. 77, PGS. 17

LOT 2

EXHIBIT SHOWING:
A 25 FOOT EASEMENT LOCATED OVER AND ACROSS LOT 21, MAJESTIC HILLS RANCHETTES OF RECORD IN VOLUME 77, PAGE 17, PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

STATE OF TEXAS :
COUNTY OF BLANCO:



I, AMIL M. BAKER JR., DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND BY PERSONS WORKING UNDER MY SUPERVISION.

Amil M. Baker Jr.
AMIL M. BAKER JR.

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1469
SURVEYED: AUGUST 04, 2008
PROJECT NO.: 07-193 RELEASED ESMT.

DWG No.: N:\Draw 2007\07-193 25' DRAIN ESMT. 08-04-08\DWG.

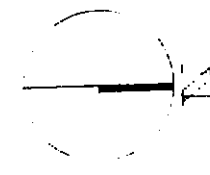
BAKER
SURVEYING, INC.

PH (830) 833-2250
FAX (830) 833-2257
2250 US 281 N
BLANCO TX 78606

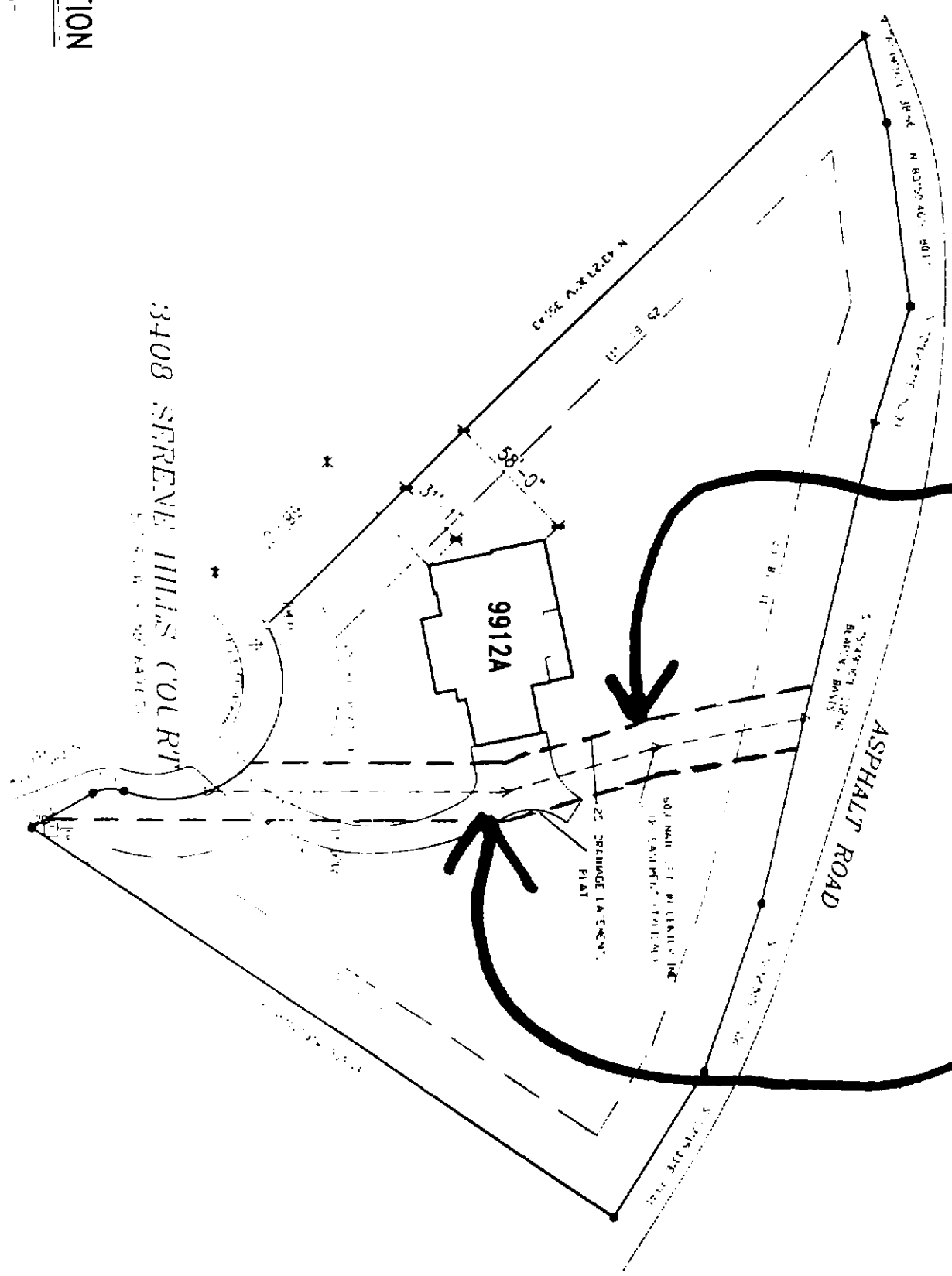


THIS DRAWING IS THE PROPERTY OF BAKER SURVEYING AND SHALL NOT BE USED FOR ANY PURPOSE WITHOUT THE WRITTEN CONSENT OF AN AUTHORIZED AGENT OF BAKER SURVEYING. BAKER SURVEYING ACCEPTS NO RESPONSIBILITY FOR THE USE OF THIS DRAWING FOR ANY PURPOSE AFTER SIX MONTHS FROM THE DATE INDICATED ON THIS DRAWING. ALL RIGHTS RESERVED. COPYRIGHT 2008, BAKER SURVEYING, INC.

EXHIBIT 'C'



DE to be vacated



LEGAL DESCRIPTION

LOT 10, TRACT 1, SERENE HILLS COL RT, N 43° 22' 20" E 122.00' N 83° 00' 40" S 80.11' 1/4 SECTION 31, T 27 N, R 23 W, S 4 E, DISTRICT 1, COUNTY OF DALLAS, TEXAS

SITE PLAN

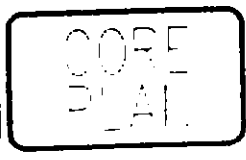
DEGEEST RESIDENCE
3408 SERENE HILLS COURT
#77908

FINAL 8-20-08

REVISION LIST	
BUILD OPTIONS:	
PLAN REVISIONS:	

REV.	DATE	DESCRIPTION
1	8-06-08	
2	8-15-08	
3		
4		

The measurements, dimensions, and other specifications shown on this plan are based on the best available information and are subject to change without notice. The owner is responsible for verifying the accuracy of the information provided.



SERENE HILLS PASS

Lot 21

No concentrated
Runoff - ESWT
CAN BE VACATED

Don G.
9/19/08



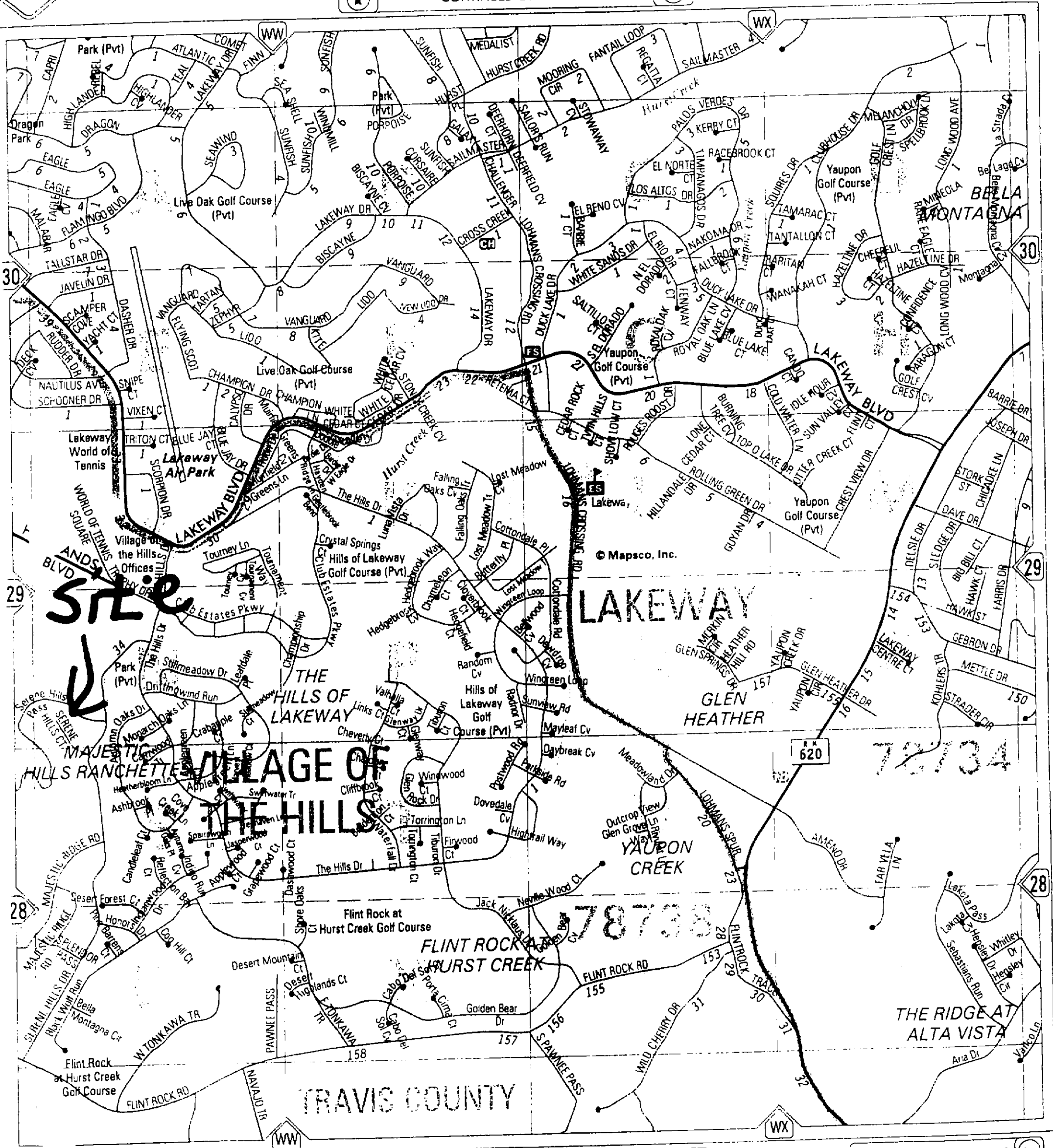
SERENE HILLS CT



Drainage Easement Vacation Lot 21, Majestic Hills Ranchette

519

CONTINUED ON MAP 489



STLE

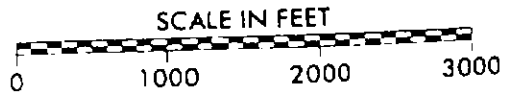
78734

78733

CONTINUED ON MAP 518

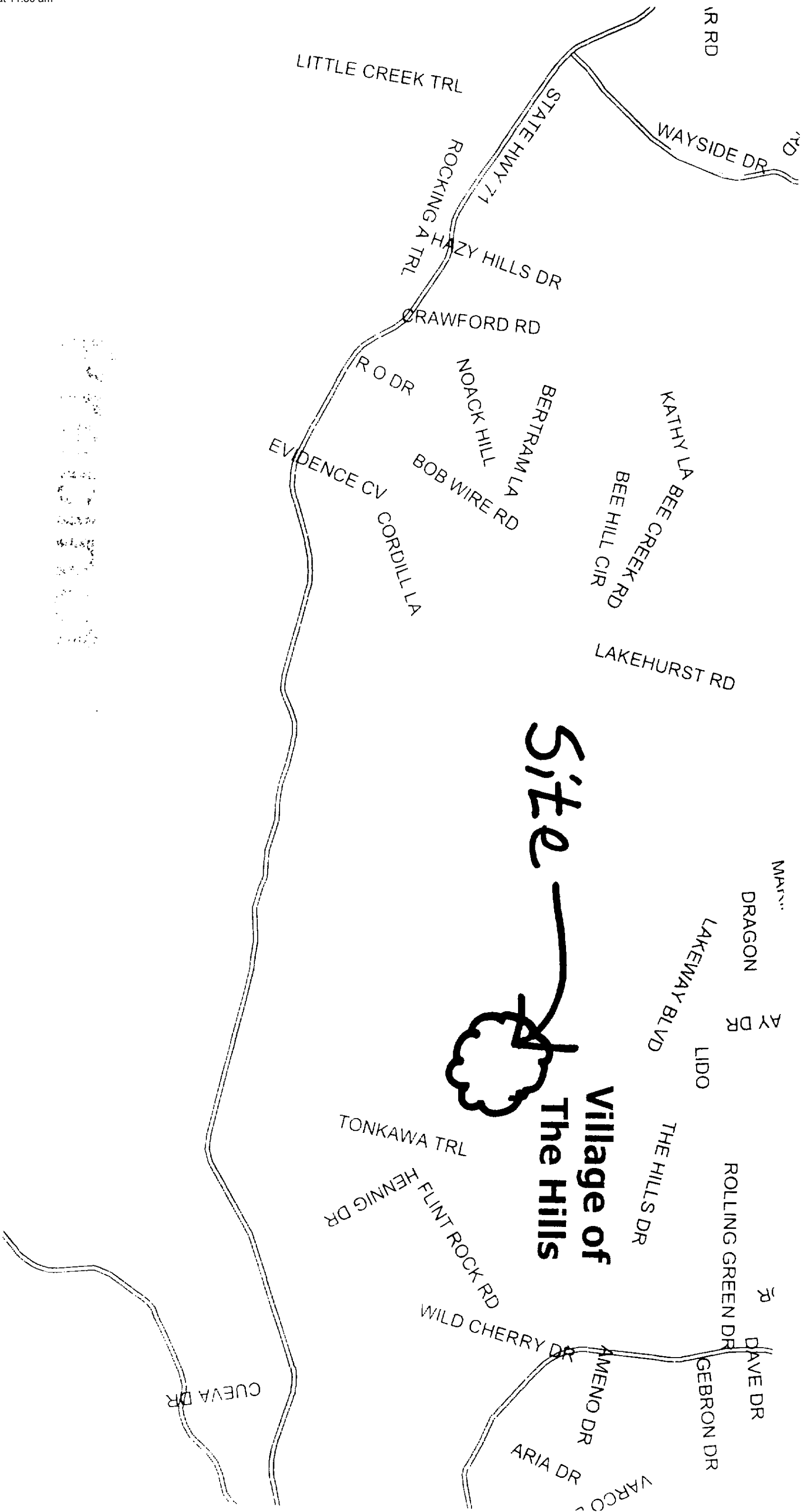
CONTINUED ON MAP 549

CONTINUED ON MAP 520



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Drainage Easement Vacation Lot 21, Majestic Hills Ranchettes



Travis County Commissioners' Court Agenda Request

Meeting Date: OCTOBER 28, 2008

I. A. Requestor: Judge Biscoe Phone # 854-9555

B. Specific Agenda Wording:

CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUEST FROM UNIVERSITY MEDICAL CENTER BRACKENRIDGE FOR RESOLUTION IN SUPPORT OF THE RAPID ANTICONVULSANT MEDICATION PRIOR TO ARRIVAL TRIAL (RAMPART).

C. Sponsor: _____
County Commissioner or County Judge

II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request.

B. Please list all of the agencies or officials names and telephone numbers that might be affected or be involved with the request.

III. Required Authorizations: Please check if applicable:

Planning and Budget Office (854-9106)

- Additional funding for any department or for any purpose
- Transfer of existing funds within or between any line item budget
- Grant

Human Resources Department (854-9165)

- A change in your department's personnel (reclassifications, etc.)

Purchasing Office (854-9700)

- Bid, Purchase Contract, Request for Proposal, Procurement

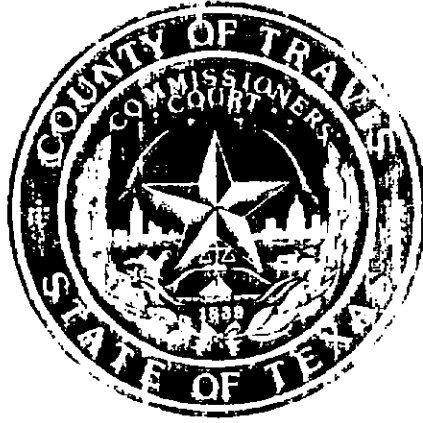
County Attorney's Office (854-9415)

- Contract, Agreement, Travis County Code - Policy & Procedure

RECEIVED
COUNTY CLERK
08 OCT 23 PM 2:24

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted to County Judge's office, Room 520, in writing by Tuesdays at 12:00 p.m. for the next week's meeting. Late or incomplete requests may be deferred to the following week's meeting.

Travis County Commissioners Court



Resolution

WHEREAS, University Medical Center Brackenridge (UMCB) is proposing a new medical research study entitled Rapid Anticonvulsant Medication Prior to Arrival Trial (RAMPART); and

WHEREAS, RAMPART compares two already FDA approved treatments for seizures in a head to head randomized structure were patients found actively seizing by Emergency Medical Services personnel will be given either intra-muscular midazolam (Versed) or intra-vascular lorazepam (Ativan) and a placebo dose by the converse route; and

WHEREAS, Community consent is required by an institutional review board before UMCB can initiate a study in patients who cannot grant informed consent prior to initiation of treatment.

NOW THEREFORE, BE IT RESOLVED THAT WE, THE TRAVIS COUNTY COMMISSIONERS COURT, do hereby support the participation of UMCB in the RAMPART clinical trial to help achieve the following benefits to the community: better and faster treatment of epilepsy cases; paramedics who are better equipped and educated in handling epilepsy; and contribution by our medical community to the "best practices" understanding of medicine.

SIGNED AND ENTERED THIS 28TH DAY OF OCTOBER 2008.

SAMUEL T. BISCOE
COUNTY JUDGE

RON DAVIS
COMMISSIONER, PRECINCT 1

SARAH ECKHARDT
COMMISSIONER, PRECINCT 2

GERALD DAUGHERTY
COMMISSIONER, PRECINCT 3

MARGARET J. GÓMEZ
COMMISSIONER, PRECINCT 4

RAMPART Research Study University Medical Center Brackenridge

Why is Medical Research Important?

- Medical Research aids in improving prevention and treatment of illness
- It is a requirement for Level I Trauma Center status
- Helps us build the foundation for a medical school in Austin

New Study being Proposed

RAMPART – Rapid Anticonvulsant Medication Prior to Arrival Trial

Funded by the National Institutes of Health (NIH)

Coordinated nationally by Neurological Emergencies Treatment Trials (NETT)

Coordinated locally by University Medical Center Brackenridge and Austin-Travis County EMS

RAMPART compares two already FDA approved treatments for seizures in a head-to-head, randomized structure. Patients found actively seizing by EMS personnel will be given either intra-muscular midazolam (Versed) or intra-vascular lorazepam (Ativan) and a placebo dose by the converse route.

Exemption from Informed Consent

Certain studies qualify for EFIC if informed consent is required but cannot be collected prior to study enrolment (as with actively seizing patients). To qualify, a study must clearly offer greater benefits to the individual and community than risks to the individual.

EFIC has two stages: Community Consultation and Public Notification

Community Consultation: Research staff will focus on meeting with community groups within Travis County, explaining the purpose and details of the research and gathering feedback. Groups include those with patients likely to be enrolled (Epilepsy Foundation, local neurology groups, Healthcare for the Homeless Austin, etc.) and community opinion leaders (Chamber of Commerce, Austin Neighborhood Council, Interfaith Council, etc.)

Public Disclosure: The entire community is notified of the study as thoroughly as possible (through print advertisements, press coverage, and patient brochures directing to website and telephone information sources).

**University
Medical Center
Brackenridge**

A member of the
Seton Family of Hospitals

#3 + 8



**TRAVIS COUNTY HEALTH and HUMAN SERVICES
And VETERANS SERVICE**

100 North I.H. 35
P. O. Box 1748
Austin, Texas 78767

Sherri E. Fleming
Executive Manager
(512) 854-4100
Fax (512) 854-4115

MEMORANDUM

Date: October 7, 2008

To: Members of the Commissioners Court

From: *Sherri E. Fleming*
Sherri E. Fleming, Executive Manager
Travis County Health and Human Services and Veterans Service

Subject: Chapter 72, Emergency Assistance (Family Support Services Division)

Proposed Motion:

Consider and Take Appropriate Action on the Following Related to Chapter 72 of the Travis County Code, Emergency Assistance Program Policies and Procedures, which Include Assistance for Rent/Mortgage, Utilities, Prescriptions, Food Vouchers And Emergency Transportation:

- A. Repeal And Replace Chapter 72 with the Attached Text for Clarity and to Simplify the Chapter which Provides Operating Policy for Financial Assistance; and
- B. Request to Authorize Implementation of Proposed Chapter 72 Policies to be Effective January 1, 2009.

Summary and Staff Recommendations:

Staff recommends the repeal of the current Chapter 72 and the replacement of it with the proposed Chapter 72 Emergency Assistance Policy. Additionally, staff recommends that such changes take effect January 1, 2009 to coincide with the date proposed for increased emergency assistance levels.

Chapter 72 Emergency Assistance Policy Comparison	
PROPOSED POLICY	CURRENT POLICY
<ul style="list-style-type: none"> Align residency with state election statues. 	<ul style="list-style-type: none"> A 60-day residency restriction
<ul style="list-style-type: none"> Rent/Mortgage/Temporary Shelter must be due within 14 days. 	<ul style="list-style-type: none"> Rent/Mortgage/Temporary Shelter must be 3 days past due.
<ul style="list-style-type: none"> Utility bills must be due within 14 days. No deposits will be paid, but other charges up to benefit scale limit are allowed. 	<ul style="list-style-type: none"> Utility bills must be past due and no fees paid.
<ul style="list-style-type: none"> Resources/Assets are defined as income producing property, liquid assets, and other property, excepting homesteads, as defined by the Department approved application and eligibility procedure. The cap remains at \$2,500 per household. 	<ul style="list-style-type: none"> Resources/Assets are defined in detail with specific tax asset forms listed that may change over time such as Keogh Plans and how to calculate their income. Resources are capped at \$2,500 per household.
<ul style="list-style-type: none"> Income is aligned with Texas Department of Housing and Community Affairs guidelines to standardize and allow for coordination with grant sources of assistance. (Note: Qualifying income as a percent of poverty will not change.) 	<ul style="list-style-type: none"> Income is determined by gross wages, and not by types of income. Crisis impact requires calculation of 10% of income/resources.
<ul style="list-style-type: none"> Crisis documented within 60 days of application 	<ul style="list-style-type: none"> Crisis documented within 30 days of application
<ul style="list-style-type: none"> Eligibility criteria and Application procedures may be waived when the Executive Manager identifies that an immediate response is required to a disaster which affects the health and safety of the community or in specific instances with written notice to the Commissioners Court. 	<ul style="list-style-type: none"> Eligibility criteria not addressed in Chapter 72, and specific pre-authorization procedure detailed in current Chapter 73.
<ul style="list-style-type: none"> Benefit scales will be adjusted to account for inflation and national standards such as the Fair Market Rent for rental and mortgage assistance. 	<ul style="list-style-type: none"> Current policy has benefit scale limits last adjusted in 1997

Issues and Opportunities:

Residency Restriction:

Currently, an applicant must be able to show proof of having lived in Travis County for a minimum of sixty (60) days prior to application for assistance. If applicant is being released from an institutional facility, such as ARC, TDCJ, rehabilitation centers, temporary shelters, applicant must provide proof of residency prior to entering the facility. This can also be a barrier for residents who are homeless.

Staff proposes that an applicant be able to provide proof of residency within Travis County and intends to become permanent resident of Travis County.

Rent/Mortgage/Temporary Shelter Assistance:

Currently, an applicant may only apply for assistance after his/her rent payment is 3 days past due. Thus, applicants may experience an additional cost burden with late fees added to their past due rent payments.

Staff proposes that applicants are able to apply fourteen (14) days prior to due date for rent, mortgage, or mobile home lot payment. Additionally, it is proposed that payment does not have to be for the current month. Should client owe rent or mortgage and lot rent, payments may be split between two vendors. The landlord would still be precluded from instituting any eviction process for 30 days from the date of acceptance of payment, which would effectively maintain the client's housing stability through the month of emergency assistance.

The policy changes described above (residency restriction, past due, resource/assets, income guidelines, etc.) are recommended because:

- Amending the residency restriction allows quicker response to crisis reducing the likelihood of clients becoming homeless in our community.
- Modifying the past-due requirement for both utility and rent assistance allows payment before late fees and penalties are incurred, thus reducing the ongoing burden on the client.
- Standardizing the income requirement for Chapter 72, allows for coordination with grant sources of assistance and greater leverage of State and Federal funds.
- Refining the definition of resources/assets will allow the Department to respond to changing tax structure and asset types and maintain congruent procedures with other grants for emergency assistance.

Utility Assistance:

Currently, an applicant must have a utility bill past due in order to be eligible for assistance.

Staff proposes that utility bills no longer have to be past due in order to apply and receive assistance. This reduces the risk of incurring late fees and other penalties

during the emergency assistance process.

Resource/Asset Definition:

Currently, asset types and methods for documenting resources and assets are detailed. This leaves no room to change or update procedures when new tax structures are established (such as Roth IRAs not mentioned in current language).

Staff proposes that Chapter 72 provide direction about the need to document assets and resources, and retain the limit of allowable resources and assets. Staff recommends that this type of procedural detail be moved to the Department procedures. This allows for updating as needed and alignment with standards from Texas Department of Housing and Community Affairs and other Federal guidelines as needed.

Income Definitions:

Much like the Resource and Asset definitions, the current policy sets detailed procedures for what type of income will be allowed and excluded. This creates inconsistencies with other grants, most notably the Comprehensive Energy Assistance Program which sets the types of income allowed for state-funded assistance. Current policy has not been updated to reflect the automated documentation system now being used and codifies the forms and documents used.

Staff recommends that Chapter 72 provide policy guidelines for income eligibility (such as the percentage of poverty that will qualify applicants for assistance) but move this type of procedural detail to the Department procedures. This allows for updating as needed and alignment with standards from Texas Department of Housing and Community Affairs and other Federal guidelines as needed. Income eligibility remains unchanged at 125% Federal Poverty Guidelines for elderly and disabled households and 50% of Federal Poverty Guidelines for other households.

Crisis Standards:

Currently, policy requires that applicants provide documentation or third party verification that a crisis occurred for their household within the 30-day period prior to seeking assistance. This presents a barrier to emergency assistance in situations where it takes over 30 days for the effects of a crisis to manifest. One example of this is a job loss that impacts the household's ability to meet the subsequent months utility or rental payments.

Staff recommends that documentation, including third party verification of crises, be done within 60 days of the date of application for emergency assistance.

Executive Manager Discretion:

Current policy does not address this area.

Staff proposes new policy to allow the Executive Manager to waive eligibility criteria in the event of a disaster. Notification to the Court at the earliest possible time would be required.

Benefit Scale Limits:

Current benefit scale limits have not been adjusted since 1997.

Staff recommends setting new benefit scale limits as discussed during the Court's March Work Session and budgeted for in the FY09 budget (see the Budgetary and Fiscal Impact section for detailed information).

Background:

In 1936, Health and Human Services began providing emergency assistance services to residents of Travis County. In 1997, the Commissioners Court reviewed and adjusted benefit amounts and applicable policies. In 2003, policies were revised to add the 60-day residency requirement and proof of workforce activity for non-elderly and non-disabled persons. In 2005, the Commissioners Court voted to assist with Hurricane Katrina & Rita relief efforts by temporarily amending eligibility requirements. This has been done on a case-by-case basis with subsequent emergency management efforts, but requires Court approval during a regularly scheduled and posted voting session before activation.

In 2007, policies for the elderly & disabled changed from 85% to 125% of poverty level to align with Federal and State programs. In February 2008, staff presented proposed changes to Chapter 72 and the accompanying fiscal implications.

Budgetary and Fiscal Impact:

During Fiscal Year 2009 Budget Mark-up, the Commissioner's Court approved ongoing funding of \$397,876. This amount is the Department's best estimate of the fiscal impact of the proposed changes to Chapter 72, which will better align us with national standards and community conditions. Methodology for these approved increases was determined by type of assistance and linked to national standards such as the Thrifty Food Plan and the Fair Market Rent identified for the Austin Round Rock Metropolitan area by the US Department of Housing and Urban Development (HUD). Prescription and Utility assistance benefit levels were adjusted for inflation using the Consumer Price Index.

Staff recommends increasing the following budget line items:

Rent/Mortgage Assistance	001-5854-611-6241	\$ 380,226
Utility Assistance	001-5854-611-6231	\$ 15,048
Prescriptions	001-5854-611-6273	\$ 414
Food Vouchers	001-5854-611-6261	\$ 2,188
	Total	\$ 397,876

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Chapter 72.001 Program Administration Changes

1. 72.001 (a) – Updates state authorizing code
2. 72.001 (b) – Recommended language from County Attorney
3. 72.001 (c) - Additional sections are to **repeal and replace** to reduce complexity of current Chapter and subsequent amendments
4. 72.001 (c) (d) (e) – Recommended language from County Attorney for administration of program
5. 72.001 (f) – Suggested changes include the definitions of the following: date of application, executive manager, immediate family, medical crisis, and sixty day period
6. 72.001 (f) - Language changed for grammar, and clarity of meaning
7. 72.001 (f)(1) (2) (4) (12) (14) – definitions reassigned to procedure documents from County policy
8. 72.001 (f) (3) – Common law marriage definition changed to reflect current legal standards
9. 72.001 (f) (5) – Disability definition changed. Often households with disabled members receive federal disability benefits, and this change allows those documents as proof of disability, in addition to documents from Licensed Health professional [see 72.001 (f) (11)]
10. 72.001 (f) (6) – Language changed for clarity and to allow crisis documented within 60 days (changed from 30) Rationale: Impact of a household crisis may be felt after 30 days
11. 72.001 (f) (7) – This section was changed in a 2003 amendment, that this language incorporates
12. 72.001 (f) (8) – Recommended language from County Attorney
13. 72.001 (f) (9) – Language changed for clarity and examples reassigned to procedure documents from County policy
14. 72.001 (f) (10) – Income definition changed to align with Texas Department of Housing and Community Affairs and linked to the Texas Administrative Code, section 6.105
15. 72.001 (f) (11) – Language changed to clarify health professionals and condensed with definition (12)
16. 72.001 (f) (13) – Residency definition changed to align with Texas Election Code, section 1.015
17. 72.001 (f) (14) - Reassigned to procedure documents from County policy
18. 72.001 (f) (15) - Language changed for clarity and to reflect crisis period of 60 days changed from 30 days
19. 72.001 (f) (16) – Language changed for clarity and to allow Department to fully define “third party” in separate procedure document
20. 72.001 (f) (18) – Changed for grammar

Chapter 72.002 Eligibility Changes

21. 72.002 (a) Changed for grammar
22. 72.002 (a) Added a 72.002 (b) with recommended language from County Attorney to allow Executive Manager to respond to specific community conditions, such as

highlighted text indicates significant policy change

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Hurricane Katrina. This language allows change to the eligibility criteria in cases of disaster, AND “in specific instances of Third Party verified current life threatening situations, such as domestic violence.” Any such change requires written notice to Commissioners Court.

23. 72.002 (a) General eligibility is now 72.002 (c) to clarify eligibility criteria for all types of emergency assistance.
24. 72.002 (a) (1) Purpose is moved to (a) for clarity
25. 72.002 (a) (1) Changes for grammar to income eligibility
26. 72.002 (a) (2) Changed from number 3 to 2 for clarity and changed to allow documented crises within past 60 day period from 30 days. This allows for a more realistic time frame for the impact of economic crises.
27. 72.002 (a) (3) Added language requiring identification as part of general eligibility
28. 72.002 (a) (4) Changed to clarify and provide detailed guidance to Department for what will be allowable for residency proof, and to ensure homeless persons are not ineligible due to their housing status.
29. 72.002 (a) (5) Changed for grammar
30. 72.002 (a) (6) Changed for grammar
31. 72.002 (a) (7) Changed for clarity and grammar.
32. 72.002 (a) (8) This section was moved into 72.002 (c) (7) for clarity
33. 72.002 (b) Changed to 72.002 (d) for clarity
34. 72.002 (b) (1) Food Voucher. Changed for grammar, and clarity. Language added to address how to handle individuals not eligible for Food Stamp program to be considered for food voucher assistance. Language about food voucher issuance moved to procedure document from County policy.
35. 72.002 (b) (1) (ii) language added to allow Department Executive Manager discretion to consider other situations for eligibility
36. 72.002 (b) (2) Rent/Mortgage. Changed for grammar, and clarity.
37. 72.002 (b) (2) (i) Changed from requiring rent/mortgage to be past due at time of application, to allowing applicant to apply within 14 calendar days before the rent/mortgage due date. Payment no longer has to be for current month.
38. 72.002 (b) (2) (ii) changed for clarity and grammar
39. 72.002 (b) (2) (iii) changed for grammar
40. 72.002 (b) (2) (iv) Changed for clarity, language separates mortgage from rental processes
41. 72.002 (b) (2) (v) Changed for grammar to 72.002 (d) (2) (F)
42. 72.002 (b) (2) (vi) Changed for grammar to 72.002 (d) (2) (G)
43. 72.002 (b) (2) (vii) (viii) (ix) Removed
44. 72.002 (b) (3) Utility Assistance. Changed for grammar to 72.002 (d) (3)
45. 72.002 (b) (3) (ii) Changed to no longer require utility bills to be past due.
46. 72.002 (b) (3) (iii) (iv) Changed for clarity to 72.002 (d) (3) (C). Language now allows assistance with charges such as late fees, service, and reconnect but not deposit fees. Language removed requiring assistance to be for current address.
47. 72.002 (b) (4) Prescription/Medical Supplies. Changed for clarity to 72.002 (d) (4) (A)

highlighted text indicates significant policy change

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- 48. 72.002 (b) (4) (i) Changed to assist within 60 days of prescription (or written statement) from 30 days.
- 49. 72.002 (b) (4) (i) Language regarding types of refills eligible deleted
- 50. 72.002 (b) (4) (ii) (iii) (iv) (v) Language about prescription assistance moved to procedure document from County policy.
- 51. 72.002 (b) (5) Transportation. Changed to 72.002 (d) (5) for clarity and grammar.

Chapter 72 Verifying Documentation Changes

- 52. 72.003 Verifying/Documenting Changed to "Verifying Documentation" for clarity
- 53. 72.003 (a) Changed for grammar
- 54. 72.003 (b) Changed for grammar and moved language about procedure and acceptable proof documents to procedure document from County policy.
- 55. 72.003 (c) Language changed to ensure both verification and documentation of that verification of an economic crisis
- 56. 72.003 (c) (1) (a) and 72.003 (c) (1) (b) and 72.003 (c) (1) (c) Language changed to allow for crises as described and additional crises that can be documented and verified.
- 57. 72.003 (c) (2) (3) (4) (5) (6) (7) Moved to procedure document from County policy.

Chapter 72 Application Policy

- 58. 72.004 Added new section for 72.004 (a) to explain purpose of section
- 59. 72.004 Added new section for 72.004 (b) to allow Department Executive Manager discretion in creating, adjusting and amending internal specific procedures to implement these County policies.
- 60. 72.004 (a) (b) Moved to procedure document from County policy.

Chapter 72 Benefits Scale / Interpretive Guidelines and Standards

- 61. 72.005 Added new section for 72.005 (a) to explain purpose of section
- 62. 72.005 (a) Adjusts the food voucher assistance amount to reflect current costs associated with the Thrifty Food Plan from the US Department of Agriculture. Language changes for grammar.
- 63. 72.005 (b) Changes for clarity and grammar, changes to 72.005 (c). Adjusts utility assistance to reflect consumer price index increase from last adjustment in 1997.
- 64. 72.005 (c) Changes for clarity and grammar, changes to 72.005 (d). Adjusts prescription/medical supplies assistance to reflect consumer price index increase from last adjustment in 1997.
- 65. 72.005 (d) Changes for clarity and grammar, changes to 72.005 (e). No adjustments to transportation assistance benefit scales.
- 66. 72.005 (e) Changes for clarity and grammar, changes to 72.005 (f). Adjusts rent/mortgage assistance to 50% of 2008 Fair Market Rent from the US Department of Housing and Urban Development.
- 67. 72.005 (e) (1) Removed

Chapter 72 Appeals Policy

- 68. 72.006 Added section 72.006 (a) to explain purpose of section.

highlighted text indicates significant policy change

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- 69. 72.006 (a) Language changed for clarity and moved to section 72.006 (b)
- 70. 72.006 (b) Language regarding procedures moved out of County policy and into procedure document. Language regarding position titles removed as obsolete.
- 71. Added sections 72.006 (c) and (d) to set timeframe for appeals and response process.

Chapter 72 Best Single Source Program Standards

- 72. Adds policy approved in 2008 to incorporate Best Single Source as ongoing program to Chapter 72. Language incorporates no functional changes to this project.

Chapter 72 Present and Proposed

<u>PRESENT POLICY</u>	<u>PROPOSED POLICY</u>
<p>TITLE VI. HUMAN SERVICES</p> <p>CHAPTER 72 - EMERGENCY ASSISTANCE PROGRAM POLICIES AND PROCEDURES</p>	<p><u>TITLE VI. HUMAN SERVICES</u></p> <p><u>CHAPTER 72 - EMERGENCY ASSISTANCE PROGRAM POLICIES AND PROCEDURES</u></p>
<p>72.001 Program Administration</p>	<p>72.001 Program Administration</p>
<p>(a) Authority - Texas Local Government Code, Section 81.028 - Each Commissioners Court may provide for the support of paupers, residents of their County, who are unable to support themselves.</p>	<p>(a) Authority. Travis County is authorized to provide the services referenced in this Chapter 72 under Texas Local Government Code, Section 81.027, and other applicable statutes.</p>
<p>(b) Emergency Assistance Mission Statement - The Neighborhood Services Division will assist residents toward achieving maximum self-sufficiency and quality of health, economic and social well-being</p>	<p>(b) Provision of Services. The Travis County Health, Human Services and Veterans Services Department ("Department") through the Family Services Division or such successor division as designated by Department ("Division") will assist residents toward achieving maximum self-sufficiency and quality of health, economic and social well-being. Implementation of this Policy will be done without regard to race, color, age, religion, sex, national origin, handicap, veteran status or sexual orientation.</p>
<p>(c) Purpose - To establish standards in administering the Emergency Assistance Program including:</p> <ul style="list-style-type: none"> - general and specific service category criteria for determining eligibility - human services definitions - application process - appeals process 	<p>(c) Purpose. The purpose of this Chapter 72, "Emergency Assistance Program Policies and Procedures" ("Policy") is to establish standards in administering the Emergency Assistance Program as set forth in the following sections:</p> <ul style="list-style-type: none"> 72.001 Program Administration 72.002 Eligibility Criteria 72.003 Verifying Documentation 72.004 Application Policy 72.005 Benefits Scale / Interpretive Guidelines and Standards 72.006 Appeals Policy 72.007 Best Single Source Program Standards <p>This policy only services to provide guidelines for the provision of services as determined to be available by</p>

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	the Travis County Commissioners Court (“Commissioners Court”) and the Department, and does not create any entitlement to any of the services referenced herein.
	(d) Statutory Guidelines. Travis County will provide all services in accordance with all applicable federal, state and local laws, rules and regulations.
(e) Limitations. County general revenue fund monies shall be used to provide assistance under this Chapter 72 only when no other source of funding is available to meet the identified need.	<p>(e) Limitations.</p> <p>(1) General Revenue Funds. County general revenue fund monies and other funds legally available to Travis County for these purposes may be used, as determined by the Commissioners Court and directed by the Department, to provide assistance under this Chapter 72 when the Department determines that no other appropriate source of funding is readily or reasonably available to meet the identified need(s).</p> <p>(2) Changes. Travis County reserves the right to change any provision of this Policy unilaterally by written amendment approved by the Commissioners Court without specific notice (other than that provided through the Commissioners Court posting procedures, as required by law) to any recipient of services or potential recipient of services. No employee, official, supervisor or other individual has any authority to change any provision of this Policy without the express and specific authority to do so as set forth in this Policy or granted by the Commissioners Court.</p> <p>(3) Availability of Services. This Policy sets forth the general guidelines under which certain benefits may be provided by Travis County to eligible recipients and are provided for informational purposes only. The services described herein may be limited by availability of County funds or other factors, and the provisions of this Policy are not intended to create any entitlement or interest or right in property. This Policy does not create any</p>

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<u>PRESENT POLICY</u>	<u>PROPOSED POLICY</u>
	<p>guarantee of the provision or continuation of services for any individual, even if that individual meets the stated criteria, nor does it guarantee the availability of services or funds for such services at any given time. Application of this Policy will be as determined by the Commissioners Court and the Department. If funding is available and provision is made, services will be provided according to the terms of this Policy for so long as the County continues to provide for such services. At the discretion of the Commissioners Court, services may be decreased, interrupted or curtailed at any time.</p> <p>(4) Acceptance of Services. Prior to receipt of services provided under this Policy, each recipient will sign a statement evidencing their awareness of the above limitations.</p>
<p>(d) Definitions - Purpose: To establish standard operating terms used in the Emergency Assistance Program.</p>	<p>(f) Definitions. In this Policy, the following terms will have the meaning set forth herein:</p>
<p>(1) Case Manager - An agency professional who assumes the overall responsibility of organizing and assuring needed services for a participant.</p> <p>(2) Case Management - Case management utilizes a collaborative and planned interdisciplinary approach to offering preventive, supportive, and facilitative assistance to individuals and families. The goal of case management is to aid in the acquisition of skills and services appropriate to the individual's health and human services needs and toward the goals of achieving self-support or self-sufficiency. The process includes comprehensive assessment, planning, implementation coordination, monitoring and evaluation of options and services to meet identified needs and achieve expected outcomes. Case management is</p>	<p>[Moved to Department Procedure]</p>

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family-centered, community based, culturally relevant, interdisciplinary, and comprehensive.	
(3) Common Law Marriage - In Texas, a common-law marriage is considered a legal marriage. In common-law marriage, both parties must be free to marry, live together, and hold out to the public that they are husband and wife.	(1) "Common Law Marriage" means a legal marriage in the State of Texas wherein both parties are free to marry, live together, and hold out to the public that they are husband and wife.
(4) Date of Payment Approval - The date caseworker has obtained all necessary information/documents required to initiate the payment process.	[Moved to Department Procedure]
	(2) "Date of Application" means the date of intake.
<p>(5) Disability - A short term or long term condition of disability exists when:</p> <ul style="list-style-type: none"> - An applicant provides written verification signed by a physician or third party within thirty days previous to the date of application which states that the household member has been unable to obtain and/or maintain employment due to a medical condition - A nondisabled household member provides written verification signed by a physician or third party within thirty days previous to the date of application stating that he/she is needed in the home to care for a disabled household member and as a result is unable to obtain and/or maintain employment - An adult household member is receiving SSI or RSDI disability benefits <p>Long term disability exists when an individual is unable to obtain or maintain</p>	<p>(3) "Disabled" and "Disability" means an adult who has been unable to work or to obtain or maintain employment due to a health condition; or a minor who is disabled due to a health condition. At the time of the request for assistance, written verification signed by a Licensed Health Professional is required, stating that the individual was unable to work (or to obtain or maintain employment) the thirty (30) days prior to application/verification. Such written verification must be dated within the last 12 months.</p> <p>OR</p> <p>A Household member is receiving SSI (Supplemental Security Income) SSD (Social Security Disability) or RSDI (Retirement Survivors Disability Insurance) or VA (Veteran's Administration) disability benefits due to a Disability. Written or verbal verification is required.</p>

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<p style="text-align: center;">employment for a continuous period of not less than twelve (12) months.</p> <p>Short term disability exists when an individual is unable to obtain or maintain employment for a period of less than twelve (12) months</p>	
<p>(6) Economic Crisis - An economic crisis for Emergency Assistance eligibility exists when, during the last 30 days before the date of application, the client's household has experienced a need for assistance due to income reduction or loss of resources. In order to qualify as an economic crisis the change in circumstances must be great enough to significantly impact the household's ability to meet the need.</p>	<p>(4) "Economic Crisis" means the existence within a household of a verifiable need for assistance within the past sixty (60) days due to a substantial increase in expenditures, loss or reduction of Income, or loss or reduction of resources</p>
<p>(7) Elderly - An individual who is 60 years or older.</p>	<p>(5) "Elderly" means an individual who is sixty (60) years or older.</p>
<p>(8) Emancipated Minor - Persons under 18 years of age who have been legally declared as an emancipated minor by the court; or they are married including informal (common law) marriage.</p>	<p>(6) "Emancipated Minor" means a person under 18 years of age who either (i) has been legally declared as an emancipate minor by the court; or (ii) is married (with "marriage" including Common Law marriage).</p>
	<p>(7) "Executive Manager" means the Executive Manager of the Travis County Health and Human Services and Veterans Services Department, or his/her designee.</p>
<p>(9) Household - An applicant and those individuals sharing the applicant's housing unit who would benefit from the granted assistance.</p> <p>The following examples indicate how the definition relates to each assistance category:</p> <ul style="list-style-type: none"> - Rent - those individuals who the landlord agrees to refrain from evicting in consideration of the assistance granted; 	<p>(8) "Household" means an applicant and those individuals who reside in the applicant's housing unit and whose financial assets are held in common.</p>

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<ul style="list-style-type: none"> - Move In Rent - those individuals moving into new housing as a direct outcome of the applicant's rent assistance; - Mortgage - those individuals living in the applicant's housing unit; - Utility - those individuals who live together as one economic unit and customarily purchase residential energy in common; - Food - those individuals who purchase food in common (verification by report); - Prescription - those individuals sharing the applicant's housing unit whose financial assets are held in common; - Transportation - those individuals sharing the applicant's housing unit whose financial assets are held in common. 	
	<p>(9) "Immediate Family" means an family member which is defined pursuant to the Travis County Policies, Procedures and Regulations, Section 10.038 as including:</p> <ul style="list-style-type: none"> A. spouse B. child (birth, adopted, foster or step-) C. parent D. sibling (brother or sister) E. grandparent F. grandchild G. person living in the applicants' Household with whom the applicant shares a significant relationship of mutual caring.
<p>(10) Income - Total monetary receipts from all sources, including tips, before deductions from all sources.</p>	<p>(10) "Income" means the total amount determined from monetary receipts from all sources, including tips, before deductions from all sources, as defined by the Texas Department of Housing and Community</p>

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	Affairs as set forth in Texas Administrative Code, Section 6.105 (and according to any future amendments thereto).
(11) Licensed Health Professional - Registered Nurse, Social Worker, Occupational or Professional Physical Therapist	(11) "Licensed Health Professional" includes a Physician, Nurse Practitioner, Registered Nurse, Social Worker, Occupational or Professional Physical Therapist (or other professional as determined by Department).
(12) Licensed Health Provider - Physician, Nurse Practitioner	
	(12) "Medical Crisis" means a situation in which a Household experiences a loss or reduction of Income due to a medical condition of a Household member as documented with verification acceptable to Department.
(13) Residency – The governmental entity within which the person applying for assistance’s home or fixed place of habitation exists, or to which the person intends to return after a temporary absence. For purposes of these procedures, residency will be evaluated on a case by case basis.	(13) "Residency" means one's home and fixed place of habitation to which one intends to return after any temporary absences, as set forth in Texas Election Code, Section 1.015 .
(14) Resource/Assets - A household must have resource/assets less than the allowable limit. Countable assets for the Emergency Assistance Program are: - Keogh Plans - If there is a penalty for early withdrawals, deduct the penalty amount and count the remainder. (Do not count Keogh Plans if there is a contractual withdrawal agreement with other people who are not household members and who share the same fund.) - Liquid Resources - Assets that are readily negotiable, such as cash, checking or savings accounts, savings certificates, stocks and bonds. - Real Property, Not Jointly Owned - Land and	[Moved to Department Procedure]

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<p>any improvement on it. Count unless the household is making a good faith effort to sell it.</p> <ul style="list-style-type: none"> - Income-producing Property - Count the value of the income producing property as an asset, unless it is considered the homestead. - Individual Retirement Accounts (IRA) - If there is a penalty for early withdrawal, deduct the penalty and count the remainder. 	
<p>(15) Significant Economic Impact - A loss of gross income or resources equivalent to 10% or an increase in household expenses equivalent to 10% during the past 30 days</p>	<p>(14) "Significant Economic Impact" means a substantial loss of Income or resources, or substantially increase in expenditures during the past sixty (60) days, as determined by Department</p>
<p>(16) Third Party - A person who has no personal gain and no personal relationship to the applicant or any member of the applicant's household as a relative, friend or neighbor. Examples of third party are employers, school nurses, social service agency representatives, lawyers/paralegal, etc.</p>	<p>(15) "Sixty (60) Day Period" means the previous sixty (60) calendar days from and including the Date of Application.</p> <p>(16) "Third Party" means a recognized authority that has no potential for personal gain as a result of receipt of benefits and no personal relationship to the applicant or any member of the applicant's Household, who is qualified (as determined by Department) to verify the needed information. Examples of a Third Party include employers, school nurses, counselor, social services agency representatives, clergy, medical doctor, etc.</p>
<p>17) Thirty Day Period - The previous thirty calendar days from and including the date of application</p> <p>(18) Twelve Month Period - Beginning with the date of payment approval and ending on the same date of the next calendar year.</p>	<p>(17) "Thirty (30) Day Period" means the previous thirty (30) calendar days from and including the Date of Application.</p> <p>(18) "Twelve (12) Month Period" means that time period beginning with the date of payment approval and ending on the same date of the next calendar year.</p>
<p>72.002 Eligibility Criteria</p>	<p>72.002 Eligibility Criteria</p>

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<u>PRESENT POLICY</u>	<u>PROPOSED POLICY</u>
<p>(a) General Requirements</p> <p style="padding-left: 40px;">(1) Purpose - To establish unified criteria for identification of households which meet the minimum Emergency Assistance program eligibility requirements.</p>	<p>(a) Purpose. The purpose of this Section 72.002 is to establish unified criteria for identification of Households which meet the minimum Policy eligibility requirements.</p>
	<p>(b) Waiver or Adjustment. Eligibility criteria may be waived when the Executive Manager identifies that an immediate response is required to a disaster which affects the health and safety of the community or in specific instances of Third Party verified current life threatening situations, such as domestic violence. In such cases, the Family Support Division (or appropriate Department group), with the written approval of the Executive Manager, may waive or adjust certain provisions of this Eligibility Policy where, as determined by the Executive Manager, such waiver or adjustment will continue to promote the general purpose and intent of this Policy within the limits of applicable laws. At any time that such waiver or adjustment is requested or suggested, the Executive Manager may make such decision or, where time allows, refer such decision to the Commissioners Court. Upon granting of any such waiver or adjustment, the Executive Manager will provide written notice to the Commissioners Court of such waiver or adjustment and the circumstances leading to the granting of the waiver/adjustment at the earliest possible date.</p>
<p>(2) Income - Household gross income must be at or below 50% of the Federal Poverty Income Guidelines for the past 30 day period or household gross income must be at or below 125 % of the FPIG for those households which include a verifiably disabled or elderly member.</p>	<p>(c) General Criteria.</p> <p style="padding-left: 40px;">(1) Income. Household gross Income must be at or below 50% of the Federal Poverty Income Guidelines for the past Thirty (30) Day Period excepting any Households where one or more members are Disabled or Elderly. For Households which include a Disabled or Elderly member, the Household Income must be at or below 125% of the Federal Poverty Income Guidelines for the past Thirty (30) Day Period.</p>
<p>(3) Economic Crisis - Household must</p>	<p>(2) Economic Crisis. Household must have</p>

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have experienced a verifiable economic crisis within the past 30 days.	experienced a verifiable Economic Crisis within the past Sixty (60) Day Period.
	(3) Identification. Applicant must present acceptable identification, as determined to be satisfactory by Department staff, when applying for assistance.
(4) Residency - Applicant and household members receiving the benefit of assistance must be able to show proof of having lived in Travis County for a minimum of 60 days prior to application for assistance with the intent to remain in Travis County permanently.	(4) Residency. Applicant and Household members receiving the benefit of assistance must be able to show proof, as determined to be satisfactory by Department Staff, of Travis County Residency with the intent to remain in Travis County permanently. If applicant is being released from a facility such as ARC, TCDJ, rehabilitation centers, temporary shelters, applicant must provide proof of Residency prior to entering the facility. Lack of a fixed address would not necessarily be reason for denial of assistance
(5) Age - Applicant must be at least 18 years of age or an emancipated minor.	(5) Age. Applicant must be at least 18 years of age or an Emancipated Minor.
(6) Resource/Assets - Households must have assets or resources less than the allowable limit of \$2,500.00.	(6) Resources/Assets. Households may have assets or resources that total no more than the allowable limit of \$2,500.00. Resources/Assets include income producing property, liquid assets, and other property, excepting homesteads, as defined by the Department approved application and eligibility procedure.
(7) Frequency of Assistance – Subject to the requirement in 72.002 (a) (8) and the maximum assistance guidelines set forth in 72.005, a household will be assisted according to the following provisions: <ul style="list-style-type: none"> - For each service category a household may be assisted only once in twelve (12) month period. - For each service category a household that includes at least one elderly and/or disabled person may be 	(7) Frequency of Assistance. Households will be assisted within the set benefit scale for each service category only once in a Twelve Month Period with the following exceptions: <ul style="list-style-type: none"> (A) A Household that includes at least one Elderly and/or Disabled person may be assisted twice in a Twelve (12) Month Period. (B) One additional request for the same service category in a Twelve (12) Month Period may be approved if it is the result of a natural disaster causing displacement. A

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<u>PRESENT POLICY</u>	<u>PROPOSED POLICY</u>
<p>assisted twice in a twelve (12) month period if the crisis category is different from the previous approval. A second request for the same service category may be considered after 60 days from the date of payment approval.</p> <p>- One additional request for the same service category in a twelve (12) month period may be approved if it is the result of a natural disaster causing displacement. A written referral from the American Red Cross is required.</p>	<p>written referral from the American Red Cross is required.</p>
<p>(8) Participation in Workforce Development. In addition to any other requirements set forth in this Chapter 72, any client requesting assistance of any kind under this Chapter 72 after having already received assistance may only be granted such additional assistance upon demonstration of workforce activity or employment that will indicate the movement of the client toward self-sufficiency. Evidence of such will include:</p> <ul style="list-style-type: none"> -documentation of ongoing participation in any City of Austin/Travis County workforce development activity - documentation of current enrollment in any accredited educational institution with studies in an area which would lead to employment and self-sufficiency - copies of payroll checks or other documentation of current employment - documentation of enrollment in any County approved training program that would lead to employment and self-sufficiency. - any other documentation or evidence approved by County as meeting this requirement. <p>The determination of adequate evidence under</p>	<p>(C) Each time an applicant Household presents for a subsequent request for emergency assistance the applicant Household must demonstrate employment or a workforce activity unless the applicant household has an Elderly or Disabled member. A Workforce Activity is documented activity that moves the applicant Household toward self-sufficiency, such as educational activity, or job seeking.</p>

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<p>this requirement by County will be final. This requirement [section 72.002 (a) (8) will not apply to clients who qualify as elderly or disabled.</p>	
<p>(b) Specific Service Category Criteria</p>	<p>(d) Specific Service Category Criteria.</p>
<p>(1) Food Voucher Assistance</p> <p style="padding-left: 40px;">(i) Applicants must have applied for food stamps or have completed application to be mailed. Applicants who are ineligible for food stamps due to their non-citizenship status will not be required to apply for food stamps.</p> <p style="padding-left: 40px;">(ii) Households who have received their regular food stamp allotment within the last 30 days may be assisted if the household has experienced one of the following:</p> <ul style="list-style-type: none"> - increase in household size - food spoilage - lost or stolen Lone Star card - natural disaster <p style="padding-left: 40px;">(iii) Applicants will not be issued a voucher if the interruption in food stamp benefits was due to fraud or failure to follow through with TXDHS requirements.</p> <p style="padding-left: 40px;">(iv) Vouchers may be split in different amounts for different dates in cases where food storage is a problem, i.e., for the homeless.</p> <p style="padding-left: 40px;">(v) A caseworker will provide the following information to</p>	<p>(1) Food Voucher Assistance.</p> <p style="padding-left: 40px;">(A) Applicants must have applied for food stamps or have completed application to be mailed. Applicants who are ineligible for food stamps (due to their non-citizenship or felony status) will not be required to apply for food stamps.</p> <p style="padding-left: 40px;">(B) Households who have received their regular food stamp allotment within the last 30 days may be assisted if the Household has experienced one of the following:</p> <ul style="list-style-type: none"> - increase in household size - food spoilage - lost or stolen Lone Star card - natural disaster - other situation determined by Department to warrant receipt as approved by the Executive Manager. <p style="padding-left: 40px;">(C) Applicants will not be issued a voucher if the interruption in food stamp benefits was due to fraud or failure to follow through with TXDHS requirements.</p> <p style="padding-left: 40px;">(D) Vouchers may be split in different amounts for different dates in cases where food storage is a problem (i.e., for people without a fixed place of residence or people who are homeless).</p>

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<p>eligible applicants:</p> <ul style="list-style-type: none"> - food items are the only allowable purchases. - identification required at time of checkout - client signature required at time of checkout - no cash refunds allowed. - Food vouchers will not be replaced if lost 	
<p>(2) Rent/Mortgage/Temporary Shelter</p> <p>(i) Rent, mortgage or mobile home lot payment for current month must be at least three (3) days past due at the time of application.</p> <p>(ii) Move-in rent may be authorized if household is homeless, potentially homeless or in a situation that is unhealthy and/or dangerous, i.e., overcrowdedness, family violence, current dwelling is structurally unsafe, etc.</p> <p>(iii) Temporary shelter may be authorized if space is unavailable at appropriate shelter(s) and one of the following conditions exists:</p> <ul style="list-style-type: none"> - household must have minor children and inclement weather conditions exists - applicant has a health problem/condition requiring shelter as a result of a recent hospital and/or emergency room discharge <p>(iv) Payments are made only to landlord/owner/manager of the property.</p> <p>(v) Deposits will not be paid.</p> <p>(vi) Rent payment will not be made to relatives and roommates. Relative is defined</p>	<p>(2) Rent/Mortgage/Temporary Shelter.</p> <p>A) Applicant may not apply before fourteen (14) calendar days prior to the due date for rent, mortgage, or mobile home lot payment assistance. Payment does not have to be for the current month, but landlord must agree in writing to not proceed with eviction for 30 days from the date of acceptance of payment. Should applicant owe rent or mortgage and lost rent, payment may be split between two vendors.</p> <p>(B) Move-in rent may be authorized if Household is homeless, potentially homeless or in a situation that is unhealthy and/or dangerous, as determined by Department (i.e., overcrowding, family violence, current dwelling is structurally unsafe, etc.). Move-in rent is rent required for a new residence.</p> <p>(C) Temporary shelter may be authorized if space is unavailable at appropriate shelter(s) and one of the following conditions exists:</p> <ul style="list-style-type: none"> - Household has minor children and inclement weather conditions exist; or

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<p>as spouse, parents, children, grandchildren, sister, brother, grandparents, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, aunt, uncle, and first cousin.</p> <p>(vii) Payments toward late charges will not be paid.</p> <p>(viii) Previous month's delinquent rent will not be paid.</p> <p>(ix) Rent payments will not be made to shelters/halfway houses pre and post treatment facilities and other residential programs that are funded in any way by Travis County from the vendor list for rent payments.</p>	<p>- applicant or Household member has a health problem/condition requiring shelter as a result of a verifiable recent hospital and/or emergency room discharge.</p> <p>(D) Mortgage payments must be made in applicant's name.</p> <p>(E) Payments are made only to the owner of the property, or owner's legal agent with whom owner has a property management agreement.</p> <p>(F) Payment will not be made for deposits.</p> <p>(G) Rent payment will not be made to relatives or roommates. Relative is defined as spouse, parents, children, grandchildren, sister, brother, grandparents, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, aunt, uncle and first cousin.</p>
<p>(3) Utility Assistance</p> <p>(i) Utilities include electricity, water, natural gas, butane, propane, firewood, garbage collection.</p> <p>(ii) Bill must be at least one day past due. The one day past due requirement does not apply to propane and wood delivery requests.</p> <p>(iii) Payment is made for utility service to current address only. Other charges such as late charges, reconnect fees, deposits, returned check charge, service fees are excluded.</p> <p>(iv) Payment may be made on a transfer account if it is necessary to initiate new service</p>	<p>(3) Utility Assistance.</p> <p>(A) Utilities include electricity, water, natural gas, butane, propane, firewood and garbage collection.</p> <p>(B) Utility bills do not have to be past due.</p> <p>(C) Payment may be made for utility services fees, or charges as long as the total does not exceed the benefit scale.</p> <p>(D) Payment may not be made for deposits.</p>

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at current address or prevent service termination at current address.	
<p>(4) Prescriptions/Medical Supplies</p> <p>(i) Applicant must have one of the following:</p> <ul style="list-style-type: none"> - a written prescription signed by a physician within thirty (30) days previous to the date of application; - Refill orders remaining as verified by original pharmacist; exception: controlled substance - a written statement from a licensed medical provider or physician within thirty (30) days previous to the date of application for drugs/medical supplies not requiring a prescription. <p>(ii) Household members who have insurance coverage may be assisted if:</p> <ul style="list-style-type: none"> - prescription allotments and overrides have been exhausted for the current month - prescription is not an allowable charge by insurance vendor <p>(iii) Applicants may be assisted with co-payments.</p> <p>(iv) Assistance may be provided for medical supplies not requiring a prescription i.e., crutches, arm brace, etc.</p> <p>(v) Assistance may be provided for drugs not requiring a prescription i.e., insulin,</p>	<p>(4) Prescriptions/Medical Supplies.</p> <p>(A) Applicant or Household member must have one of the following:</p> <ul style="list-style-type: none"> - a written prescription signed by a physician within the Sixty (60) Day Period prior to the date of application ; or - Refill orders remaining as verified by original pharmacist ; or - Verifiable or written statement from a Licensed Health Professional within the Sixty (60) Day Period prior to the date of application for drugs/medical supplies not requiring a prescription, such as insulin, crutches, etc.

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syringes, etc.	
<p>(5) Transportation</p> <p>(i) Households may be assisted with emergency out-of-town transportation under the following circumstances:</p> <ul style="list-style-type: none"> - life or personal or family safety is at risk due to violence; - an individual who requires medical treatment or evaluation that is unavailable in Travis County; - an individual who requires convalescent care that is unavailable in Travis County. <p>(ii) A responsible party accepting family or individual at destination is required in those situations involving out-of-town transportation due to violence or convalescent care.</p> <p>(iii) A confirmation of appointment for medical treatment or evaluation is required</p>	<p>(5) Transportation.</p> <p>(A) Households may be assisted with emergency out-of-town transportation under the following circumstances:</p> <ul style="list-style-type: none"> - existence of a life-threatening situation or one in which personal or family safety is at risk due to violence - an individual requires medical treatment or evaluation that is unavailable in Travis County; - an individual requires convalescent care that is unavailable in Travis County <p>(B) A responsible party to accept the family or individual at the destination is required in those situations involving out-of-town transportation due to violence or convalescent care.</p> <p>(C) A confirmation of appointment for medical treatment or evaluation is required.</p>
72.003 Verifying/Documenting	72.003 Verifying Documentation
<p>(a) Purpose. To establish standard documentation and verification procedures to support all eligibility or ineligibility decisions.</p>	<p>(a) Purpose. The purpose of this Section 72.003 is to establish standard documentation requirements and verification procedures to support all eligibility or ineligibility decisions related to applications for emergency assistance services under this Policy.</p>
<p>(b) Income</p> <p>(1) Applicant must provide proof of income. In the exceptional case when proof of income is unavailable, an applicant must sign</p>	<p>(b) Income. Applicant must provide acceptable proof of income as determined by Department. In the exceptional case where proof of income is unavailable, an applicant must sign a Declaration of Income Affidavit as provided by Department.</p>

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<p>a declaration of income statement.</p> <p>(2) Proof of income will be provided for the following sources:</p> <ul style="list-style-type: none"> - money wages and salaries before any deductions; - net receipts from nonfarm self-employment (receipts from a person's own unincorporated business, professional enterprise, or partnership, after deductions for business expenses); - net receipts from farm self-employment (receipts from a farm which one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses); - regular payments from social security, railroad retirement, unemployment compensation, strike - benefits from union funds, workers' compensation, veterans' payments, public assistance (TANF/SSI) and training stipends; - alimony, child support, and military family allotments or other regular support from an absent family member or someone not living in the household; - private pensions, government employee pensions (including military retirement pay), and regular insurance or annuity payments; - college or university scholarships, grants, fellowships, and assistantships - only portion 	<p>Income will be verified and documented</p>

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<p style="text-align: center;">earmarked for non-educational expenses</p> <ul style="list-style-type: none"> - dividends, interest, lump sum payments, net rental income, net royalties, periodic receipts from estates or trusts, and net gambling or lottery winnings. <p>(3) Proof of income includes but is not limited to:</p> <ul style="list-style-type: none"> - pay stubs - sales records - W-2 forms - employers' statements - award letters - business records - court orders - public decrees - notes for cash contributions <p>(4) Utilize the following forms to document income:</p> <ul style="list-style-type: none"> - Emergency Assistance Worksheet - Sec. IV, VI, VII - Telephone Verification Form - Declaration of Income Statement - Emergency Assistance Self-Employment Statement <p>(5) Document the following information:</p> <ul style="list-style-type: none"> - type of income - date(s) income is received - source of income 	<p>[Moved to Department Procedure]</p>

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<ul style="list-style-type: none"> - gross income amount - calculations used - or unable to verify proof of income and why 	
<p>(c) Economic Crisis</p> <p>(1) Verification will be obtained for the following crisis categories:</p>	<p>(c) Economic Crisis. Claim of Economic Crisis supporting an application for assistance will be verified and documented for one of the following categories:</p>
<p>(a) Increased expenditures</p> <ul style="list-style-type: none"> - recent permanent or temporary addition to the household - increase of utility/housing costs - emergency repairs - funeral expense - increased medical costs - natural disaster - loss by theft or burglary - domestic violenc 	<p>(1) Increased Expenditure such as the following:</p> <ul style="list-style-type: none"> - medical expenses - transportation expenses for out of County medical needs - transportation expense due to domestic violence - auto repairs - refrigerator and/or refrigerator repairs - funeral expense for Immediate Family member - increase in utility expense - recent increase in family size with birth certificate or third party documentation
<p>(b) Loss/reduction of income</p> <ul style="list-style-type: none"> - job loss - decrease in earned household income due to employer reduction in hours and/or rate of pay - departure of household member receiving earned income - household member receiving earned income needs to attend to dependent at home - termination or decrease of unearned income/cash assistance benefit 	<p>(2) Loss/Reduction of Income resulting from situations such as the following:</p> <ul style="list-style-type: none"> - job loss - employer reduction in hours and/or rate of pay - departure of household member receiving earned/unearned income - loss of child support - death of household member who provided Household support - termination or decrease of unearned income/cash assistance benefits - medical crisis - Household member has a loss of earned income due to a medical condition

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	<ul style="list-style-type: none"> - Household member receiving earned income needs to attend to dependent at home or Immediate Family member - Household member previously providing income is pregnant and unable to work - Household member recently became disabled - domestic violence, with third party verification - loss of residence due to fire, flood, natural disaster, health hazard, that is not compensated through insurance company
<p>(c) Loss/reduction of resources</p> <ul style="list-style-type: none"> - delay or reduction of non-money benefits such as food stamps and medicaid - savings account depleted - personal property pawned/sold to meet expenses and this is no longer a viable option to meet needs - loss of household support from friend/relative or social service agency 	<p>(3) Loss/Reduction of Resources from situations such as the following:</p> <ul style="list-style-type: none"> - delay, reduction or termination of non-money benefits such as food stamps and medical benefits - bank account depleted - personal property pawned/sold in order to meet expenses - loss of Household support from friend/relative - unplanned loss of financial support from Social Service Program - Verifiable loss of money order(s) (at Caseworker's discretion as documented in case notes) - verifiable burglary or theft within 3 days of incident (at Caseworker's discretion as documented in case notes)
<p>(2) Acceptable verification but not limited to:</p> <ul style="list-style-type: none"> - verbal or written statement from a third party who is well acquainted with applicant's economic circumstances - copy of application requesting a trace for lost money order - notice of terminated or reduced benefits 	<p>[Moved to Department Procedure]</p>

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<ul style="list-style-type: none"> - birth certificate or other evidence of a recent increase in family size - call to mortuary verifying recent death of a household member who provided household support. - expense receipt(s) - notice of wage assignment - police report of burglary and/or theft (3) Utilize the following forms to document economic crisis: <ul style="list-style-type: none"> - Emergency Assistance Worksheet - Sec. III - Telephone Verification Form (4) Document the following information: <ul style="list-style-type: none"> - brief summary of presenting problem(s) - when presenting problem(s) occurred - the significant impact on the household's ability to meet need - or unable to verify economic crisis and why 	
<ul style="list-style-type: none"> (5) Residency. Proof of residence and intent to live in the county include, but are not limited to: <ul style="list-style-type: none"> - TXDPS driver's license/identification with current address - employee, military or student ID - voter registration card - tax records - automobile registration - school enrollment records - utility bills - lease agreement - statement from landlord, social services 	[Moved to Department Procedure]

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<p>agency representative, etc.</p> <p>-mail addressed to the person at the address given</p>	
<p>(6) Utilize the following form to document residence:</p> <ul style="list-style-type: none"> - Application for Assistance - Address section <p>(7) Document the following information:</p> <ul style="list-style-type: none"> - physical address - length of time at physical address - or unable to verify and why <p>(d) Age</p> <p>(1) Acceptable verification for age:</p> <ul style="list-style-type: none"> - TxDPS driver's license/identification - birth certificate/hospital birth record <p>(2) Utilize the following form to document age:</p> <ul style="list-style-type: none"> - Application for Assistance - Date of Birth section <p>(3) Document the following information:</p> <ul style="list-style-type: none"> - age of applicant - or unable to verify and why <p>(e) Emancipated Minor</p> <p>(1) Acceptable verification for emancipated minor status:</p> <ul style="list-style-type: none"> - guardianship or legal papers indicating emancipation adjudication - marriage license - court document <p>(2) Utilize the following form to document emancipated minor status:</p> <ul style="list-style-type: none"> - Application for Assistance - Section X 	<p>[Moved to Department Procedure]</p>

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<p>(3) Document the following information:</p> <ul style="list-style-type: none"> - status: minor or emancipated minor - or unable to verify and why <p>(f) Resource/Assets</p> <p>(1) Verification will be obtained for the following assets:</p> <ul style="list-style-type: none"> - Keogh Plans - Income-producing Property - Liquid Resources - Individual Retirement Accts. - Real Property <p>(2) Acceptable verbal or written verification but not limited to:</p> <ul style="list-style-type: none"> - checking account statement - savings account statement - IRA statement - appraisal statement - property tax statement - certificates of deposit <p>(3) Utilize the following forms to document resources:</p> <ul style="list-style-type: none"> - Emergency Assistance Worksheet - Section VIII - Telephone Verification Form <p>(4) Document the following information:</p> <ul style="list-style-type: none"> - total value of countable resources - computations for determining value for resources with allowable deductions - or unable to verify assets/resource and why <p>(g) Disabled</p>	<p>[Moved to Department Procedure]</p>

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<p>(1) Acceptable verification but not limited to:</p> <ul style="list-style-type: none"> - a verbal or written medical statement from a physician - a verbal or written statement from Texas Rehabilitation Commission - a verbal or written statement from Social Security Administration - a verbal or written statement from a third party, health professional or employer <p>(2) Utilize the following forms to document disability:</p> <ul style="list-style-type: none"> - Emergency Assistance Program Medical Information - Telephone Verification Form <p>(3) Document the following information:</p> <ul style="list-style-type: none"> - condition of disability - length of disability (beginning and ending dates) - limitations and restrictions - type, frequency and length of treatment - unable to verify disability and why <p>(h) Compliance with Case Management</p> <p>(1) Verbal or written Case Manager verification of compliance with:</p> <ul style="list-style-type: none"> - follow-through with individual service plan - required appointments met - completed application process (or documented) for all eligible financial and or support services (per plan). <p>(i) Food</p> <p>(1) Acceptable verbal or written verification</p>	<p>[Moved to Department Procedure]</p>

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<p>for food stamp application but not limited to:</p> <ul style="list-style-type: none"> - food stamp receipt - food stamp certification printout - completed food stamp application <p>(2) Document the following information:</p> <ul style="list-style-type: none"> - date applicant applied for food stamps - date applicant was interviewed and/or certified for food stamps and benefit amount - date applicant will submit completed food stamp application - estimated date Lone Star card will be received <p>(3) Acceptable verbal or written verification for those households that have an active food stamp case but have experienced a decrease in income, food spoilage, lost or stolen Lone Star card, increase in household size or a natural disaster but not limited to:</p> <ul style="list-style-type: none"> - TxDHS statement - employer statement - birth certificate on additional household member - American Red Cross statement - third party statement <p>(4) Document the following information:</p> <ul style="list-style-type: none"> - date incident occurred - the amount of income reduction - the number of additional household members - type of natural disaster - estimated dollar amount of food spoilage 	<p>[Moved to Department Procedure]</p>

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<ul style="list-style-type: none"> - date Lone Star card will be replaced - or unable to verify and why (5) Acceptable verification for those households experiencing an interruption in food stamp benefits due to fraud failure to follow through with TxDHS requirements but not limited to: <ul style="list-style-type: none"> - verbal or written notification from TxDHS (6) Document the following information: <ul style="list-style-type: none"> - date of food stamp denial - reason for food stamp denial - what is required by TxDHS to have applicant's benefits reinstated - or unable to verify and why (7) Utilize the following forms: <ul style="list-style-type: none"> - Emergency Assistance Worksheet - Section X - Telephone Verification Form (j) Rent/Mortgage/Temporary Shelter (1) Acceptable verification to determine current month's rent/mortgage is three (3) days past due or move-in rent is needed due to homelessness, potential homelessness, or a situation that is unhealthy and/or dangerous: <ul style="list-style-type: none"> - notice/letter from landlord/lien holder - letter from potential landlord - mortgage payment booklet - verbal or written notification from a third party re:unhealthy and/or dangerous situation (2) Utilize the following forms: <ul style="list-style-type: none"> - Emergency Assistance Worksheet - Section X 	<p>[Moved to Department Procedure]</p>

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<ul style="list-style-type: none"> - Telephone Verification form (3) Document the following: <ul style="list-style-type: none"> - date of notice/letter from landlord/lien holder - tenant's/homeowner's name and address - current month's rent/mortgage owed and due date - amount past due - name, address, phone number of landlord/lien holder - signature of landlord/lien holder - or unable to verify and why - payment history - minimum amount needed to maintain housing - applicant's contribution towards needed amount - applicant's financial ability to pay future rent payments (4) Verification will be obtained for the following situations when determining temporary shelter assistance: <ul style="list-style-type: none"> - unavailability of space at appropriate shelters - a household has minor children and inclement weather exists - a health problem exists (5) Acceptable verification but not limited to: <ul style="list-style-type: none"> - verbal or written notification from shelter - written notification from physician - birth certificate(s) (6) Utilize the following forms: <ul style="list-style-type: none"> - Emergency Assistance Worksheet - Section X 	<p>[Moved to Department Procedure]</p>

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<u>PRESENT POLICY</u>	<u>PROPOSED POLICY</u>
<ul style="list-style-type: none"> - Telephone Verification form (7) Document the following: <ul style="list-style-type: none"> - number of minor children - existing inclement weather - injury/illness - length of recuperation - or unable to verify need and why (k) Utility <ul style="list-style-type: none"> (1) Acceptable verification to determine utility is one day past due at current address but not limited to: <ul style="list-style-type: none"> - original utility bill - billing/payment history printout - propane/wood delivery receipt (2) Utilize the following form: <ul style="list-style-type: none"> - Emergency Assistance Worksheet - Section X (3) Document the following: <ul style="list-style-type: none"> - amount past due - termination date - transfer date of new services - payment history - minimum amount needed to prevent termination of services or to restore service - applicant's contribution towards needed amount - applicant's financial ability to make future account payments - or unable to verify need and why (l) Prescription/Medical Supplies (1) Acceptable verification but not limited 	<p>[Moved to Department Procedure]</p>

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<p>to:</p> <ul style="list-style-type: none"> - written prescription from a physician - written statement from a licensed medical provider or physician on drugs/medical supplies not requiring a prescription - verbal or written statement of exhausted allotments or overrides - verbal or written statement from insurance vendor that prescription is not an allowable charge <p>(2) Utilize the following forms:</p> <ul style="list-style-type: none"> - Emergency Assistance Worksheet - Section X - Telephone Verification Form <p>(3) Document the following:</p> <ul style="list-style-type: none"> - medical condition - type of medication or medical supply requested - number of exhausted allotments or overrides - or unable to verify need and why <p>(m) Transportation</p> <p>(1) Acceptable verbal or written verification to determine whether life or health is at risk due to violence or medical treatment/evaluation is required out of town or convalescent care is required out of town, but not limited to:</p> <ul style="list-style-type: none"> - statement from Center for Battered Women - statement from Victim Services - physician's statement - hospital statement - statement from skills Nursing Home or Convalescent Care facility 	<p>[Moved to Department Procedure]</p>

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<p>(2) Utilize the following forms:</p> <ul style="list-style-type: none">- Emergency Assistance Worksheet - Section X- Telephone Verification Form <p>(3) Document the following:</p> <ul style="list-style-type: none">- date life/health risk occurred- medical condition requiring treatment/evaluation- date medical treatment/evaluation will be occurring- medical condition requiring convalescent care- responsible party accepting family or individual at destination- or unable to verify need and why	<p>[Moved to Department Procedure]</p>

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<u>PRESENT POLICY</u>	<u>PROPOSED POLICY</u>
	[Moved to Department Procedure]
72.004 Application Process	72.004 Application Policy
	<p>(a) Purpose. The purpose of this Policy and the procedures utilized by the Department to implement this Policy is to provide all Travis County residents equal access to Emergency Assistance Services. All individuals involved in the provision of Emergency Assistance under this Policy will follow Department approved application/intake procedures. Applicants will be served with confidentiality, dignity and respect.</p>
	<p>(b) Executive Manager Discretion. The Division and others, as designated by Department, will create, adjust and amend internal Division specific procedures to implement the Emergency Assistance policy with the written approval of the Executive Manager. These internal procedures will be maintained in writing within the Department.</p>
<p>(a) Intake System</p> <p>(1) Purpose. To provide all individuals who contact any of the Austin/Travis County Health and Human Services Department sites participating in the County's Emergency Assistance Program an opportunity to apply for a full range of services.</p> <p>(2) Telephone Inquiries.</p> <p>(i) Staff will obtain basic information from the individual to determine appropriate action/referrals. Basic information should include the following:</p> <ul style="list-style-type: none"> - residence - type of service request - income and household size 	<p style="text-align: center;">[Moved to Department Procedure]</p> <p style="text-align: center;">[Moved to Department Procedure]</p>

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<u>PRESENT POLICY</u>	<u>PROPOSED POLICY</u>
<p>- any previous history with ATCHHSD Emergency Assistance Program</p> <p>(ii) Staff will provide the individual with the most appropriate information regarding ATCHHSD services. If a referral is appropriate, the staff will provide individual with specific community resource information.</p> <p>(3) Requesting the Application Form.</p> <p>- Application for Assistance form should be completed by applicant at the time assistance is requested in person.</p> <p>- Applicant must present proper identification when requesting service(s)</p> <p>- Upon completion of the Application for Assistance form by applicant, casefile search at site where service is being requested will be conducted.</p> <p>(4) Case File Search. Automated and manual file search is conducted by Staff after receiving completed Application for Assistance form:</p> <p>- If search indicates no other case file exists at another service site, enter transaction and client identification numbers at the bottom of completed Application for Assistance form.</p> <p>- If search indicates a case file exists at another service site and the applicant has not changed residence since that contact, the applicant will be provided with the following options:</p> <p>Option 1.</p> <p>-- The applicant will be screened by staff and if appropriate will provide applicant with a pre-set appointment at the original site.</p>	<p>[Moved to Department Procedures]</p>

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<u>PRESENT POLICY</u>	<u>PROPOSED POLICY</u>
<p>-- A faxed copy of the Application for Assistance and Appointment Notice/Verification List forms will be routed to the original site to ensure the verification list and the appointment notice will be available at the time of the interview.</p> <p>-- The original Application for Assistance and Appointment Notice/Verification forms will be routed to the appointment site via interoffice mail.</p> <p>-- The transaction number will be assigned by staff at the appointment site.</p> <p>Option 2</p> <p>--If the applicant is unable to get to the service site where the file exists (transportation problems, etc.) and does not wish to have the file transferred, applicant's service request will be processed at present site. Once the eligibility determination process is completed, the caseworker will forward all case documents to the site where the permanent record exists.</p> <p>Option 3</p> <p>-- If present site is more convenient as requested by the client, the case file may be transferred from previous site. Applicant will be informed that for future service requests he/she will need to contact present site.</p> <p>- Document on application when automated system is down and it is not possible to generate transaction and client identification numbers. A tracking system must be in place to allow staff to generate transaction and client identification numbers once automated</p>	<p>[Moved to Department Procedure]</p>

Chapter 72 Present and Proposed

<u>PRESENT POLICY</u>	<u>PROPOSED POLICY</u>
<p>system is operational.</p> <p>(b) Screening/Scheduling Interviews</p> <p>(1) Purpose. Individuals requesting assistance from Austin/Travis County Health and Human Services Department will be provided with an eligibility determination interview with a caseworker as soon as possible after contacting any one of the Emergency Assistance designated offices.</p> <p>(2) Introduction. Staff will introduce him/herself and explain his/her role which is to:</p> <ul style="list-style-type: none"> - review the completed Application for Assistance form for accuracy according to applicant's verbal statement - review service request(s) and determine if household appears to meet criteria for caseworker interview - review any supporting documentation provided by applicant - if appropriate, schedule an appointment with the caseworker. <p>(3) Review "Application for Assistance" Form. Staff will review the application for the following information:</p> <ul style="list-style-type: none"> - verbal confirmation of name as indicated on application - address indicated to determine if residence is in Travis County (refer to polyguide, Travis County Tax Office or City of Austin Engineers Office - individuals residing at the indicated address - total amount of income and resources claimed by applicant 	<p>[Moved to Department Procedure]</p>

Chapter 72 Present and Proposed

<u>PRESENT POLICY</u>	<u>PROPOSED POLICY</u>
<p>- type of service needed</p> <p>(4) Review Service Request(s). Staff will review the applicant's request(s) for assistance by referring to the General Eligibility Criteria (income, economic crisis, age, residency, frequency, etc.) and the Specific Service Category Criteria.</p> <p>(5) Review Supporting Documents. Staff will review available documents, such as:</p> <ul style="list-style-type: none"> - identification - TxDPS driver's license or ID, employer identification card, student identification card, birth certificate, etc. - proof of income - proof of disability - documents required by specific service category <p>(6) Scheduling An Interview</p> <ul style="list-style-type: none"> (i) Date and time of appointments will depend on available openings and client preference. (ii) For those applicants who are scheduled an appointment the Appointment Notice/Verification List will be completed and provided to the applicant. (iii) Staff will emphasize to the applicant that supporting documents indicated on the Appointment Notice/Verification List will be required for the interview. (iv) Staff will complete the Intake Daily Log. (v) Staff will enter the appointment information on the Department automated client system. (vi) Staff will take an application over the phone, and follow the screening/scheduling 	<p>[Moved to Department Procedure]</p>

Chapter 72 Present and Proposed

<u>PRESENT POLICY</u>	<u>PROPOSED POLICY</u>																						
<p>procedure for the following requests:</p> <ul style="list-style-type: none"> - Call-In requests for a preset appointment may be scheduled for those clients who have medical, transportation or employment problems which prevent them from following walk-in application procedures. - A home visit may be scheduled for those clients who are homebound with a medical condition or are the caretaker of a household member with a medical condition which prevents them from accessing the office. <p>(7) Information and Referral. In all situations where an applicant is screened out, appropriate information and referral will be provided by the Intake Assistant before terminating the screening interview.</p>	<p>[Moved to Department Procedure]</p>																						
<p>72.005 Benefit Scale/Interpretive Guidelines and Standards</p>	<p>72.005 Benefit Scale/Interpretive Guidelines and Standards</p>																						
	<p>(a) Purpose. The purpose of this Section 72.005 is to establish specific benefit amount limits for eligible recipients of Emergency Assistance Services under this Policy.</p>																						
<p>(a) Food</p> <table style="margin-left: 40px; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">HOUSEHOLD</th> <th style="text-align: center;">BENEFIT AMOUNT</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td style="text-align: center;">\$ 39</td> </tr> <tr> <td style="text-align: center;">2</td> <td style="text-align: center;">52</td> </tr> <tr> <td style="text-align: center;">3</td> <td style="text-align: center;">65</td> </tr> <tr> <td style="text-align: center;">4</td> <td style="text-align: center;">78</td> </tr> <tr> <td style="text-align: center;">5</td> <td style="text-align: center;">91</td> </tr> </tbody> </table>	HOUSEHOLD	BENEFIT AMOUNT	1	\$ 39	2	52	3	65	4	78	5	91	<p>(b) Food Voucher Assistance Benefit Limit Scales. The amount of assistance is determined by household size, and is for the purchase of groceries only.</p> <table style="margin-left: 40px; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;"># OF HOUSEHOLD MEMBERS</th> <th style="text-align: center;">BENEFIT AMOUNT</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td style="text-align: center;">\$41</td> </tr> <tr> <td style="text-align: center;">2</td> <td style="text-align: center;">\$ 71</td> </tr> <tr> <td style="text-align: center;">3</td> <td style="text-align: center;">\$ 89</td> </tr> <tr> <td style="text-align: center;">4</td> <td style="text-align: center;">\$103</td> </tr> </tbody> </table>	# OF HOUSEHOLD MEMBERS	BENEFIT AMOUNT	1	\$41	2	\$ 71	3	\$ 89	4	\$103
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Chapter 72 Present and Proposed

<u>PRESENT POLICY</u>	<u>PROPOSED POLICY</u>										
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6	105										
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10	157										
<p>(b) Utilities</p> <p>(1) A maximum benefit amount of \$85.00 per household, not per utility.</p> <p>(2) In no event shall the assistance awarded exceed the amount indicated on the unpaid bill.</p> <p>(3) In no event shall the assistance awarded exceed the amount necessary to resolve the crisis.</p> <p>(4) When the amount needed to restore or continue service exceeds the allowable benefit amount of \$85.00, the notice of payment may be given if a reasonable expectation exists that the balance needed can be obtained by the applicant.</p>	<p>(c) Utilities Assistance Benefit Limit Scale. Utilities assistance will be limited as follows:</p> <p style="padding-left: 40px;">(1) A maximum benefit amount of \$230.00 will be allowed per Household, not per utility.</p> <p style="padding-left: 40px;">(2) In no event shall the assistance awarded exceed the amount indicated on the unpaid bill.</p> <p style="padding-left: 40px;">(3) In no event shall the assistance awarded exceed the amount necessary to resolve the crisis.</p> <p style="padding-left: 40px;">(4) When the amount needed to restore or continue service exceeds the allowable benefit amount of \$230.00, the notice of payment may be given if a reasonable expectation exists that the balance needed can be obtained by the applicant.</p>										
<p>(c) Prescription/Medical Supplies</p> <p>(1) A benefit amount of \$56.00 for the first household member assisted. Add \$19.00 for each additional household member directly assisted.</p> <p>(2) In no event shall the assistance awarded</p>	<p>(d) Prescription/Medical Supplies Assistance Benefit Limit Scales. Prescription/medical supplies assistance will be limited as follows:</p> <p style="padding-left: 40px;">(1) A maximum benefit amount of \$157.00 will be allowed for each Household member</p>										

Chapter 72 Present and Proposed

<u>PRESENT POLICY</u>	<u>PROPOSED POLICY</u>																																
<p>exceed the amount necessary to purchase the medicine or medical supplies.</p> <p>(3) When the amount needed to purchase the medicine or medical supplies exceeds the benefit amount, the notice of payment may be given if a reasonable expectation exists that the balance needed can be obtained by the applicant.</p>	<p>assisted.</p> <p>(2) In no event shall the assistance awarded exceed the amount necessary to purchase the medicine or medical supplies.</p> <p>(3) When the amount needed to purchase the medicine or medical supplies exceeds the benefit amount, the notice of payment may be given if a reasonable expectation exists that the balance needed can be obtained by the applicant.</p>																																
<p>(d) Transportation</p> <table border="0"> <thead> <tr> <th data-bbox="305 1199 561 1238">HOUSEHOLD</th> <th data-bbox="681 1199 1052 1238">BENEFIT AMOUNT</th> </tr> </thead> <tbody> <tr><td>1</td><td>\$140</td></tr> <tr><td>2</td><td>150</td></tr> <tr><td>3</td><td>160</td></tr> <tr><td>4</td><td>170</td></tr> <tr><td>5</td><td>180</td></tr> <tr><td>6</td><td>190</td></tr> <tr><td>7</td><td>200</td></tr> <tr><td>8</td><td>210</td></tr> <tr><td>9</td><td>220</td></tr> <tr><td>10</td><td>230</td></tr> </tbody> </table> <p>Per additional household member add: \$10</p> <p>(1) The amount of transportation assistance is determined by household size.</p> <p>(2) In no event shall the assistance awarded exceed the amount necessary to resolve the crisis.</p> <p>(3) When the amount needed exceeds the allowable benefit amount, the notice of payment may be given if a reasonable</p>	HOUSEHOLD	BENEFIT AMOUNT	1	\$140	2	150	3	160	4	170	5	180	6	190	7	200	8	210	9	220	10	230	<p>(e) Transportation Assistance Benefit Limit Scale.</p> <p>(1) The amount of transportation assistance is determined by household size as follows:</p> <table border="0"> <thead> <tr> <th data-bbox="1145 1476 1499 1561"># OF HOUSEHOLD MEMBERS</th> <th data-bbox="1778 1476 2030 1561">BENEFIT AMOUNT</th> </tr> </thead> <tbody> <tr><td>1</td><td>\$ 140</td></tr> <tr><td>2</td><td>150</td></tr> <tr><td>3</td><td>160</td></tr> <tr><td>4</td><td>170</td></tr> </tbody> </table> <p>For each additional household member, the benefit amount will be increased by \$10</p> <p>(2) In no event shall the assistance awarded exceed the amount necessary to resolve the crisis.</p> <p>(3) When the amount needed exceeds the allowable benefit amount, the notice of payment may be given if a reasonable expectation exists that the balance needed can be obtained by the applicant.</p>	# OF HOUSEHOLD MEMBERS	BENEFIT AMOUNT	1	\$ 140	2	150	3	160	4	170
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Chapter 72 Present and Proposed

<u>PRESENT POLICY</u>	<u>PROPOSED POLICY</u>																				
<p>expectation exists that the balance needed can be obtained by the applicant.</p>																					
<p>(e) Rent/Mortgage/Temporary Shelter</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">UNIT SIZE</th> <th style="text-align: left;">BENEFIT AMOUNT</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>\$ 238</td> </tr> <tr> <td>2</td> <td>318</td> </tr> <tr> <td>3</td> <td>441</td> </tr> <tr> <td>4 or more</td> <td>522</td> </tr> </tbody> </table> <p>(1) For those situations where the household size is less than the unit size, caseworkers will determine the appropriate unit size by using one of the following formulas:</p> <ul style="list-style-type: none"> - Other than husband and wife or a single parent and significant other, children of opposite sex over the age of five (5) may occupy separate bedroom; - Adult only households - two occupants per bedroom <p>(2) In no event shall the assistance awarded exceed the amount indicated on the landlord/lienholder statement.</p> <p>(3) In no event shall the assistance awarded exceed the amount necessary to resolve the crisis.</p> <p>(4) When the amount needed to prevent homelessness or secure housing exceeds the allowable benefit amount, the notice of payment may be given if a reasonable expectation exists that the balance needed can be obtained by the applicant.</p>	UNIT SIZE	BENEFIT AMOUNT	1	\$ 238	2	318	3	441	4 or more	522	<p>(f) Rent/Mortgage/Temporary Shelter Assistance Benefit Limit Scale.</p> <p>(1) The amount of assistance will be determined by the unit size as follows:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">UNIT SIZE</th> <th style="text-align: left;">BENEFIT AMOUNT</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>\$ 343</td> </tr> <tr> <td>2</td> <td>418</td> </tr> <tr> <td>3</td> <td>569</td> </tr> <tr> <td>4 or more</td> <td>658</td> </tr> </tbody> </table> <p>(2) In no event shall the assistance awarded exceed the amount owed as shown on the landlord/lien holder statement.</p> <p>(3) In no event shall the assistance awarded exceed the amount necessary to resolve the crisis.</p> <p>(4) When the amount needed to prevent homelessness or secure housing exceeds the allowable benefit amount, the notice of payment may be given if a reasonable expectation exists that the balance needed can be obtained by the applicant.</p>	UNIT SIZE	BENEFIT AMOUNT	1	\$ 343	2	418	3	569	4 or more	658
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<p>72.006 Appeals Process</p>	<p>72.006 Appeals Process</p>																				
	<p>(a) Purpose. The purpose of this Section 72.006</p>																				

Chapter 72 Present and Proposed

<u>PRESENT POLICY</u>	<u>PROPOSED POLICY</u>
	<p>is to provide all Travis County residents a right to appeal eligibility determination decisions related to the provision of Emergency Assistance Services under this Policy. All persons involved in the provision of Emergency Assistance will follow Department approved appeals procedures Applicants will be served with confidentiality, dignity and respect.</p>
<p>(a) Policy. Clients requesting emergency assistance services have the right to appeal eligibility determination decisions. Such appeals must be made in five (5) days of the rendered decision.</p>	<p>(b) Any applicant may appeal the eligibility determination decisions. Such appeals must be made in writing within five (5) working days of the rendered decision.</p>
<p>(b) Procedure.</p> <p>(1) Caseworker</p> <p>(i) Caseworker determines client is not eligible for Emergency Assistance Services (EACO)</p> <p>(ii) Client is given written notice of denial on the denial/appeal form.</p> <p>(iii) Client completes reason for appeal request</p> <p>(iv) Caseworker forwards appeal request to the Supervisor</p> <p>-- Exception:</p> <p>- If supervisor is not available, refer appeal to acting supervisor; however,</p> <p>- If acting supervisor rendered the denial decision, refer appeal to the district manager.</p> <p>(2) A decision will be rendered with three (3) working days of an appeal request</p> <p>(3) If a client is not satisfied with the appeal decision at supervisor level, she/he can continue the appeal in the following</p>	<p>(c) Appeals will be handled through Executive Manager approved written procedures that will ensure that any person denied an emergency assistance service is given a written notice of the denial and appeals process.</p> <p>(d) All appeals will be handled through the Family Support Division organizational structure and the appeal decision will not be made by the staff member making the original denial decision. A written decision will be rendered and provided to the applicant within three (3) working days of the written appeal request. Documentation of the appeals process will be kept with the applicant file.</p>

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<u>PRESENT POLICY</u>	<u>PROPOSED POLICY</u>
<p>ascending levels:</p> <ul style="list-style-type: none"> - District Manager - Neighborhood Services Division Manager - Executive Manager - Commissioners Court <p>(4) The appeal form will be completed and placed in the case file after all appeal hearings.</p> <p>(5) Client will be given copies of appeal actions.</p> <p>8/12/97-</p>	
<p><u>Section 72.007. 2005 Pilot Program Standards.</u></p>	<p>Section 72.007 Best Single Source Program Standards</p>
<p>(a) Pilot Program. The following policy revisions apply to those clients enrolled in the Best Single Source Pilot Project ("Project") which will be implemented beginning on or about Tuesday, March 8, 2005, and continue through September 30, 2005, unless extended by the Commissioners Court.</p>	<p>(a) Program. The following policy revisions apply to those clients enrolled in the Best Single Source Project ("Project").</p>
<p>(b) Current Policy Provisions. Unless listed under this Section 72.007 as changes, the provisions of Chapter 72 shall apply.</p>	<p>(b) Current Policy Provisions. Unless listed under this Section 72.007 as changes, the provisions of Chapter 72 shall apply only to services provided under this Project.</p>
<p>(c) Under the Project, the policy provisions will be changed by replacing the noted sections with the language set forth herein:</p>	<p>(c) Under the Project, the policy provisions will be changed by replacing the noted sections with the language set forth herein:</p>
<p>72.001(d)(6) Economic Crisis - An economic crisis for Emergency Assistance Eligibility exists when, during the last 60 days, before the date of application, the client's household has experienced a need for assistance due to income reduction, or loss of resources. In order to qualify as an economic crisis, the change in circumstances must be great enough</p>	

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<u>PRESENT POLICY</u>	<u>PROPOSED POLICY</u>
to significantly impact the household's ability to meet the need.	
72.001(d)(10) Income - Gross income may be adjusted for individuals on a case-by-case basis. Situations that may result in income adjustment include out of pocket medical, unplanned funeral costs, and unplanned car repairs. Any other situations in which income would be adjusted require approval by the Executive Manager.	72.001(d)(10) Income - Income may be adjusted for individuals on a case-by-case basis. Situations that may result in income adjustment include out of pocket medical, unplanned funeral costs, and unplanned car repairs. Any other situations in which income would be adjusted require approval by the Executive Manager.
72.001(d)(15) Significant Economic Impact - Requirements for significant economic impact may be waived where documented crisis is shown. "Crisis" is defined as _____.	
72.002(a)(3) Economic Crisis - Household must have experienced a verifiable economic crisis within the past 60 days.	
72.002(a)(2) Income - Gross income may be adjusted for individuals on a case-by-case basis. Situations that may result in income adjustment include out of pocket medical, unplanned funeral costs, and unplanned car repairs. Any other situations in which income would be adjusted require approval by the Executive Manager.	72.002(c)(1) Income - Gross income may be adjusted for individuals on a case-by-case basis. Situations that may result in income adjustment include out of pocket medical, unplanned funeral costs, and unplanned car repairs. Any other situations in which income would be adjusted require approval by the Executive Manager.
72.002(a)(7) Frequency of Assistance - Households may be provided financial assistance more than 2 times per year while enrolled in the Best Single Source Project. The cap on funding for each household enrolled in the Project is \$1,500.00. A household may not receive assistance again for a 12 month period after completing the Best Single Source Project.	72.002(a)(7) Frequency of Assistance - Households may be provided financial assistance more than 2 times per year while enrolled in the Best Single Source Project. The cap on funding for each household enrolled in the Project is \$1,500.00. A household may not receive assistance again for a 12 month period after completing the Best Single Source Project.
	72.005 Benefit Scale/Interpretive Guidelines and Standards Households may be assisted with rent/mortgage and/or utility assistance up to the cap on funding for

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<u>PRESENT POLICY</u>	<u>PROPOSED POLICY</u>
	<p>each household in the project. Payment for utility service may be made to a previous address as long as the address is in Travis County and the charges are within the current County fiscal year. Other charges such as late fees, reconnect fees, and service fees may be included as long as no tampering charges are on the account. Payment may be made on a transfer account if it is necessary to initiate new service at current address or prevent service termination at current address. Deposits may not be paid. There is no food voucher, prescription/medical supplies or transportation benefit scale for this project. Food voucher, prescription/medical supplies or transportation emergency assistance cannot be made for this project.</p>

Chapter 72 Funding Recommendations METHODOLOGY

The following summarizes the methodology for funding recommendations to the Chapter 72 policy administered by the Family Support Division of Travis County Health and Human Services & Veterans Service Department. Whenever possible, this document uses national standards as related to each assistance type and all reflect the changing cost of living in the community.

This research considers four primary types of emergency assistance, as outlined in Chapter 72: rent, food, utilities, and prescriptions. In each case, staff has tried to identify: 1) an independently defined benchmark for the amount of assistance given, and 2) an independent source upon which to base annual adjustments to reflect changing costs in each area. Where a clear benchmark was not available, the relevant Consumer Price Index is used to adjust from the 1997 assistance levels. Ideally, the County would both adjust assistance levels and establish policies and guidelines for annual adjustments. If only one is feasible, department priority is on adjusting assistance levels that have remained unchanged for, in most areas, over 10 years.

RENT & MORTGAGE

Current Policy: The level of assistance per the Family Support Services, EACO policies and procedures manual, is based upon the size of the housing unit (i.e. number of bedrooms and household size). Currently, assistance ranges from \$238 for one bedroom to \$522 for four or more.

Independent Source: U.S. Department of Housing and Urban Development, fair market value for rent: (www.huduser.org). Updated annually, HUD estimates fair market rental costs nationwide and for smaller geographic areas, including the Austin-Round Rock MSA.

Recommendation: Utilize HUD fair market rent (FMR) value for the Austin-Round Rock metropolitan statistical area as the baseline for establishing assistance levels for rent and mortgage and maintain an assistance level of 50% of the most current FMR. If this policy were in place today, assistance levels would change as follows:

Unit Size	Assistance Levels (Set in 1997)	Rent/Mortgage Options	
		50% of FMR	100% of FMR
1	\$238	\$383	\$766
2	\$318	\$467	\$935
3	\$441	\$636	\$1,272
4 +	\$522	\$735	\$1,471

FOOD

Current Policy: Per the Family Support Services, EACO policies and procedures manual, the level of assistance eligible is based upon the number of people in the household. Assistance currently starts at \$39 for a single person and increases \$13 for each additional household member.

Independent Source: U.S. Department of Agriculture Thrifty Food Plan (www.cnpp.usda.gov). The thrifty food plan (and the other three USDA food plans – low-cost, moderate-cost, and liberal) is based on 2001-02 data and adjusted to current prices using the Consumer Price Index (US Dept of Labor, Bureau of Labor Statistics) for specific food items. The “Thrifty Food Plan” is the most frugal of the four levels; it “serves as a national standard for a nutritious diet at low cost” (Household Food Security in the United States, USDA, Economic Research Service, 2004).

Recommendation: Establish county policy to make the amount of food assistance available equal the weekly cost under the thrifty food plan. If this policy were in place today, assistance levels would change as follows:

Household Size	Assistance Levels (Set in 1997)	Adjusted Assistance Level Thrifty Food Plan (weekly)
1	\$39	\$36.60/ or \$39
2	\$42	\$76.50
3	\$55	\$105.84
4	\$68	\$127.90
Each Additional Member	\$13	\$26.00

UTILITIES

Current Policy: Per the Family Support Services, EACO policies and procedures manual, the level of assistance eligible, the maximum allowable benefit amount is \$85 per household – not per utility.

Independent Source: Consumer Price Index. From the existing baseline, use the Consumer Price Index for the Household Energy for the South Urban Region to calculate the recommended adjustment (<http://www.bls.gov/cpi/>).

Recommendation: Establish county policy to make the amount of utility assistance available equal the adjusted cost using the Consumer Price Index. If this policy were in place today, assistance levels would change as follows:

Options			
Household Size	Assistance Levels (Set in 1997)	Inflation since 1997 (CPI Rate)	Adjusted Assistance Levels
Household-Flat Rate	\$85	39.5%	\$118

PRESCRIPTIONS

Current Policy: Assistance is limited to \$56 for the first household member, plus \$19 for each additional member receiving direct assistance.

Independent Source: Consumer Price Index- item: prescriptions, all cities.
 (<http://www.bls.gov/cpi/>)

Recommendation: Establish county policy to make the amount of prescription assistance available equal the adjusted cost using the US Department of Labor - Bureau of Labor Statistics, Consumer Price Index for prescriptions.

Options			
Household Size	Assistance Levels (Set in 1997)	Inflation since 1997 (CPI)	Adjusted Assistance Level
One household member	\$56	41.2%	\$79
Each additional household member	\$19	41.2%	\$27

4 ✓

TRAVIS COUNTY COMMISSIONERS COURT AGENDA REQUEST

RECEIVED
COUNTY JUDGE'S OFFICE

Voting Session: Tuesday, Oct. 28, 2008, 2007 08 OCT 21 PM 2: 35

I. A. Request made by: Alicia Perez, Exec. Mgr. Phone #: 854-9343
(Elected Official/Appointed Official/Executive Manager/County Attorney)

B. Requested topic: RECEIVE PRESENTATION OF BEST PRACTICES
AWARDS FROM THE TEXAS ASSOCIATION OF COUNTIES

C. Approved by: _____
Signature of Commissioner or Judge

- II. A. Any backup material to be presented to the court must be submitted with this Agenda Request (Original and eight copies).
- B. Please list all of the agencies or officials' names and telephone numbers that might be affected by or involved with this request. Send a copy of this Agenda Request and backup to them:
Kali O'Neill, TX Assn. of Counties

III. Required Authorizations: Please check if applicable.

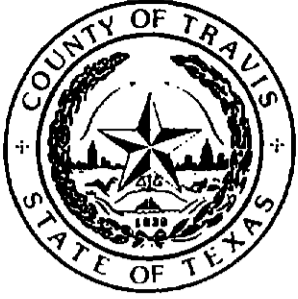
Planning and Budget Office (854-9106)
 _____ Additional funding for any department or for any purpose
 _____ Transfer of existing funds within or between any line item
 _____ Grant

Human Resources Department (854-9165)
 _____ Change in your department's personnel (reorganization, restructuring etc.)

Purchasing Office (854-9700)
 _____ Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9415)
 _____ Contract, Agreement, Policy & Procedure

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted to the County Judge's office in writing by 12:00pm on Tuesdays for the next week's meeting. Late or incomplete requests may be deferred to the next meeting.



TRAVIS COUNTY ADMINISTRATIVE OPERATIONS

Alicia Perez, Executive Manager

314 West 11th Street, Suite 535 PO Box 1748 Austin, TX 78767 Tel: (512) 854-9343 Fax: 854-9542

Date: Monday, October 20, 2008
To: Commissioners Court
From: Alicia Perez, Executive Manager, Administrative Operations
Subject: Agenda Item: Presentation of Best Practices Awards

Proposed Motion:

Receive presentation from the Texas Association of Counties for Best Practices Awards.

Summary and Staff Recommendation:

Four Travis County programs are being recognized by TAC for exceptional delivery of services and superior innovation. These were described in detail in the Best Practices edition of *County* magazine, copies of which were delivered to your offices last month:

- Precinct 5 Constable Bruce Elfant's Stop Domestic Violence Initiative is being honored for creation of an internet-based communications clearinghouse and notification system for victims of domestic violence
- The Sheriff's Inmate Population Search/Warrant on the Web program is being honored for improving dissemination of requested information regarding status of warrants and jail inmates to the legal community and the public
- The Employee Wellness and Health Clinic is being honored for education, promoting wellness and exceptional delivery of disease management services

- The Travis County Media Services video production You're En-Titled is being honored for improving delivery of information to buyers and sellers of motor vehicles in Texas

TAC Foundation board member Betsy Price, the Tarrant County Tax Assessor-Collector, is scheduled to formally present these honors to the award-winning staff of Travis County on Tuesday morning, October 28, 2008, at the beginning of the weekly Commissioners Court meeting. If you have any questions, comments or requests, please contact my office at 854-9343. Thank you.

cc: Travis County Constable , Precinct 5, Bruce Elfant
Travis County Sheriff Greg Hamilton
Steven Broberg
Joe Harlow
Dan Mansour
Roger Wade
Kali O'Neill

TRAVIS COUNTY COMMISSIONERS COURT AGENDA REQUEST

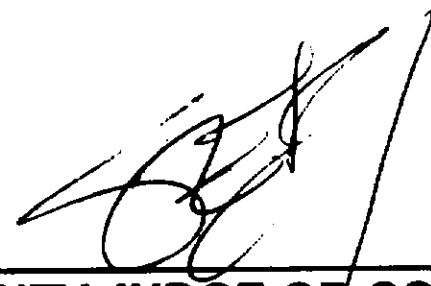
Please consider the following item for:

DATE OF VOTING SESSION: October 28, 2008

**A. REQUEST MADE BY: Commissioner Sarah Eckhardt, Precinct 2 PHONE# 854-9222
(Elected/Appointed Official/Executive Mgr/County Attorney)**

B. REQUESTED TEXT:

**APPROVE RESOLUTION PROCLAIMING NOVEMBER, 2008 AS
"PANCREATIC CANCER AWARENESS MONTH" IN TRAVIS COUNTY.**



COUNTY JUDGE OR COMMISSIONER

- A. Any backup material to be presented to the Court must be submitted with this Agenda Request (Original(s) & 8 copies).**
- B. Please list all of the agencies or officials' names and telephone numbers that might be affected by or involved with this request. The originating department should send a copy of this Agenda Request and backup to them:**

REQUIRED AUTHORIZATIONS: PLEASE CHECK IF APPLICABLE:

- _____ **Additional funding for any department or for any purpose**
- _____ **Transfer of existing funds within or between any line item budget**
- _____ **Grant**

PURCHASING OFFICE (854-9700)

_____ **Bid, Purchase Contract, Request for Proposals**

COUNTY ATTORNEY'S OFFICE (854-9415)

_____ **Contract, Agreement, Policy & Procedure**

08 OCT 21 AM 9:09
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COUNTY CLERK'S OFFICE

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted to County Judge's office, Room 520, in writing by Tuesdays at 12:00 p.m. for the next week's meeting. Late or incomplete requests may be deferred to the following week's meeting.

Travis County Commissioners Court

Resolution

WHEREAS, over 37,680 people will be diagnosed with pancreatic cancer this year in the United States and 34,290 will die from the disease;

WHEREAS, pancreatic cancer is the deadliest cancer and the fourth leading cause of cancer death in the United States;

WHEREAS, approximately 2,060 deaths will occur in the state of Texas;

WHEREAS, 75 percent of pancreatic cancer patients die within the first year of their diagnosis and 95 percent of pancreatic cancer patients die within the first five years;

WHEREAS, there is no cure for pancreatic cancer and there have been no significant improvements in early detection, treatment methods, or survival rates in the last 25 years;

WHEREAS, when symptoms of pancreatic cancer present themselves, it is usually too late for an optimistic prognosis, and the average life expectancy of those diagnosed with metastasis disease is only three to six months;

WHEREAS, incidence of pancreatic cancer is 20 to 30 percent higher in men than in women and 40 to 50 percent higher in African Americans than in other ethnic groups;

WHEREAS, the Federal Government invests less money in pancreatic cancer research than it does in any of the other leading cancers;

WHEREAS, the good health and well-being of the residents of Travis County are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes, and effective treatments;

WHEREAS, the Pancreatic Cancer Action Network is the first and only national patient advocacy organization that serves the pancreatic cancer community in Travis County and nationwide by focusing its efforts on public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for pancreatic cancer;

WHEREAS, the Pancreatic Cancer Action Network and its affiliates in Travis County support those patients currently battling pancreatic cancer, as well as to those who have lost their lives to the disease, and are committed to nothing less than a cure;

NOW THEREFORE, BE IT RESOLVED THAT WE, THE TRAVIS COUNTY COMMISSIONERS COURT, DO HEREBY PROCLAIM THE MONTH OF NOVEMBER, 2008 AS:

“Pancreatic Cancer Awareness Month”

IN TRAVIS COUNTY.

SIGNED AND ENTERED THIS _____ DAY OF OCTOBER, 2008.

SAMUEL T. BISCOE
Travis County Judge

RON DAVIS
Commissioner, Pct. 1

SARAH ECKHARDT
Commissioner, Pct. 2

GERALD DAUGHERTY
Commissioner, Pct. 3

MARGARET GÓMEZ
Commissioner, Pct. 4

Travis County Commissioners' Court Agenda Request

Meeting Date: OCTOBER 28, 2008

I. A. Requestor: COUNTY JUDGE Phone # 854-9555

B. Specific Agenda Wording:

APPROVE PROCLAMATION DESIGNATING NOVEMBER 2008 AS "OFFICIAL HOME CARE AND HOSPICE MONTH" IN TRAVIS COUNTY. (JUDGE BISCOE)

C. Sponsor: _____
County Commissioner or County Judge

II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request.

B. Please list all of the agencies or officials names and telephone numbers that might be affected or be involved with the request.

08 OCT 14 PM 03
COUNTY JUDGE'S OFFICE

III. Required Authorizations: Please check if applicable:

Planning and Budget Office (854-9106)

- Additional funding for any department or for any purpose
- Transfer of existing funds within or between any line item budget
- Grant

Human Resources Department (854-9165)

- A change in your department's personnel (reclassifications, etc.)

Purchasing Office (854-9700)

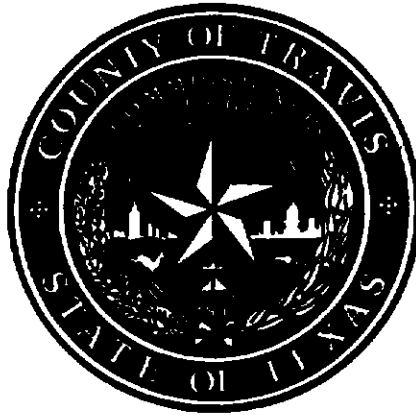
- Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9415)

- Contract, Agreement, Travis County Code - Policy & Procedure

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted to County Judge's office, Room 520, in writing by Tuesdays at 12:00 p.m. for the next week's meeting. Late or incomplete requests may be deferred to the following week's meeting.

Travis County Commissioners Court



Proclamation

Whereas, home care services provide high quality and compassionate health care services to those in need, especially at times of community or personal health care crisis; and

Whereas, home care is the most preferred method of health care delivery among disabled, elderly and chronically ill individuals eager to live independently in their own homes as long as they possibly can; and

Whereas, home care in Texas is a growing alternative to hospitalization or other institution-based forms of health care for acute and chronic illnesses, providing care to hundreds of thousands of Texans each year; and

Whereas, hospice care provides humane and comforting support for terminally ill patients and their families, including pain control, palliative medical care and social, emotional and spiritual services; and

Whereas, hospice fulfills basic human needs of feeling comfortable in familiar surroundings and of attaining physical and emotional peace during the last stage of life; and

Whereas, there is a need to increase public discussion about advances in pain control and the care options available to individuals of all ages, races and backgrounds who are at the end of life; and

Whereas, the Texas Association for Home Care and home care and hospice providers in Texas have declared November 2008 as "Home Care and Hospice Month" with the theme "Home Care: The Power of Choice, the Comfort of Home" and are calling on Texans to observe this occasion with appropriate ceremonies and activities;

Now, Therefore, Be It Resolved, that we, the Travis County Commissioners Court, do hereby proclaim November 2008 as:

“Official Home Care and Hospice Month”

In Travis County, and encourage the support and participation of all citizens in learning more about the home care and hospice philosophy of care for the elderly, disabled and the terminally ill.

Signed and entered this 28th day of October 2008.

SAMUEL T. BISCOE
Travis County Judge

RON DAVIS
Commissioner, Pct. 1

SARAH ECKHARDT
Commissioner, Pct. 2

GERALD DAUGHERTY
Commissioner, Pct. 3

MARGARET J. GÓMEZ
Commissioner, Pct. 4

Item # 7



Travis County Commissioners' Court Agenda Request

Meeting Date: OCTOBER 28, 2008

I. A. Requestor: Constable Bruce Elfant Phone # 854-9100

B. Specific Agenda Wording:

APPROVE RESOLUTION RECOGNIZING LIZZIE M. BURLSON ON HER RETIREMENT FROM TRAVIS COUNTY, CONSTABLE PRECINCT 5 OFFICE.

C. Sponsor: _____
County Commissioner or County Judge

II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request.

B. Please list all of the agencies or officials names and telephone numbers that might be affected or be involved with the request.

III. Required Authorizations: Please check if applicable:

Planning and Budget Office (854-9106)

- Additional funding for any department or for any purpose
- Transfer of existing funds within or between any line item budget
- Grant

Human Resources Department (854-9165)

- A change in your department's personnel (reclassifications, etc.)

Purchasing Office (854-9700)

- Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9415)

- Contract, Agreement, Travis County Code - Policy & Procedure

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COUNTY CLERK'S OFFICE
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AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted to County Judge's office, Room 520, in writing by Tuesdays at 12:00 p.m. for the next week's meeting. Late or incomplete requests may be deferred to the following week's meeting.

Travis County Commissioners Court



Resolution

WHEREAS, Lizzie M. Burleson, Team Leader, began her career with Travis County on August 15, 1990 and will be retiring on October 31, 2008, after completing eighteen years-plus of outstanding and dedicated service to Travis County Constable Precinct Five;

WHEREAS, Ms. Burleson began her career as a certified mail clerk and dispatcher and was promoted to the Service Check Coordinator and finally Team Leader, and we all have benefitted from her experience and hard work as she made many contributions to the office;

WHEREAS, Ms. Burleson served in positions of increasing responsibility at the Los Angeles Herald Examiner from 1972 through 1986, Sears Service Center and Montgomery Ward Service Center in the mid to late 1980's;

WHEREAS, Ms. Burleson was born in Austin, Texas to the late Sam and Mattie Hartman, and is the mother of two sons and a daughter, and grandmother to eight grandchildren;

WHEREAS, Ms. Burleson is a graduate of old Anderson High School in Austin, Texas;

WHEREAS, Ms. Burleson marched in the Civil Rights Movement of the 1960s, and is an active member of New Lincoln Missionary Baptist Church under the leadership of Rev. A.R. Evans, Sr.; and

WHEREAS, Ms. Burleson will leave us with fond memories and has earned the admiration and respect of her managers and colleagues at Travis County Constable Precinct Five for her dedication, enthusiasm, generosity, sense of humor and hard work.

NOW, THEREFORE BE IT RESOLVED, the Travis County Commissioners Court takes great pleasure in recognizing the significant professional achievements of Lizzie M. Burleson, and hereby expresses sincere gratitude for the invaluable contributions she has made to Constable Precinct Five, and to Travis County.

Signed and entered on the 28th day of October, 2008.

SAMUEL T. BISCOE
County Judge

RON DAVIS
Commissioner, Pct. 1

SARAH ECKHARDT
Commissioner, Pct. 2

GERALD DAUGHERTY
Commissioner, Pct. 3

MARGARET J. GÓMEZ
Commissioner, Pct. 4

9 ✓

Travis County Commissioners Court Agenda Request

Voting Session: October 28, 2008
(Date)

Work Session: _____
(Date)

I. A. Request made by: Sherri E. Fleming Phone: 854-4100
(Signature of Elected Official/Appointed Official/Executive Manager/County Attorney)

B. Requested Text:

Consider and take appropriate action on the options for investment of \$450,000 of new social services funding available for Fiscal Year 2009.

Approved by: _____
Signature of Commissioner(s) or County Judge

Signature of Commissioner(s) or County Judge

- II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request (Original and eight copies)
- B. Please list all of the agencies or officials' names and telephone numbers that might be affected or be involved with the request. Send a copy of this Agenda Request and backup to them:

Susan A. Spataro, CPA, CMA, Travis County Auditor
 Jose Palacios, Chief Assistant County Auditor
 Mary Etta Gerhardt, Assistant County Attorney
 Rodney Rhoades, Executive Manager, Planning and Budget Office
 Travis Gatlin, Analyst, Planning and Budget Office
 Cyd Grimes, C.P.M., Travis County Purchasing Agent
 Rebecca Gardner, Assistant Purchasing Agent, Travis County Purchasing Office

III. Required Authorizations: Please check if applicable.

Planning and Budget Office (854-9106)

- Additional funding for any department or for any purpose
- Transfer of existing funds within or between any line item budget
- Grant

Human Resources Department (854-9165)

- A change in your department's personnel (reclassifications, etc.)

Purchasing Office (854-9700)

- Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9415)

- Contract, Agreement, Policy & Procedure

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COUNTY CLERK'S OFFICE
08 OCT 21 PM 2:07

AGENDA REQUEST DEADLINE: This Agenda Request, complete with backup memorandum and exhibits should be submitted to the County Judge's Office no later than 5:00 PM on Tuesday for the following week's meeting. Late or incomplete requests may be deferred to the next subsequent meeting.



**TRAVIS COUNTY HEALTH and HUMAN SERVICES
and VETERAN SERVICES**

100 North I.H. 35
P. O. Box 1748
Austin, Texas 78767

**Sherri E. Fleming
Executive Manager
(512) 854-4100
Fax (512) 854-4115**

MEMORANDUM

Date: October 21, 2008

To: Members of the Commissioners Court

FROM:

Sherri Fleming by [Signature]
Sherri E. Fleming, Executive Manager
Travis County Health and Human Services and Veteran Services

Subject: Options for new investments in social services.

Proposed Motions:

Consider and take appropriate action on the options for investment of \$450,000 of new social services funding available for Fiscal Year 2009.

Summary and Staff Recommendation:

During the FY09 budget process, the Commissioners Court allocated \$450,000 in new, ongoing resources for purchased social services. At the time, staff identified four broad areas that appeared to most warrant new investment:

- Basic needs: direct services and/or help to access federal benefits;
- Literacy and English as a Second Language: instruction to overcome a key barrier to accessing services, namely, housing and employment;
- Community based mental health services: support to keep residents in the community and avoid incidences of more serious, costly interventions;
- Pilot and evaluate service delivery approaches that offer more intensive, comprehensive services to priority groups (to be identified). This area may include the evaluation of new and emerging issues in social services program delivery.

HHS staff has expanded from these basic concepts to offer specific options for Court consideration (listed in no recommended priority order):

- Comprehensive services model, focused on low-income residents in outlying areas of the County, to promote self-sufficiency (minimum investment of \$400,000 to effectively serve a cohort of 30 households);
- Community based mental health, focused on low income residents in outlying areas of the County with identified mental health needs (minimum investment of \$100,000 to effectively serve a cohort of 20 clients);
- Basic needs, one-time assistance plus case management for 3-6 months to address crisis situations that place families at risk of losing their home (minimum investment of \$150,000 to serve a cohort of 40 households);
- Literacy and ESL, investment in recruiting and training volunteer instructors to increase community capacity to offer instruction to vulnerable residents (investment of \$55,000 to recruit and train 150 new literacy instructors).

In each case, special emphasis is placed on making services accessible to residents in the outlying areas of the County. Additional expectations for any funded services include: 1) utilization of evidence based practices, and 2) cooperation with County funded, third party evaluation. Basic information for each can be found in the attached backup.

Staff requests that \$50,000 of the new allocation be invested in an independent evaluation, and asks the Commissioners Court for direction on how to allocate the remaining \$400,000 across one or more of the listed options or provide additional options for staff review and analysis. *Upon direction from the Court, we will continue with a more inclusive process to more fully develop the tools and processes through which we will procure, implement, monitor, and evaluate the desired services.*

Budgetary and Fiscal Impact:

\$450,000 in new, ongoing funding was added to the department budget in FY09 to purchase new social services. Based upon our assessment of current community needs, staff has offered the above options for consideration. Continued program design, procurement, contracting, monitoring and program oversight will fall within existing county processes. No additional fiscal impact beyond this allocation is anticipated.

Issues and Opportunities:

Long-standing challenges to serving the outlying areas of Travis County along with recent downward trends in the economy combine to drive our effort to enhance services for these communities. A cross-functional team of staff from across HHS has brought their varied expertise together to develop these basic options to make meaningful new investments in historically underserved areas of the community. *Further, more inclusive process will follow court action to fully develop the preferred options.*

Our interest is to ultimately engage Purchasing, the County Attorney's office and other appropriate departments in drafting a competitive RFS to procure services which will align with the investments that are of interest to the Commissioners Court.

Background:

This proposal represents another step to both fully address needs and increase the capacity of services for the residents of Travis County. Historically, social services of all types have been more accessible within the urban core of Travis County (in the City of Austin). Yet, it has been far more challenging for residents in the outlying areas to access these services. Changes in the local economy have only complicated this situation as rising housing costs have displaced an ever greater number of low-income residents into outlying communities. Resources are very limited in many of these outlying communities. Through this new investment, HHS hopes to both directly address existing needs and develop better avenues and approaches to meet future needs.

Cc: Susan A. Spataro, CPA, CMA, Travis County Auditor
Jose Palacios, Chief Assistant County Auditor
Mary Etta Gerhardt, Assistant County Attorney
Rodney Rhoades, Executive Manager, Planning and Budget Office
Travis Gatlin, Analyst, Planning and Budget Office
Cyd Grimes, C.P.M., Travis County Purchasing Agent
Rebecca Gardner, Assistant Purchasing Agent, Travis County Purchasing Office

Summary of Options

	Comprehensive Services Model	Community Based Mental Health	Basic Needs	Literacy and ESL (Capacity Building)
Goal	Self-sufficiency ¹	Access to mental health services	Housing stability ²	Improve literacy/ English proficiency ³
Target Population	Households at risk of homelessness	Residents below 200% FPIG with identified MH need	Households at risk of homelessness	Volunteers to serve vulnerable populations
Services	<ul style="list-style-type: none"> • Case management • housing assist. • capacity building • education/training • other support as needed (12 months)	<ul style="list-style-type: none"> • Case management • Therapy • Psychiatric services (up to 12 months)	One-time assistance plus case management (3-6 months)	"Train the trainers" instruction Volunteer recruitment and training (12 months to increase capacity)
Estimated Cost	\$13,333/household; Minimum of \$400K for 30 households	Minimum \$100K for a unit of 20 clients	Minimum of \$150K for a unit of 40 households	\$55K: Train-the-Trainers for 15, recruit and train 150 new literacy instructors"

Needs Identified in the Outlying Areas of Travis County

As the Travis County Health and Human Services and Veterans Services Department reviews community trends, the addition of the Community Development Block Grant (CDBG) program has provided an increased understanding of the needs and challenges of persons living in the unincorporated areas. Through the CDBG public forums, CDBG funded projects, and additional planning efforts of the Department, the following needs, especially as they relate to barriers and access to services, have been identified.

Needs and Barriers Identified

- ◆ Lack of health care providers, public libraries, parks, recreational centers, grocery stores, **adult education services, counselors and social service providers** within a reasonable proximity to residential areas.
- ◆ Lack of **home based social services**.
- ◆ Lack of public transportation.
- ◆ Affordability of the housing does not outweigh the increased cost of commuting.
- ◆ Low quality of the housing stock.
- ◆ Moderate and Severe substandard housing conditions.
- ◆ Inadequate or failing water/wastewater infrastructure.

Growth Outside the Urban Core

The needs in the outlying and unincorporated areas can be expected to rise as the population grows. During the past seven years, the rate of growth in the County's unincorporated areas and in its small cities and villages has outpaced that of the urban core.

Area Description	Population Estimates				Growth 2000 to 2007	
	2000	2005	2006	2007	Number	Percent Increase
Travis County	821,064	905,609	941,577	974,365	153,301	19%
City of Austin (within Travis County)	652,784	689,227	710,326	727,195	74,411	11%
Other Cities and Villages within Travis County	46,477	62,643	67,722	74,002	27,525	59%
Unincorporated Areas in Travis County	121,803	153,739	163,529	173,168	51,365	42%
Other Cities and Villages + Unincorporated Areas	168,280	216,382	231,251	247,170	78,890	47%

Source: U.S. Census Bureau, Population Estimates Program, Subcounty Population Datasets

According to U.S. Census Bureau's population estimates, between 2000 and 2007 the total population of Travis County increased by an estimated 153,301 persons or 19%. More than half of this growth occurred within the County's unincorporated areas or in cities and villages other than the City of Austin (78,890 additional people, 47% rate of growth).

Solutions to Address Needs and Barriers

Creating sustainable change requires long term, research-based interventions and long term investments. Increasing the access to and capacity of social and mental health services and reducing transportation barriers are key to meeting the needs of residents outside the urban core.

Comprehensive Service Model

I. Overview of Service Design

This proposal envisions a long term comprehensive service model where residents receive community based, individualized service planning and supports to allow them to improve their living situation and reach their individualized goals. This approach would include funding for emergency assistance for rent/mortgage or utilities, employment and job training supports, access to mental health services, as well as other supports identified by the family as needed. This model is comprehensive because of the individualized, client driven service planning used to help each family achieve competence to navigate systems, meet individualized needs and ensure sustained functioning. Flexible funding to meet the household's individual needs, for basic needs, employment and training, mental health services and other supports will be included.

II. Parameters of Design

This proposal would fund services delivered in a comprehensive manner with the goal of self sufficiency for each household. The successful proposal will be evaluated on the following:

1. Outreach to identify underserved clients in the outlying areas of Travis County.
2. Services provided to residents of the underserved, outlying unincorporated areas of Travis County who are at risk of homelessness.
3. Service Delivery and Performance Measures that account for sustainable change for participants using evidence based models of service delivery.
4. Practices or innovations identified to reduce barriers to services for clients in the outlying areas of Travis County.
5. Collaboration with the service provider network within Travis County.
6. Capacity building for mental health services and other supports in the outlying area.
7. Use of evidence based practices.

III. Outcomes

Performance Measures would include:

- Housing Stability (living in the same residence) at 6 and 12 months
- Increased HH income through wages and benefits obtained
- Increased Individual Functioning as measured by service plan goals achieved

IV. Cost Estimate

The total cost of this program is expected to be \$400,000 for 30 households. The estimated costs include:

\$150,000	Direct Client assistance (\$5000 per household over 12 months of service)
\$150,000	Staff and Administrative costs
+\$100,000	Mental Health staff & capacity building
<u>\$400,000</u>	\$ 400,000 for 30 households served over 12 months

Community Based Mental Health

I. Overview of Service Design

This proposal provides access to mental health services in the outlying areas of Travis County. The services will be provided utilizing a team approach including a case manager, contracted therapist, and a psychiatrist (as needed). Services will be delivered in a strength-based, client driven approach. The case manager will address individual barriers to accessing treatment. The therapist will use evidence-based treatment models that are trauma informed and solution focused. The length and amount of therapeutic sessions will vary based on the needs of each individual participant. An initial assessment will determine the need of psychiatric intervention. The project will develop a step-down plan for each participant to ensure the continuation of behavioral health services. At closure, each participant will have an established medical home and be connected to relevant social services programs.

II. Parameters of Design

This proposal would fund services delivered in a comprehensive manner with the goal of improved access to mental health services. The successful proposal will be evaluated on the following:

- Project services must be easily accessible to individuals residing in the outlying areas.
- Project services must be provided both in the home and the local community.
- Project must provide step-down services for behavioral health needs.
- Project must use an evidence-based model for therapeutic interventions.
- Project must develop individualized service plans that are client driven.

III. Outcomes

The outcomes that are expected to be attained by this program are:

- Access to mental health services in the outlying areas of Travis County.
- Increase individual functioning as measured by service plan goals achieved.
- Establish a primary care provider (medical home) for each participant to address both physical and behavioral needs.
- Ensure participants are connected to all eligible Social Services programs.

IV. Cost Estimate

The total cost of the project would be \$100,000. This would provide services to twenty families residing in the outlying areas. A breakdown of estimated cost for twenty participants is as follows:

- | | |
|-------------------------|--------------------------------------------------------------------------|
| • Case manager position | \$58,700 |
| • Contracted Therapy | \$28,800 (18 sessions at \$80 per session) |
| • Psychiatric Services | \$12,500 (1 assessment and 3 medication checks at \$625 per participant) |

Basic Needs

I. Overview of Service Design

This proposal envisions expanded capacity to provide emergency assistance for rental and mortgage payments. Emergency Rental and Mortgage assistance is a core safety net service. This proposal would provide housing stability through one time rental or mortgage assistance to Travis County residents living in the outlying areas as well as 3 months of case management services to help them access employment, services and supports to maintain their housing. Assistance rates would be capped at the current Fair Market Rental rates set by the U.S. Department of Housing and Urban Development for the Austin metropolitan area. Eligibility would be households earning at or below 200% of federal poverty income guidelines and the other eligibility elements of Chapter 72 of Travis County code.

Additionally, the program would participate in an evaluation to compare this model to the existing rental and mortgage assistance funded with Travis County General Revenue funds to determine success rates of maintaining housing at 30 days after assistance, as well as longer outcome measures.

II. Parameters of Design

This proposal would fund services delivered in a case management model with the goal of housing stability for each household. The successful proposal would be evaluated on the following criteria:

1. Outreach to identify underserved clients in the outlying areas of Travis County.
2. Services provided to residents of the underserved, outlying unincorporated areas of Travis County who are at risk of homelessness.
3. Collaboration with the service provider network within Travis County.
4. Ability to participate in external evaluation of Travis County General Revenue funded rental and mortgage assistance.
5. Use of evidence based practice.

III. Outcomes

Performance Measures would include:

- Housing Stability (living in the same residence) 30 days after application
- Housing Stability (living in the same residence) at 6 and 12 months post financial assistance

IV. Cost Estimate

60,000	\$1500 dollars of financial assistance per household
+90,000	Staff and overhead (one case manager)
150,000	\$150,000 for each 40 households served

Literacy/ESL Capacity Building

I. Overview of Service Design

This proposal the availability of literacy and English as a Second Language services in the outlying areas of Travis County. This approach would include funding a two part service model to address literacy and English language barriers that prevent residents from continuing their education, gaining employment and advancing in the workforce, finding and keeping housing, accessing public benefits and services, and otherwise functioning fully in society. The first phase (year 1) includes investment in recruiting and training volunteers to increase community capacity to offer instruction to vulnerable residents. The second phase (year 2 and ongoing) includes matching volunteers with appropriate students and monitoring individual learning outcomes.

II. Parameters of Design

The successful proposal will be evaluated on the following:

1. Project services must be easily accessible to individuals residing in the outlying areas.
2. Project services must be provided in diverse settings to accommodate residents of outlying areas of the County.
3. Collaboration with the adult education provider network within Travis County.
4. Evidence based practices must be used.

III. Outcomes

Performance Measures would include:

- Phase 1: Number of volunteers recruited and trained to offer instruction to local residents;
- Phase 2: Number of individuals receiving instruction and documented improvement in educational attainment as measured on standardized pre-/post-test (ex. TABE, BEST)

IV. Cost Estimate

\$55,000 (recruitment and training of 150 new literacy instructors in year one)

10

BUDGET AMENDMENTS AND TRANSFERS

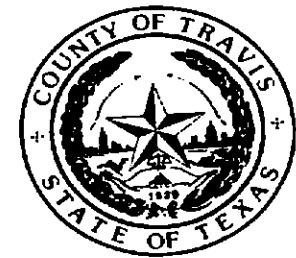
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COUNTY JUDGE'S OFFICE
FY 2009

08 OCT 23 AM 9:48

10/28/2008

AMENDMENTS


BA #	Project Code FUND	DEPT/DIV	ACT	ELM/OBI	Dept.	Line Item	Increase	Decrease	Pg #
A1	001	9800	981	9892	Reserves	Allocated Reserves		\$ 71,830	1
	001	2430	546	6099	Crim. Cts.	Other Purchased Services	\$ 71,830		



**PLANNING AND BUDGET OFFICE
TRAVIS COUNTY, TEXAS**

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

MEMORANDUM

TO: Commissioners Court
FROM: Jessica Rio, Assistant Budget Manager 
DATE: October 21, 2008
SUBJECT: FY 09 Budget Adjustments Related to Criminal Courts Request for Permission to Continue Drug Court Program Grant Position

On October 21st, the Commissioners Court approved a third permission to continue for the Drug Court Program grant position (slot 171) to continue through the end of November of 2008. The Criminal Courts are also requesting operating funds, totaling \$71,830, to allow for the continuation of contracts associated with this program.

African American Intensive Case Management- Clean Investments	\$10,832
Dually Diagnosed Intensive Case Management- MHMR	\$49,998
Dually Diagnosed Outpatient Treatment- MHMR	<u>\$11,000</u>
Total Request	\$71,830

While the department is requesting three months of the Intensive Case Management for that pay as you go contract, the other contracts are one year contract renewals and the entire amount is needed in order to proceed.

The department requested and the Commissioners Court approved an earmark totaling \$184,778 on the General Fund Allocated Reserve for the Drug Court program in the event that the granting agency did not renew the Travis County grant. The department states that this grant has been received from the Governor's Office since FY 02; however, the Governor's Office has not yet announced the FY 09 Drug Court grant awards. The department has told PBO that the grant may not be renewed in its entirety (\$184,778), but instead partially renewed, with sufficient funding for the current position. The department is currently working with the granting agency to ensure that a grant is received soon. The department has committed to returning all unused funds to the General Fund Allocated Reserve if and when the grant is awarded.

The Criminal Courts' Drug Court Program has a static capacity of 300 participants per year as detailed in the performance measures submitted by the department in April of 2008:

Measure	Actual FY 06	Actual FY 07	Revised FY 08	Projected FY 09
SHORT Program (Drug Court)				
Number of clients screened by intake for Short	2,845	3,160	3,100	3,100
Number of group educational sessions per week	16	17	17	17
Static capacity of program	300	300	300	300

The department's program information submitted during the budget process detailed the Drug Court's overall effectiveness as part of an Outcome Study and Process Evaluation of Travis, Dallas, and Jefferson County Drug Courts presented to the 78th Texas Legislature in 2003. The department states that offenders were tracked for two years and had significantly lower arrest and incarceration rates than the comparison group offenders in the same tracking period, "Offenders completing drug court programs had a 28.5% re-arrest rate after entry compared to 65.1% of those not completing the program. Offenders completing drug court programs had a 3.4% incarceration rate three years after entry compared to 21.4% of those not completing the program".

The department states that, since 1993, there has been decreased justice system involvement for 611 program graduates. The department states that the program began with a grant and a very small number of participants. In addition, the department states that it takes an average of 18 months to complete the program. According to the department, the Drug Court graduation rate is 51% (from July of 2005 to June of 2006).

Description	Actual FY 07 Measure	Revised FY 08 Projected Measure	Projected FY 09 Measure at Target Budget Level	Revised FY 09 Measure with Additional Resources
Number of African American participants receiving intensive case management	25 per month	25 per month	0	25 per month
Number of dually diagnosed participants receiving intensive case management	20 per month	20 per month	0	25 per month
Number of dually diagnosed participants receiving intensive outpatient treatment	10	10	0	10

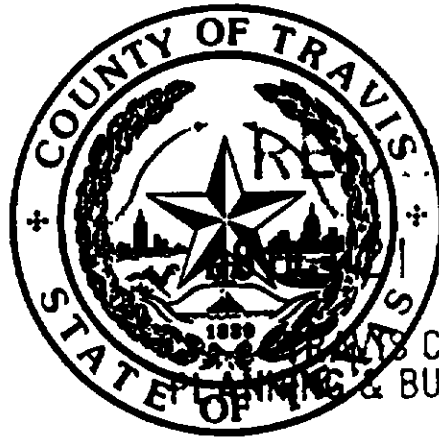
The Criminal Courts indicate that funding will enable 50 special needs Drug Court participants to continue intensive case management services as part of the 300 participants in the program each year. In addition, 10 dually diagnosed individuals will be able to participate in outpatient treatment with the continuation of this program. PBO recommends approval of the attached one-time budget adjustments until the grant is received. Additionally, if the grant is ultimately not received, this program should be evaluated thoroughly during the FY 10 budget process.

cc: Debra Hale, Criminal Courts
 Joe Kertz, Criminal Courts
 Leroy Nellis, PBO

Rodney Rhoades, Executive Manager PBO
 Nisha Sharma, County Auditor's Office
 Kimberly Walton, County Auditor's Office

**TRAVIS COUNTY
DISTRICT AND COUNTY
CRIMINAL COURTS**

**DEBRA HALE
DIRECTOR OF COURT
MANAGEMENT**



RECEIVED

OCT 11 1:14 PM

TRAVIS COUNTY
PLANNING & BUDGET OFFICE

**BLACKWELL-THURMAN
CRIMINAL JUSTICE CENTER
P. O. BOX 1748
AUSTIN, TX. 78767
(512) 854-9244
FAX: (512) 854-4464**

To: Jessica Rio, Budget Analyst

From: Debra Hale, Court Management Director *DH*

Re: Request to Transfer Funds from Allocated Reserves

Date: October 8, 2008

The Criminal Courts request a transfer in the amount of \$71,830 from fiscal year 2009 allocated reserves to the Criminal Courts budget. These funds were set aside to provide specialized services, previously funded by the Governor's Office CJD grant, for African American offenders and dually diagnosed offenders arrested for drug related offenses. This request is necessary because the Criminal Courts have been advised by the Governor's Office that it is not possible to fund the entire amount of our Drug Court Continuation Grant for FY09 due to a budget shortfall.

The Criminal Courts request funding these particular services due to the criticality of continuity of treatment for up to 60 Drug Court participants currently participating in programs previously funded by this grant. Furthermore, since two of the three contracts currently contain "not to exceed" clauses, the Auditor's Office requires that the department encumbers the full "not to exceed" amount of the these contracts prior to remitting payment for services rendered under these contracts.

Additional information regarding this request is contained in the attached PB4 and PB5. However, please do not hesitate to contact me directly if more information is needed.

Submitted for informational purposes
October 2008

**FY 2009 BUDGET SUBMISSION
BUDGET REQUEST PROPOSAL**

Name of Budget Request & Priority #:	Request Funds From Allocated Reserves- Drug Court
Fund/Department/Division:	001-2430-546-6099
Total Amount Requested:	\$71,830
Collaborating Departments/Agencies:	N/A
Contact Information (Name/Phone):	Debra Hale 854-9432

1. Summary Statement: Include one or two sentences to be included in Commissioners Court materials.

The Travis County Criminal Courts request a transfer in the amount of \$71,830 from fiscal year 2009 allocated reserves to the Criminal Court's budget. These funds were set aside to provide specialized services, previously funded by the Governor's Office CJD grant, for African American offenders and dually diagnosed offenders arrested for drug related offenses.

2. Description of Request: Describe the request, including current issues and how the request relates to the mission and services provided by the department. Include historical information related to the request where relevant.

Since 2002, the Governor's Office Criminal Justice Division (CJD) has provided grant funding for the Drug Court Program to provide specialized services for African Americans and dually diagnosed individuals arrested for drug offenses. An application has been submitted to the Governor's Office for FY09 requesting the continuation of funding for these services. However, the Governor's Office advised the Criminal Courts that it is not possible to fund the entire amount of our Drug Court continuation grant for FY09 due to a shortfall in State revenue for Drug Court Programs. After the 80th Legislature passed HB530, the State expected to collect millions of dollars in new revenue for Drug Court Programs. This expectation has not been realized. Since the specialized services provided by the CJD Drug Court Grant are so vital to the target populations (African Americans and dually diagnosed participants), funds were set aside in allocated reserves by the Commissioners Court to ensure that these participants did not experience an unnecessary interruption in their rehabilitation efforts.

African Americans continue to be the largest segment of the population arrested for felony drug offenses in Travis County. The Travis County Jail reported that between 9/1/06 and 8/31/07 that 4,613 individuals were arrested for felony drug charges. The African American population accounted for 1,766 (38%) of those arrested, the Hispanic population accounted for 1,263 (27%) of those arrested, and the Anglo population accounted for 1,565 (34%) of those arrested. For the past six years, the Governor's Office has funded intensive case management and treatment coordination services for 25 African American Drug Court Participants. In order to continue to serve this target population, the Criminal Courts request a transfer from allocated reserves to pay for services provided in FY09 for the African American population through a contract with Clean Investments.

Dually diagnosed individuals arrested for drug related offenses also continue to be in need of specialized services previously funded by the CJD Grant. Through a contract with MHMR, 20 Drug Court participants have received intensive case management and treatment coordination services. Since an increased number of dually diagnosed participants are in need of services through MHMR, the Criminal Courts FY09 Drug Court Grant application requests funding for 25 (an additional 5) participants to receive specialized case management services through MHMR to ensure that this population obtains appropriate referrals. Likewise, since there is limited availability of outpatient treatment services for dually diagnosed participants, the Drug Court Program requests to continue to contract with MHMR to provide 10 dually diagnosed participants with intensive outpatient treatment.

In order to continue to provide services for African American participants and dually diagnosed participants, the Criminal Courts request a transfer in the amount of \$71,830:

African American Intensive Case Management- Clean Investments (3 mo.)	\$10,832
Dually Diagnosed Intensive Case Management- MHMR	\$49,998
Dually Diagnosed Outpatient Treatment- MHMR	\$11,000
Total Request	\$71,830

3a. Pros: Describe the arguments in favor of this proposal.

Funding this request will allow 50 Drug Court participants to continue to receive intensive case management services and 10 dually diagnosed participants to receive intensive outpatient treatment.

3b. Cons: Describe the arguments against this proposal.

N/A

4. Anticipated Outcome of Request and Proposed Timeline: Timeline should include the expected dates of results and may extend past FY 09.

African American participants and dually diagnosed participants are currently receiving the specialized services provided by the CJD Grant. Funding is needed to continue these services.

5. Description of Program Measurement and Evaluation: Describe how the proposal will be measured and evaluated and if this includes an independent evaluation component. In addition, indicate whether a comparative analysis of similar local programs is available.

Program measures have been established to address the number of offenders who enrolled in the program, were admitted to treatment, and successfully graduated from the program. Follow-up recidivism studies are done at six months after completing the program.

6a. Performance Measures: List applicable current and new performance measures related to the request and note the changes for FY 09 should this request be implemented.				
Measure Name	Actual FY 07 Measure	Revised FY 08 Measure	Projected FY 09 Measure at Target Level	Projected FY 09 Measure with Added Funding
Number of African American participants receiving intensive case management	25 per month	25 per month	0	25 per month
Number of dually diagnosed participants receiving intensive case management	20 per month	20 per month	0	25 per month
Number of dually diagnosed participants receiving intensive outpatient treatment	10	10	0	10
6b. Impact on Performance: Describe the impact of funding the request on departmental performance measures, service levels, and program outcomes:				
Approving our request to transfer money from allocated reserves will enable 50 special needs Drug Court participants to continue their intensive case management services and 10 dually diagnosed individuals to participate in outpatient treatment.				
7. Impact of Not Funding: Describe the impact of not funding the request in FY 09.				
If our request is not approved, the African American participants and dually diagnosed participants currently benefiting from intensive case management services and intensive outpatient treatment services will be suspended from their programs. A disruption of this nature to an addict's treatment plan severely jeopardizes their ability to rehabilitate themselves.				
8. Leveraged Resources: If proposal leverages other resources such as existing internal resources or grant funding, list and describe impact. If resources from similar existing program(s) will not be reallocated, give reasons and include analysis.				
None available.				
9. Additional Revenue: If this proposal generates additional revenue, list the amount and the assumptions used for the estimate. (Attach a copy of the form submitted to the Auditor's Office).				
N/A				
10. Collaboration: If this proposal was discussed with other departments/agencies that provide similar or supporting services that could be impacted, describe impact and list the other departments/agencies and their points of contact. Suggest ways all departments/agencies can collaborate to ensure success of the proposal.				
N/A				
11.	If requesting a new position(s), is office space currently available? Y/N			N/A
	If no, attach plan from Facilities Mgmt. explaining how to acquire space for this proposal. Identify proposed position location below:			
Building Address		Floor #		
Suite/Office #		Workstation #		

FY 2009 BUDGET SUBMISSION
Budget Request Details

Name of Budget Request:	Drug Court - Program Services		
Budget Request Priority #:	Dept #:	24	Name:
			Criminal Courts

A. Personnel

Position Title	Pay Grade	FTE	Fund	Div	Fund %	Emp Type	Annual Cost			
							Salary	Benefits	Total	
					100%	Regular	\$ -	\$ -	\$ -	
					100%	Regular	\$ -	\$ -	\$ -	
					100%	Regular	\$ -	\$ -	\$ -	
					100%	Regular	\$ -	\$ -	\$ -	
					100%	Regular	\$ -	\$ -	\$ -	
					100%	Regular	\$ -	\$ -	\$ -	
					100%	Regular	\$ -	\$ -	\$ -	
					100%	Regular	\$ -	\$ -	\$ -	
					100%	Regular	\$ -	\$ -	\$ -	
					100%	Regular	\$ -	\$ -	\$ -	
					100%	Regular	\$ -	\$ -	\$ -	
					100%	Regular	\$ -	\$ -	\$ -	
					100%	Regular	\$ -	\$ -	\$ -	
TOTAL PERSONNEL								\$ -	\$ -	\$ -

B. Operating

Description	Fund	Dpt	Div	Act	Line	One-Time Cost	Ongoing Cost	Total
Other Purchased Services	001	24	30	546	6099	\$ 71,830		\$ 71,830
								\$ -
								\$ -
								\$ -
								\$ -
								\$ -
								\$ -
								\$ -
								\$ -
								\$ -
								\$ -
								\$ -
								\$ -
								\$ -
TOTAL OPERATING						\$ 71,830	\$ -	\$ 71,830

C. Computer/Telecommunication and Capital Related to This Request

TOTAL COMPUTER/TELECOMMUNICATION EQUIPMENT FROM ITS FORMS	\$ -
TOTAL CAPITAL EQUIPMENT FROM CAPITAL BUDGET REQUEST (PB-6)	
TOTAL ALL CAPITAL	\$ -
TOTAL BUDGET REQUEST	One-Time \$ Ongoing \$ Total FY 08
TOTAL REQUESTED NON-CAPITAL (A + B)	\$ 71,830 \$ - \$ 71,830
TOTAL REQUESTED (A + B + C)	\$ 71,830 \$ - \$ 71,830

Form Completed By: Joseph Kertz

Budget Adjustment: 13696

Fyr _ Budget Type: 2009-Reg

Author: 24 - KERTZ, JOSEPH

Created: 10/21/2008 11:28:29 AM

PBO Category: Amendment

Court Date: Tuesday, Oct 28 2008

Dept: RESERVES


Just: Other

To transfer funds from allocated reserves to continue specialized services for Drug Court participants

~~001-9800-981-9892~~ ~~001-2430-546-6099~~

From Account	Acct Desc	Project	Proj Desc	Amount
001-9800-981-9892	ALLOCATED RESERVES			71,830
				<hr/>
				71,830
To Account		Project		Amount
001-2430-546-6099	OTHER PURCHASED SERVICES			71,830
				<hr/>
				71,830

Approvals	Dept	Approved By	Date Approved
Originator	24	JOSEPH KERTZ	10/21/2008 11:28:40 AM
DepOffice	24	DEBRA HALE	10/21/2008 12:51:39 PM
DepOfficeTo	24	DEBRA HALE	10/21/2008 12:51:44 PM



10/23/08

Allocated Reserve Status (001-9800-981-9892)

Amount	Dept Transferred Into	Date	Explanation
\$6,632,457			Beginning Balance
\$6,632,457	Current Balance		

Possible Future Expenses Against Allocated Reserve Previously Identified:

Amount	Explanation
(\$100,000)	Indigent Attn Costs: County Court at Law #8
(\$300,000)	Indigent Attn Costs: Capital Murder Case Costs
(\$39,900)	Ad Space for November Polling Places
(\$158,125)	Resources for Fail Safe Voting
(\$20,000)	Hazmat
(\$16,000)	Hazmat Equipment Maintenance
(\$80,000)	Postage
(\$80,000)	Records Storage
(\$20,000)	Aviation Software
(\$300,000)	Fuel Price Increase
(\$63,500)	Cadaver Contract Increase
(\$50,000)	Appraisal District Fee
(\$100,000)	Family Drug Treatment Court
(\$347,110)	Utility Cost Increase
(\$15,000)	Copy Paper
(\$62,203)	Intergovernmental Relations support
(\$300,000)	Indigent Attn Costs: Capital Murder Cases
(\$184,778)	Drug Court
(\$29,302)	Bilingual Supplemental Pay
(\$294,083)	COA Public Health Interlocal
(\$100,000)	General Fund Subsidy
(\$700,000)	Reserve for Economic Downturn
(\$230,000)	Reserve for Cost Increases
(\$3,590,001)	Total Possible Future Expenses (Earmarks)
\$3,042,456	Remaining Allocated Reserve Balance After Possible Future Expenditures

Capital Acquisition Resources Account Reserve Status (001-9800-981-9891)

Amount	Dept Transferred Into	Date	Explanation
\$2,865,553			Beginning Balance
\$2,865,553 Current Reserve Balance			

Possible Future Expenses Against CAR Identified During the FY09 Budget Process:

Amount	Explanation
(\$95,500)	Failing Vehicles Contingency
(\$30,000)	Aviation Software
(\$125,500) Total Possible Future Expenses (Earmarks)	

\$2,740,053 Remaining CAR Balance After Possible Future Expenditures

Compensation Reserve Status (001-9800-981-9803)

Amount	Dept Transferred Into	Date	Explanation
\$5,980			Beginning Balance - Bilingual Pay
\$5,980 Current Reserve Balance			

Health & Human Services Reserve Status (001-9800-981-9817)

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

Fuel & Utility Reserve Status (001-9800-981-9819)

Amount	Dept Transferred Into	Date	Explanation
\$1,108,121			Beginning Balance
\$1,108,121 Current Reserve Balance			

Planning Reserve Status (001-9800-981-9821)

Amount	Dept Transferred Into	Date	Explanation
\$700,000			Beginning Balance
\$700,000 Current Reserve Balance			

Annualization Reserve Status (001-9800-981-9890)

Amount	Dept Transferred Into	Date	Explanation
\$2,347,947			Beginning Balance
\$2,347,947 Current Reserve Balance			

Unallocated Reserve Status (001-9800-981-9898)

Amount	Dept Transferred Into	Date	Explanation
\$41,384,029			Beginning Balance
\$41,384,029 Current Reserve Balance			

11 ✓

TRAVIS COUNTY COMMISSIONERS COURT AGENDA REQUEST

RECEIVED
COUNTY CLERK'S OFFICE
08 OCT 21 PM 2:21

Please consider the following item for:
10-28-08

I. A. Request made by: Planning & Budget Office

Review and approve requests regarding grant proposals, applications, contracts, and permissions to continue, and take other appropriate actions:

- a) Approve grant contract amendment with the Corporation for National and Community Service (through OneStar Foundation) for Health and Human Services to reduce the overall grant award based on savings generated from members leaving before completing their program hours.

Approved by:

Signature of Commissioner(s) or County Judge

- II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request (Original and eight copies of agenda request and backup).
- B. Please list all of the agencies or officials names and telephone numbers that might be affected or be involved with the request. Send a copy of this Agenda Request and backup to them:

III. Required Authorizations: Please check if applicable:

Planning and Budget Office (854-9106)

- _____ Additional funding for any department or for any purpose
- _____ Transfer of existing funds within or between any line item budget
- _____ Grant

Human Resources Department (854-9165)

- _____ A change in your department's personnel (reclassifications, etc.)

Purchasing Office (854-9700)

- _____ Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9415)

- _____ Contract, Agreement, Policy & Procedure

TRAVIS COUNTY

10/28/2008

GRANT APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE
FY 2009

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 Amount	County Match	Indirect Costs	FTEs	Notes	Page #
Contracts								
a 58	AmeriCorps	8/1/2007 - 7/31/2008	\$288,139.00	\$223,358	16	1		6

Notes:

- 1 PBO recommends approval.
- 2 PBO does not recommend approval
- 3 Please see PBO recommendation for more information

FY 2009 Grants Summary Report
Outstanding Grant Applications

The following is a list of grants for which application has been made and notification of award has not yet been received.

Name of Grant	Grant Amount	County Match	Local Funds (Donation)	FTEs	Cm. Ct. Approval Date
AmeriCorp	\$301,429	\$281,599		20	10/14/2008
	\$301,429	\$281,599		20	

FY 2009 Grants Approved by Commissioners Court

The following is a list of grants that have been received by Travis County since October 1, 2008

Dept	Name of Grant	Grant Amount	County Match	Local Funds (Donation)	Indirect Costs	FTEs	Approval Date	Cm. Ct.
47	Emergency Management Performance Grant	\$67,200	\$67,200				10/7/2008	
		\$67,200	\$67,200					

FY 2009 Grants Summary Report Amended Grant Applications

Dept	Name of Grant	Original Grant Amount	Amendment Amount	Total Revised	Total FTEs Associated	Cm. Ct. Approval Date
55	Travis County Mental Health Public Defenders Office	\$ 330,776	\$ 44,224		8.00	10/7/2008
Total Outstanding		\$ 330,776	\$ 44,224		8.00	

* Original Grant Column shows Beginning FY'08 Amount

FY 2009 Grants Summary Report

Permission to Continue

Dept	Name of Grant	Original Grant Amount	Original County Match	Continuation Amount Total	Total FTEs	Cm. Ct. Original Approval Date	Cm. Ct. Approval Date for Continuation
22	Drug Court Program	\$84,419.75			1		10/14/2008
24	Drug Diversion Court	\$188,474.00			1		10/21/2008
Total Outstanding		\$272,893.75	\$	-	2.00		

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"/>

Department/Division:	Travis County Health and Human Services and Veterans Service
Contact Person/Title:	John C. Bradshaw
Phone Number:	854-4277

Grant Title:	AmeriCorps		
Grant Period:	From: 8/1/2007	To: 7/31/2008	
Grantor:	Corporation for National and Community Service (through OneStar Foundation)		

Check One:	New: <input type="checkbox"/>	Continuation: <input type="checkbox"/>	Amendment: <input checked="" type="checkbox"/>
Check One:	One-Time Award: <input type="checkbox"/>	Ongoing Award: <input checked="" type="checkbox"/>	
Type of Payment:	Advance: <input type="checkbox"/>	Reimbursement: <input checked="" type="checkbox"/>	

Grant Categories/ Funding Source	Federal Funds	State Funds	Local Funds	County Match	In-Kind	TOTAL
Personnel:	228,139			109,654		337,793
Operating:	0			72,488		72,488
Capital Equipment:						0
Indirect Costs:				41,216		41,216
Total:	228,139*	0	0	223,358	0	451,497
FTEs:	16					16

*This is the amount of grant funds going to Travis County after deobligating the \$1,881.

Auditor's Office Review: <input checked="" type="checkbox"/>	Staff Initials: <u>EH</u>
Auditor's Office Comments:	
County Attorney's Office Contract Review: <input checked="" type="checkbox"/>	Staff Initials: <u>MG</u>

Performance Measures Applicable Department Output Measure**	Projected FY 08 Measure	Progress To Date:				Projected FY 09 Measure
		12/31/07	3/31/08	6/31/08	9/30/08	
Educational Program Participants	77,000					77,000
Outcome Measures For Grant**						

Percentage of AmeriCorps members who complete training and their terms of service and report gaining skills that they will use in the future	75%				82%	75%
Percentage of students enrolled in the after-school program for a minimum of one year who score as well or better than their peers in the science section of a standardized assessment tool	20%				This figure is provided by AISD and is not yet available for FY'08.	20%
Output Measures For Grant***						
AmeriCorps members successfully completing national service training	19		22			22
Outcome Impact Description	The training gives AmeriCorps members knowledge about national service and their job duties that allows them to competently perform their AmeriCorps service activities. The training develops an ethic of service among the members. All members must complete the training in order to serve in the program. (Members who complete the training and their term of service answer a written survey about their experience and the likelihood of them using the skills they have learned in the future. The outcome measure is that at least 75% of survey respondents state that they will use the skills they have developed in future education, service, or employment opportunities.)					
AmeriCorps member service hours	27,800		19,297		27,335	28,020
Outcome Impact Description	The member service hours must be tracked in order for members to receive and education award from the federal government. Each member goes through a three-week training before starting to help with the after-school program. Training accounts for a portion but not all of their service hours. Service hours are included to show the court the impact AmeriCorps members are having in the community. The target for FY'08 was not reached due to three members leaving before completing their required number of service hours.					

Students enrolled in after-school programs for a minimum of one year	730		1,074		2,099	1,200
Outcome Impact Description	At least 146 students (20% of 730) in FY'08 and 240 (20% of 1,200) in FY'09 will score as well or better than their peers in the science section of a standardized assessment tool. (AISD provides the assessment scores.)					

** These measures are reported annually.

*** These measures are reported every six months.

PBO Recommendation:

HHS has requested Commissioners Court approval of an amendment to the FY 08 AmeriCorps grant. The amendment reduces the overall award by \$1,881 and is based on savings generated from unused member stipend money from members leaving before completing their required number of hours. These savings cannot be reallocated towards other grant expenses. The grantor will use the deobligated money to help fund future grants.

PBO recommends approval of this request.

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 program?

Travis County 4H CAPITAL uses AmeriCorps members to expand its after-school programs.

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

There are no county funding requirements once the grant ends. There is a cash and in-kind match required while the grant is in progress.

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.

The FY'08 grant required a cash and in-kind match totaling \$223,358. This came from 4-H CAPITAL, the Texas AgriLife Extension Service, and TCHHSVS. The grant is revenue neutral. It does not increase the General Fund budget.

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

The FY'08 grant allowed for a 4% indirect cost allocation for the county and 1% (\$2,415) for the OneStar Foundation. The county did not claim its 4% allocation because this would have raised the cost per FTE above the limit of \$14,527 set by the OneStar Foundation.

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

Travis County 4H CAPITAL will continue to offer after-school programs once the grant ends but not at as many locations.



**TRAVIS COUNTY HEALTH and HUMAN SERVICES
and VETERANS SERVICE
100 North I.H. 35
P. O. Box 1748
Austin, Texas 78767**

**Sherri E. Fleming
Executive Manager
(512) 854-4100
Fax (512) 854-4115**

DATE: October 8, 2008
TO: Members of the Commissioners Court
FROM: *Sherri E. Fleming*
Sherri E. Fleming, Executive Manager
Travis County Health and Human Services and Veterans Service
SUBJECT: AmeriCorps Contract Amendment

Proposed Motion:

Consider and take appropriate action to approve an amendment to the FY'08 AmeriCorps grant contract.

Summary and Staff Recommendations:

The OneStar Foundation administers the AmeriCorps grant which Travis County 4-H CAPITAL uses to expand its after-school programs in the Austin Independent School District. The AmeriCorps grant helps provide more than 110 after-school enrichment programs each week during the school year at 14 schools.

The FY'08 AmeriCorps grant ran from 8/1/07 – 7/31/08. Due to three AmeriCorps members leaving before completing their required number of hours, \$1,900 in member stipend money was not used. This money cannot be used for other grant expenses. The amendment deobligates \$1,881 in grant stipend money along with \$19 in indirect cost money set aside for the OneStar Foundation to administer the grant. OneStar will use the deobligated money to help fund future grants.

TCHHSVS staff recommends approving the amendment.

Budgetary and Fiscal Impact:

The FY'08 grant was \$232,435.

Issues and Opportunities:

Studies show that students who participate in after-school programs have fewer behavior problems, handle conflict better, show improved social skills and enhanced academic performance. AmeriCorps members provide much needed staff to increase the number of after-school programs in Travis County as well as enhance existing programs. Travis County 4-H CAPITAL programs differ from more traditional programs by offering hands-on activities that reinforce key concepts in the curriculum.

Background:

Travis County 4-H CAPITAL is a non-profit organization affiliated with the Texas AgriLife Extension Service. The Extension Service provides a variety of educational programs for county youth and adults.

Cc: Robert Richter, Director, Texas AgriLife Extension Service
Lillianne Goeders, Extension Agent, 4-H CAPITAL
Susan A. Spataro, CPA, CMA, Travis County Auditor
Jose Palacios, Chief Assistant County Auditor
Ellen Heath, Financial Analyst, Travis County Auditor's Office
Mary Etta Gerhardt, Assistant County Attorney
Rodney Rhoades, Executive Manager, Planning and Budget Office
Travis Gatlin, Analyst, Planning and Budget Office
Cyd Grimes, C.P.M., Travis County Purchasing Agent
Rebecca Gardner, Assistant Purchasing Agent, Travis County Purchasing Office

DAVID A. ESCAMILLA
COUNTY ATTORNEY

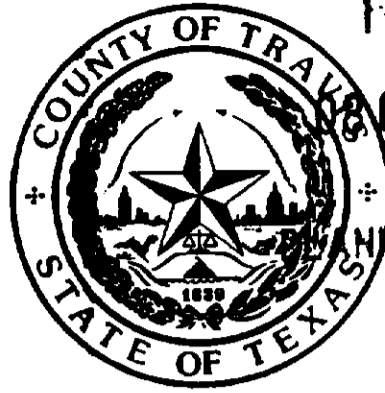
RANDY T. LEAVITT
FIRST ASSISTANT

JAMES W. COLLINS
EXECUTIVE ASSISTANT

314 W. 11TH, STREET
GRANGER BLDG., SUITE 420
AUSTIN, TEXAS 78701

P. O. BOX 1748
AUSTIN, TEXAS 78767

(512) 854-9513
FAX: (512) 854-4808



RECEIVED

OCT 10 AM 10:34

TRAVIS COUNTY
PLANNING & BUDGET OFFICE

TRANSACTIONS DIVISION

JOHN C. HILLE, JR., DIRECTOR †

BARBARA J. WILSON

MARY ETTA GERHARDT

TOM NUCKOLS *

TAMARA ARMSTRONG

JAMES M. CONNOLLY

TENLEY A. ALDREDGE

JULIE JOE

† Member of the College
of the State Bar of Texas
*Board Certified
Commercial Real Estate Law
Texas Board of Legal Specialization

October 9, 2008

Travis Gatlin
Travis County Planning and Budget
P. O. Box 1748
Austin, Texas 78767

RE: OneStar - AmeriCorps Texas
Contract Amendment

Dear Travis:

Enclosed are three originals of the above document. Please consider this approval as to legal form and coordinate with John Bradshaw, TCHHSVS, to place this on the Court's agenda.

Sincerely,

Mary Etta Gerhardt
Assistant County Attorney

Amendment

National Service Initiative: AmeriCorps Formula Funding

OneStar National Service Commission, Inc.
816 Congress Avenue, Suite 900
Austin, TX 78701

Sub-Grantee Information

Program Contact Information

Travis County CAPITAL AmeriCorps Project
1600-B Smith Road
Austin, TX 78721

Legal Applicant Contact Information: *Travis County through*

Travis County Department of Human Services
P.O. Box 1748
Austin, TX 78767-1748
74-6000192
Samuel T. Biscoe
Travis County Judge

Award Information

CFDA No. 94.006
Award No. 11.0609.015-2
Amendment No. 1

Project Period 8/1/2006 to 7/31/2009
Budget Period 8/1/2007 to 7/31/2008

Amendment Information

This amendment is to reduce the total CNCS Share amount reimbursable to the sub-grantee by \$1,881.00 and to reduce the CNCS Share amount reserved for Commission Fixed Amount budget by \$19.00, for a total reduction of \$1,900.00. However, there is no change to previously required matching percentages or limits on CNCS Share expenditures in particular budget line items.

Award Description

See original "Notice of Grant Award" for information on funding under this award.

Terms of Acceptance

All terms and conditions stated in the original "Notice of Grant Award," including all attachments are still valid and effective. Only changes specifically stated under this Amendment Information have changed.

Signature Authority

Grantee: OneStar Foundation, Inc

Susan Weddington
President and CEO

Sub-Grantee: ~~TRAVIS COUNTY THROUGH~~
Travis County CAPITAL AmeriCorps

BY:
Samuel T. Biscoe
Travis County Judge



Travis County Commissioners Court Agenda Request

RECEIVED

12 ✓

08 OCT 21 PM 1:47

Voting Session October 28, 2008
(Date)

Work Session _____
(Date)

I. Request:

Request made by: Alicia Perez, Executive Manager Phone # 854-9343
Signature of Elected Official/Appointed Official/Executive Manager/County Attorney.

Requested text:

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 \$821,392.23, for the period of October 10, 2008 to October 16, 2008.

Approved by: _____
Signature of Commissioner or County Judge

II. Additional Information:

- A. Backup memorandum is attached.
- B. Affected agencies and officials.

Linda Moore-Smith	854-9170
Dan Mansour	854-9499
Susan Spataro	854-9125
Christian Smith	854-9465

III. Required Authorizations: Checked if applicable:

- _____ Planning and Budget Office (854-9106)
- _____ Human Resources Management Department (854-9165)
- _____ Purchasing Office (854-9700)
- _____ County Attorney's Office (854-9415)
- _____ County Auditor's Office (854-9125)

**TRAVIS COUNTY
RECOMMENDATION FOR TRANSFER OF FUNDS**

DATE: October 28, 2008

TO: Members of the Travis County Commissioners Court

FROM: Dan Mansour, Risk 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: October 10, 2008 to October 16, 2008

REIMBURSEMENT REQUESTED FOR THIS PERIOD: \$821,392.23

HRMD RECOMMENDATION: The Director or Risk 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 \$821,392.23.

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
OCTOBER 10, 2008 TO OCTOBER 16, 2008**

-

- Page 1. Detailed Recommendation to Travis County Auditor for transfer of funds.**
- Page 1a. Unavailable to Sign Document.**
- Page 1b. Explanation of Higher than Normal Reimbursement Amount.**
- Page 2. Notification of amount of request from United Health Care (UHC).**
- Page 3. Last page of the UHC Check Register for the Week.**
- Page 4. List of payments deemed not reimbursable.**
- Page 5. Journal Entry for the reimbursement.**

TRAVIS COUNTY
RECOMMENDATION FOR TRANSFER OF FUNDS

DATE: October 28, 2008
 TO: Susan Spataro, County Auditor
 FROM: Dan Mansour, Risk Manager
 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: October 10, 2008
 TO: October 16, 2008

REIMBURSEMENT REQUESTED: \$ 821,392.23

SUPPORTING DETAIL FOR REIMBURSEMENT REQUESTED:

NOTIFICATION OF AMOUNT OF REQUEST FROM UHC*	\$ 1,156,913.12
LESS: REIMBURSEMENTS PREVIOUSLY APPROVED BY COMMISSIONERS COURT: October 21, 2008	\$ (335,521.06)
Adjust to balance per UHC	\$ 0.17
TOTAL REIMBURSEMENT REQUESTED BY UHC FOR THIS WEEK**:	\$ 821,392.23
PAYMENTS DEEMED NOT REIMBURSABLE	\$ -
TRANSFER OF FUNDS REQUESTED:	\$ 821,392.23

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

All claims over \$25,000 (1 this week totaling \$27,830.00) 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 (\$124,339.22) 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 \$175,000 stop loss limit. For claims that have exceeded the limit, it has been verified that UHC has complied with the contract. This week credits for stop loss and other reimbursements totaled \$15,614.59.

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.

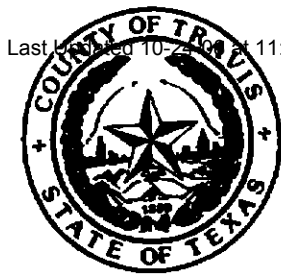
not available to sign
 Linda Moore Smith, Director Date

[Signature] 10.20.08
 Dan Mansour, Risk Manager Date

[Signature] 10/20/08
 Cindy Purinton, Benefit Contract Administrator Date

[Signature] 10/20/08
 Norman McRee, Financial Analyst 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.



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: October 28, 2008

To: Susan Spataro, County Auditor

From: Dan Mansour, Risk Manager
Human Resources Management Department

Subject: HRMD Director Unavailable to Sign
Recommendation for Transfer of Funds
For Period October 10, 2008 – October 16, 2008

Linda Moore Smith, HRMD Director is out of the office and unavailable to sign the Recommendation for Transfer of Funds document for the period October 10, 2008 – October 16, 2008.

All appropriate reviews and audits have been performed on claims for the above period.



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: October 28, 2008

To: Commissioners Court

From: Dan Mansour, Risk Manager, HRMD

Re: Explanation of Larger than Normal Health Reimbursement Request
For the Period of October 10 – October 16, 2008, \$821,392.23

This week's claims reimbursement request of \$821,392.23 includes one claim over \$25,000, and seven claims over \$10,000, totaling \$142,896.52. This total for large claims is not unusual. Travis County will be reimbursed for claims costs for individuals that exceed \$175,000 in the fiscal year. These claims have been audited by HRMD and the individuals are appropriately covered under our health plan.

Also, this week's claims reimbursements include pharmacy charges which are included in reimbursement requests every other week. The total pharmacy charges this week total \$283,382.58, which is consistent with average pharmacy charges.

In conclusion, it appears this week's reimbursement is higher due to the number of claims included. Last week's claims totaled \$335,521.06, which is lower than normal, and the two week total of \$1,156,913.29, is slightly less than the two week average.

TO: NORMAN MCREE
 FAX NUMBER: (512) 854-3128
 PHONE: (512) 854-3828

FROM: UNITEDHEALTH GROUP
 AB5

NOTIFICATION OF AMOUNT OF REQUEST FOR: TRAVIS COUNTY

DATE: 2008-10-17 REQUEST AMOUNT: \$1,156,913.12

CUSTOMER ID: 00000701254
 CONTRACT NUMBER: 00701254 00709445
 BANK ACCOUNT NUMBER: 0475012038
 FUNDING
 FREQUENCY: FRIDAY INITIATOR: CUST METHOD: ACH BASIS: BALANCE
 ABA NUMBER: 021000021
 ADVICE FREQUENCY: DAILY

CALCULATION OF REQUEST AMOUNT

+ ENDING BANK ACCOUNT BALANCE FROM: 2008-10-16	\$901,827.95
- REQUIRED BALANCE TO BE MAINTAINED:	\$1,938,718.00
+ PRIOR DAY REQUEST:	\$00.00
	<hr/>
= UNDER DEPOSIT:	\$1,036,890.05
	<hr/>
+ CURRENT DAY NET CHARGE:	\$120,023.07
+ FUNDING ADJUSTMENTS:	\$00.00
	<hr/>
REQUEST AMOUNT:	\$1,156,913.12

ACTIVITY FOR WORK DAY: 2008-10-13

CUST PLAN	CLAIM	NON CLAIM	NET CHARGE
0632	\$372,288.52	\$00.00	\$372,288.52
TOTAL:	\$372,288.52	\$00.00	\$372,288.52

ACTIVITY FOR WORK DAY: 2008-10-14

CUST PLAN	CLAIM	NON CLAIM	NET CHARGE
0632	\$213,117.14	\$00.00	\$213,117.14

UNITED HEALTHCARE CHECK REGISTER FOR TRAVIS COUNTY SUBMITTED 2008_10_16

CONTR_NBR	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	-162.19	NN	1672067	A	48	10/16/2008	200	10/14/2008	10/16/2008
701254	632	-169.95	NN	1718561	AF	46	10/16/2008	200	10/14/2008	10/16/2008
701254	632	-170.45	NN	2010441	AH	1	10/16/2008	200	10/14/2008	10/16/2008
701254	632	-171.82	NN	1802321	AH	1	10/16/2008	200	10/14/2008	10/16/2008
701254	632	-183.98	NN	1954296	AA	5	10/16/2008	200	10/14/2008	10/16/2008
701254	632	-184.54	NN	1718496	AH	9	10/16/2008	200	10/14/2008	10/16/2008
701254	632	-187.7	NN	947931	AH	5	10/16/2008	200	10/14/2008	10/16/2008
701254	632	-191.76	NN	1060662	AA	1	10/16/2008	200	10/14/2008	10/16/2008
701254	632	-211.17	NN	1821409	AH	1	10/16/2008	200	10/14/2008	10/16/2008
701254	632	-215.76	NN	1545149	AH	1	10/16/2008	200	10/14/2008	10/16/2008
701254	632	-221.32	NN	1773491	AE	5	10/16/2008	200	10/14/2008	10/16/2008
701254	632	-331.72	NN	1768729	A	11	10/16/2008	200	10/14/2008	10/16/2008
701254	632	-366.66	NN	967714	AH	6	10/16/2008	200	10/14/2008	10/16/2008
701254	632	-383.99	NN	1424898	AH	6	10/16/2008	200	10/14/2008	10/16/2008
701254	632	-463.9	NN	1132026	AE	9	10/16/2008	200	10/14/2008	10/16/2008
701254	632	-594.87	NN	988485	AH	5	10/16/2008	200	10/14/2008	10/16/2008
701254	632	-748.44	UU	29860454	AI	11	10/12/2008	50	10/17/2008	10/16/2008
701254	632	-1356.47	NN	1639734	AH	8	10/16/2008	200	10/14/2008	10/16/2008
701254	632	-5219.11	UV	27525024	AI	2	10/7/2008	50	10/14/2008	10/16/2008

821,392.23

Travis County Hospital and Insurance Fund - County Employees

UHC Payments Deemed Not Reimbursable

For the payment week ending: 10/16/2008

CONTR_#	TRANS_AMT	SRS	CHK_#	GRP	ACCT#	CLAIM	ISS_DATE	TRANS_CODE	TRANS_DATE
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Total: \$0.00

Travis County - Hospital and Self Insurance Fund (526)

Journal Entry for the Reimbursement to United Health Care

For the payment week ending: 10/16/2008

TYPE	MEMBER TYPE	TRANS_AMT
CEPO		
	EE	
	526-1145-522.45-28	76,816.17
	RR	
	526-1145-522.45-29	35,974.84
Total CEPO		\$112,791.01
EPO		
	EE	
	526-1145-522.45-20	181,126.32
	RR	
	526-1145-522.45-21	62,451.17
Total EPO		\$243,577.49
PPO		
	EE	
	526-1145-522.45-25	417,564.29
	RR	
	526-1145-522.45-26	47,459.44
Total PPO		\$465,023.73
Grand Total		\$821,392.23

13

Travis County Commissioners Court Agenda Request

Voting Session 10/28/08
(Date)

Work Session _____
(Date)

I. Request made by:

Alicia Perez, Executive Manager, Administrative Operations Phone # 854-9343
Signature of Elected Official/Appointed Official/Executive Manager/County Attorney

Routine Personnel Actions

Approved by: _____
Signature of Commissioner(s) or County Judge

II. Additional Information

- A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request (original and eight copies of request and backup).
- B. List all of the agencies or official names and telephone numbers that might be affected or be involved with the request. Send a copy of request and backup to each party listed.

III. Required Authorizations: Please check if applicable:

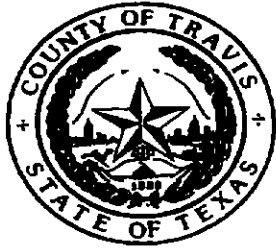
_____ Planning and Budget Office (854-9106)

_____ Human Resources Management Department (854-9165)

_____ Purchasing Office (854-9700)

_____ County Attorney's Office (854-9415)

_____ County Auditor's Office (854-9125)



Human Resources Management Department

HRMD

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

October 28, 2008

ITEM # :

DATE: October 17, 2008
TO: Samuel T. Biscoe, County Judge
Ron Davis, Commissioner, Precinct 1
Sarah Eckhardt, Commissioner, Precinct 2
Gerald Daugherty, Commissioner, Precinct 3
Margaret Gomez, Commissioner, Precinct 4
VIA: Alicia Perez, Executive Manager, Administrative Operations
FROM: Linda Moore Smith, Director, HRMD *lms/las*
SUBJECT: Weekly Personnel Amendments

Attached are Personnel Amendments for Commissioners Court approval.

Routine Personnel Actions – Pages 2 – 7.

If you have any questions or comments, please contact me.

LMS/LAS/clr

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
County Atty	151	Office Specialist	10 / Minimum / \$24,079.54	10 / Minimum / \$24,079.54
County Atty	213	Investigator	67 / Step 1 / \$55,038.88	67 / Step 1 / \$55,038.88
County Clerk	79	Office Specialist*	10 / Level 3 / \$26,249.60	10 / Level 3 / \$26,249.60
Criminal Courts	160	Business Analyst I	21 / \$52,495.00	21 / \$52,495.00
District Clerk	134	Business Analyst III	25 / \$68,000.00	25 / \$68,000.00
EMS	8	Administrative Asst I**	11 / \$30,409.00	11 / \$30,409.00
EMS	18	District Commander	25 / \$82,025.60	25 / \$82,025.60
EMS	19	Division Commander	28 / \$95,451.20	28 / \$95,451.20
EMS	22	Flight Nurse RN	23 / \$70,759.20	23 / \$70,759.20
EMS	29	Flight Paramedic	21 / \$55,449.36	21 / \$55,449.36
HHS	106	Office Asst* **	8 / \$22,880.00	8 / \$22,880.00
HRMD	39	Risk / Safety Spec Asst II	14 / Midpoint / \$38,657.22	14 / Midpoint / \$38,657.22
Juvenile Court	85	Juvenile Detention Ofcr I**	12 / Minimum / \$27,573.10	12 / Minimum / \$27,573.10
Juvenile Court	224	Juvenile Probation Ofcr I**	14 / Minimum / \$31,556.51	14 / Minimum / \$31,556.51
Juvenile Court	299	Accounting Clerk	11 / Level 5 / \$29,640.00	11 / Level 5 / \$29,640.00
Juvenile Court	320	Juvenile Probation Ofcr III	16 / Minimum / \$36,121.07	16 / Minimum / \$36,121.07
Juvenile Court	343	Juvenile Probation Ofcr III	16 / Minimum / \$36,121.07	16 / Minimum / \$36,121.07
Juvenile Court	416	Juvenile Detention Ofcr I**	12 / \$28,100.80	12 / \$28,100.80
Juvenile Court	601	Juvenile Detention Ofcr I**	12 / Minimum / \$27,573.10	12 / Minimum / \$27,573.10
Juvenile Court	602	Juvenile Detention Ofcr I**	12 / \$28,100.80	12 / \$28,100.80
Medical Examiner	32	Forensic Autopsy Tech	13 / \$38,500.00	13 / \$38,500.00
Sheriff	275	Cadet**	80 / Step 1 / \$33,750.91	80 / Step 1 / \$33,750.91
TNR	102	Equipment Operator	10 / \$30,409.60	10 / \$30,409.60
* Temporary to Regular ** vs Authorized				

TEMPORARY APPOINTMENTS					
Dept	Slot	Position Title	Req'd Grade/Salary	Emp'd Grade/Salary	Temporary Status Type Code
County Clerk	20052	Elec Clk – Operations II	10 / \$12.00	10 / \$12.00	02
County Clerk	20056	Elec Clk – Operations II	10 / \$12.00	10 / \$12.00	02
County Clerk	20069	Elec Clk – Operations II	10 / \$12.00	10 / \$12.00	02
County Clerk	20070	Elec Clk – Operations IV	11 / \$13.00♦	11 / \$13.00♦	02
County Clerk	20082	Elec Clk – Operations II	10 / \$12.00	10 / \$12.00	02
County Clerk	20157	Elec Clk – Operations II	10 / \$12.00	10 / \$12.00	02
County Clerk	20158	Elec Clk – Operations II	10 / \$12.00	10 / \$12.00	02
County Clerk	20160	Elec Clk – Operations II	10 / \$12.00	10 / \$12.00	02
County Clerk	20452	Elec Clk – Operations II	10 / \$12.00	10 / \$12.00	02
County Clerk	20663	Elec Clk – Operations II	10 / \$12.00	10 / \$12.00	02
County Clerk	20665	Elec Clk – Operations II	10 / \$12.00	10 / \$12.00	02
County Clerk	23233	Elec Clk – Operations III	12 / \$14.00	12 / \$14.00	02
District Atty	50018	Law Clerk II	18 / \$19.88	18 / \$19.88	05
HRMD	20029	Office Asst	8 / \$10.10	8 / \$10.10	02
PBO	20020	Financial Analyst Sr	19 / \$23.36	19 / \$23.36	02
TCCES	50136	Counselor	15 / \$16.23	15 / \$16.23	05
TCCES	50140	Counselor	15 / \$16.23	15 / \$16.23	05

♦ FY 08 JA Project Pay Grade prior to 10/1/08 implementation

TEMPORARY PROMOTIONS / SALARY ADJUSTMENTS / LATERAL TRANSFERS / VOLUNTARY REASSIGNMENTS / TEMPORARY ASSIGNMENTS				
Dept. (From)	Slot - Position Title - Salary	Dept.	Slot - Position Title - Salary	Comments
County Clerk	Slot 20410 / Elec Clk - Operations Clk II / Grd 10 / \$12.00	County Clerk	Slot 23243 / Elec Clk - Operations Clk III / Grd 12 / \$14.00	Election worker reassignment.
County Clerk	Slot 20430 / Elec Clk - Operations Clk II / Grd 10 / \$12.00	County Clerk	Slot 23242 / Elec Clk - Operations Clk III / Grd 12 / \$14.00	Election worker reassignment.
County Clerk	Slot 20432 / Elec Clk - Operations Clk II / Grd 10 / \$12.00	County Clerk	Slot 23241 / Elec Clk - Operations Clk III / Grd 12 / \$14.00	Election worker reassignment.
County Clerk	Slot 20573 / Elec Clk - Operations Clk II / Grd 10 / \$12.00	County Clerk	Slot 23244 / Elec Clk - Operations Clk III / Grd 12 / \$14.00	Election worker reassignment.

CAREER LADDERS - POPS						
Dept.	Slot	Current Position Title/Grade	New Position Title/Grade	Current Annual Salary	Proposed Annual Salary	Comments Current HRMD Practice
Sheriff	843	Corrections Officer* / Grd 81	Corrections Officer Sr* / Grd 83	\$38,737.92	\$42,107.10	Career Ladder. Peace Officer Pay Scale (POPS).
* Actual vs Authorized						

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 Court	280	Juvenile Detention Ofcr I* / Grd 12	Juvenile Detention Ofcr II* / Grd 13	\$30,402.62	\$31,922.75	Career Ladder. Pay is between min and midpoint of pay grade.
* Actual vs Authorized						

PROMOTIONS, SALARY ADJUSTMENTS, TRANSFERS, AND LATERALS					
REASON	FROM	TO	REASON	REMARKS	
	Dept. (From)	Slot - Position - Grade - Salary	Dept. (To)	Slot - Position - Grade - Salary	
	Civil Courts	Slot 120 / Attorney III / Grd 24 / \$68,641.69	Civil Courts	Slot 120 / Attorney III / Grd 24 / \$69,641.25	Salary adjustment. Pay is between min and midpoint of pay grade.
	County Atty	Slot 119 / Office Specialist / Grd 10 / \$26,900.54	County Atty	Slot 57 / Legal Secretary / Grd 15 / \$33,764.43	Promotion. Pay is at minimum of pay grade.
	CSCD	Slot 261 / Office Specialist / Grd 10 / \$34,917.38	Medical Examiner	Slot 22 / Office Specialist Sr / Grd 12 / \$35,870.00	Promotion. Pay is between midpoint and max of pay grade.
	EMS	Slot 8 / Administrative Asst II / Grd 13 / \$39,103.83	EMS	Slot 9 / Administrative Assoc / Grd 14 / \$40,276.94	Promotion. Pay is between midpoint and max of pay grade.
	Emergency Services	Slot 22 / Fire Marshal Asst Deputy II* / Grd 18 / \$55,099.32	Emergency Services	Slot 38 / Fire Marshal Asst Deputy II* / Grd 18 / \$55,099.32	Lateral transfer. Employee transferred to different slot, same position, same department, same pay grade, retains current pay.
	Emergency Services	Slot 38 / Fire Marshal Asst Deputy III / Grd 20 / \$70,677.52	Emergency Services	Slot 22 / Fire Marshal Asst Deputy III* / Grd 20 / \$70,677.52	Lateral transfer. Employee transferred to different slot, same position, same department, same pay grade, retains current pay.
	Emergency Services	Slot 22 / Fire Marshal Asst Deputy III* / Grd 20 / \$70,677.52	Emergency Services	Slot 22 / Fire Marshal Asst / Grd 22 / \$74,211.33	Promotion. Pay is between midpoint and max of pay grade.
	Fac Mgmt	Slot 52 / Mover / Grd 8 / \$28,940.84	Fac Mgmt	Slot 20 / Building Maint Worker / Grd 9 / \$28,940.84	Promotion. Pay is between min and midpoint of pay grade.
	Fac Mgmt	Slot 146 / Custodial Svcs Supv* / Grd 10 / \$34,153.18	Fac Mgmt	Slot 146 / Building Maint Coord / Grd 13 / \$36,138.96	Promotion. Pay is between min and midpoint of pay grade.

* Actual vs Authorized

PROMOTIONS / SALARY ADJUSTMENT / REASSIGNMENTS / TEMPORARY		TRANSFERS / VOLUNTARY		
Dept (From)	Slot - Position Title - Grade - Salary	Dept (To)	Slot - Position Title - Grade - Salary	Comments
Fac Mgmt	Slot 60001 / Planner / Grd 18 / Part-time \$31,941.58	Fac Mgmt	Slot 77 / Human Resources Spec I / Grd 18 / Full-time \$51,685.50	Lateral transfer. Employee transferred to different slot, different position, same department, same pay grade. Status change from part-time to full-time (30 hrs to 40 hrs). Pay is between min and midpoint of pay grade.
Juvenile Court	Slot 188 / Juvenile Probation Ofcr II / Grd 15 / \$35,125.17	Juvenile Court	Slot 229 / Juvenile Probation Ofcr III / Grd 16 / \$36,881.42	Promotion. Pay is between min and midpoint of pay grade.
Juvenile Court	Slot 218 / Juvenile Detention Ofcr II* / Grd 13 / \$30,696.37	Juvenile Court	Slot 227 / Juvenile Probation Ofcr I* / Grd 14 / \$32,231.19	Promotion. Pay is between min and midpoint of pay grade.
Juvenile Court	Slot 245 / Juvenile Res Trt Ofcr I* / Grd 12 / \$31,126.19	Juvenile Court	Slot 73 / Juvenile Probation Ofcr I* / Grd 14 / \$34,238.81	Promotion. Pay is between min and midpoint of pay grade.
Medical Examiner	Slot 3 / Office Manager Sr / Grd 21 / \$68,351.77	Medical Examiner	Slot 3 / Office Manager Sr / Grd 21 / \$69,377.05	Salary adjustment. Pay is between midpoint and max of pay grade.
Medical Examiner	Slot 30 / Deputy Medical Examiner II / Grd 98 / \$185,400.00	Medical Examiner	Slot 10 / Deputy Chief Medical Examiner / Grd 98 / \$200,000.00	Promotion. Pay is between min and midpoint of pay grade.
PBO	Slot 17 / Exec Mgr - PIng / Budg Succession / Grd 32 / Full-time \$134,373.48	General Admin	Slot 18 / Spec Asst To Commissioners Court / Grd 98 / Part-time \$59,056.00	Lateral transfer. Employee transferred to different slot, different position, different department. Status change from full-time to part-time (40 hrs to 20 hrs) from 10/1/08 to 5/31/09.
Probate Court	Slot 9 / Assoc Judge / Magistrate / Ref / Grd 97 / Part-time \$54,075.00	Probate Court	Slot 9 / Assoc Judge / Magistrate / Ref / Grd 97 / Full-time \$108,150.00	Status change from part-time to full-time (20 hrs to 40 hrs).
Sheriff	Slot 1117 / Deputy Sheriff Sr Law Enfrmnt / Grd 74 / \$67,318.99	Sheriff	Slot 1615 / Detective Law Enforcement / Grd 75 / \$79,292.93	Promotion. Peace Office Pay Scale (POPS).

* Actual vs Authorized

PROMOTIONS / SALARY ADJUSTMENTS, LATERAL TRANSFERS, REASSIGNMENTS, TEMPORARY ASSIGNMENTS				
Dept (From)	Slot - Position Title - Grade - Salary	Dept (To)	Slot - Position Title - Grade - Salary	Comments
Sheriff	Slot 1372 / Corrections Officer Sr / Grd 83 / \$58,092.94	Sheriff	Slot 404 / Corrections Officer Sr* / Grd 83 / \$58,092.94	POPS lateral transfer. Employee transferred to different slot, same position, same department, same pay grade, retains current pay.
Tax Collector	Slot 125 / Office Asst* / Grd 8 / Part-time \$11,890.01	Tax Collector	Slot 125 / Office Asst* / Grd 8 / Full-time \$23,780.02	Status change from part-time to full-time (20 hrs to 40 hrs).
* Actual vs Authorized				

AD HOC CLASSIFICATION CHANGE							
Dept	Slot #	Actual Position Title / Position #	FLSA	Pay Grade	Proposed Position Title / Position #	FLSA	Pay Grade
HHS	23	Social Svcs Mgr / 18814	E	18	Social Svcs Prgm Admin / 20560	E	20
Department requested in order to meet department's needs. PBO has confirmed funding.							

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

 Gerald Daugherty, Commissioner, Pct. 3

 Margaret Gomez, Commissioner, Pct. 4

TRAVIS COUNTY COMMISSIONERS COURT AGENDA REQUEST

Voting Session: OCTOBER 28, 2008

I. A. Request made by: DANNY HOBBY, EXECUTIVE MANAGER, EMERGENCY SERVICES
Phone #: 854-4416
(Elected Official/Appointed Official/Executive Manager/County Attorney)

B. Requested topic: CONSIDER AND TAKE APPROPRIATE ACTION ON INTERLOCAL AGREEMENT DESCRIBING COLLABORATIVE RELATIONSHIP BETWEEN TRAVIS COUNTY AND ALL OF THE EMERGENCY SERVICES DISTRICTS WHOLLY WITHIN TRAVIS COUNTY.

C. Approved by: _____
Signature of Commissioner or Judge

II. A. Any backup material to be presented to the court must be submitted with this Agenda Request (Original and eight copies).

B. Please list all of the agencies or officials' names and telephone numbers that might be affected by or involved with this request. Send a copy of this Agenda Request and backup to them:

III. Required Authorizations: Please check if applicable.

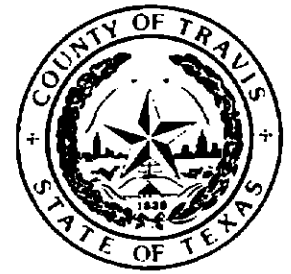
Planning and Budget Office (854-9106)
____ Additional funding for any department or for any purpose
____ Transfer of existing funds within or between any line item
____ Grant

Human Resources Department (854-9165)
____ Change in your department's personnel (reorganization, restructuring etc.)

Purchasing Office (854-9700)
____ Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9415)
____ Contract, Agreement, Policy & Procedure

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted to the County Judge's office in writing by 12:00pm on Tuesdays for the next week's meeting. Late or incomplete requests may be deferred to the next meeting.



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
Brad Beauchamp, Interim Fire
Marshal*

*Medical Examiner
Dr. David Dolinak*

*STAR Flight
Casey Ping, Program Manager*

MEMORANDUM

To: Travis County Commissioners Court
From: Danny Hobby, Executive Manager Emergency Services
Date: October 21, 2008
Subject: Collaborative Relationship Agreement with Emergency Services Districts

It is with great pride that I submit the attached Interlocal Cooperation Agreement Related to Relationship Among Organizing Government Units ("Agreement") for your consideration and action. This effort has been achieved by ESD Chiefs, ESD Commissioners, ESD Attorneys, and Travis County staff working together in the desire to deliver emergency services to the residents of Travis County by coordination and cooperation with each other.

This Agreement will allow the participating members to establish, in accordance with applicable Texas law, an interlocal association and working group to improve the efficiency and effectiveness in the delivery of emergency services within Travis County through the coordination of services and available resources provided by emergency services districts in Travis County through interlocal contracts, and establish a communication and decision coordination process (see model in the back of the Agreement) for the delivery of unified, countywide emergency services through a cooperative relationship.

Potential types of services and activities are emergency medical first response, fire and explosion related services, homeland security, mutual aid, planning and budgeting, acquisition of equipment and supplies, training, hazmat, development of standardized methods of measuring and reporting the effectiveness of related programs in achieving goals and objectives, and defining goals and objectives and placing timelines on them.

Please note that every emergency services district that is wholly in Travis County has signed this Agreement. This is an important first step for all the participating members of this Agreement because it sets in place the foundation for allowing open discussion and collaboration on important issues and challenges the future will hold for emergency services in Travis County.

**INTERLOCAL COOPERATION AGREEMENT
RELATED TO RELATIONSHIP
AMONG ORGANIZING GOVERNMENT UNITS**

This Interlocal Cooperation Agreement ("Agreement") is executed by and among the following parties:

Travis County, Texas ("County")
Travis County Emergency Services District No. 1,
Travis County Emergency Services District No. 2,
Travis County Emergency Services District No. 3,
Travis County Emergency Services District No. 4,
Travis County Emergency Services District No. 5,
Travis County Emergency Services District No. 6,
Travis County Emergency Services District No. 8,
Travis County Emergency Services District No. 9,
Travis County Emergency Services District No. 10,
Travis County Emergency Services District No. 11,
Travis County Emergency Services District No. 12,
Travis County Emergency Services District No. 13,
Travis County Emergency Services District No. 14, and
Bastrop-Travis Emergency Services District No. 1
(all parties collectively referred to as the "Organizing Government Units").

Participating Members do hereby organize and establish the Travis County Emergency Services Districts Commissioners Council ("ESDCC"), an administrative association and working group established in accordance with Section 791.001, *et seq.*, of the Texas Government Code ("the Act"), and, in accordance with these recitals:

RECITALS

Organizing Government Units desire to deliver emergency services to the residents of the county by coordinating with the Participating Members.

The Participating Members wish to establish, in accordance with applicable Texas law, an interlocal association and working group to improve the efficiency and effectiveness in the delivery of emergency services within Travis County through the coordination of services and available resources provided by emergency services districts in Travis County through interlocal contracts and establish a communication and decision coordination process for the delivery of unified, countywide emergency services through a cooperative relationship among Participating Members. Although Participating Members may contribute to the emergency response system by providing personnel and assets of value to the system and County may provide services to emergency services districts either through County resources or through subcontracting with other third parties or government entities as service providers, this Agreement is limited to describing the process by which the Participating Members work together at the time of the execution of this Agreement.

The Participating Members, acting in accordance with the Interlocal Cooperation Act (the "Interlocal Act"), Chapter 791, Texas Government Code, as amended, desire to cooperatively

establish the ESDCC for the purpose of fulfilling their respective public and governmental purposes, needs, objectives and programs.

AGREEMENT

NOW, THEREFORE, the Participating Members mutually agree to the following terms and conditions:

1.0 Term.

1.1. Initial Term. This Agreement commences on the date on which it is signed by any two Organizing Government Units. This Agreement continues in force until September 30, 2009. If any Organizing Government Unit does not sign this Agreement before it is approved by the Travis County Commissioner Court desires to participate in this Agreement, the terms and conditions of this Agreement become effective for that Organizing Government Unit upon execution of an Interlocal Participation Agreement by the County and that entity.

1.2. Automatic Renewal. This Agreement automatically renews on October 1, 2009, for a term of one (1) year and automatically renews for terms of one (1) year each year thereafter unless sooner terminated pursuant to 10.0.

2.0 Definitions.

2.1. A/TC EMS/SF. "A/TC EMS/SF" means Austin Travis County Emergency Services and STAR Flight.

2.2. Austin-Travis County EMS System. "Austin-Travis County EMS System" means the governmental and other entities that have entered into agreements that provide for the unified provision of emergency medical services within Travis County, Texas, and at the execution of this Agreement includes the COA-County Interlocal.

2.3. CAFCA. "CAFCA" means Capitol Area Fire Chiefs' Association.

2.4. COA-County Interlocal. "COA-County Interlocal" means the Interlocal Agreement between the City of Austin and Travis County for Emergency Medical Services and, at the execution of this Agreement, the Interlocal Agreement between the City of Austin and Travis County for Use and Management of *STAR Flight* executed by both parties in December 2004 and both subsequently amended annually for extension and updating financial obligations, staffing levels and similar matters.

2.5. Commissioners Court. "Commissioners Court" means Travis County Commissioners Court.

2.6. County Emergency Services Executive Manager. "County Emergency Services Executive Manager" means the individual designated by the Commissioners Court to perform the management and administrative duties of the County under this Agreement.

2.7. District. "District" means an emergency services district that is a Participating Member under this Agreement.

2.8. District Board. "District Board" means the Board of Emergency Services Commissioners of a Participating Member.

2.9. EMS Advisory Board. "EMS Advisory Board" and "EMSAB" mean the group required by the COA-County Interlocal with a membership that includes representation from all of the types of organizations and entities that participate in the provision of emergency medical services in Travis County who are cooperatively selected by the Commissioners Court and the City Council.

2.10. EMS Director. "EMS Director" means the City of Austin Director of EMS or designee for as long as there is an interlocal agreement between the City of Austin and Travis County for the provision of emergency medical services that provides for EMS Director services, and thereafter, means the position that performs a comparable role in the provision of pre-hospital emergency transport services within Travis County and outside the City of Austin.

2.11. ES Standards Advisory Team. "ES Standards Advisory Team" and "ESSAT" mean the emergency services group established by this Agreement for the purpose of recommending operation standards for medical first response and emergency medical services, fire protection services, hazardous materials containment and services, mutual aid, homeland security, and other emergency services that may be provided by the Participating Members.

2.12. ESDCC. "ESDCC" means the council of emergency services commissioners established by this Agreement to advise and make recommendations to the Participating Members about matters related to emergency services in Travis County and to promote greater efficiency and effectiveness in the delivery of emergency services within Travis County, including pre-hospital emergency transport and medical services.

2.13. Office of the Medical Director. "Office of the Medical Director" means the office established to provide medical direction and oversight for the Austin-Travis County EMS System who, at the time of execution of this Agreement, is selected in accordance with the terms of the COA-County Interlocal.

2.14. Participating Member. "Participating Member" means any Organizing Government Unit that has executed this Agreement before its approval by the Commissioners Court and any Organizing Government Unit that subsequently executes an Interlocal Participation Agreement to become a party to this Agreement.

3.0 EMERGENCY SERVICES DISTRICTS COMMISSIONERS COUNCIL

3.1. Establishment of ESDCC. The ESDCC is established by the execution of this Agreement in order to advise and make recommendations to the Participating Members about matters related to emergency services in Travis County. Participating Members shall actively participate in the ESDCC. The ESDCC aims to accomplish its purpose by fostering collaborative and planning relationships among its member organizations and others; serving as a forum to develop and share ideas; providing recommendations to the District Boards and Travis County Commissioners Court; and recognizing and respecting each Participating Member's rights, jurisdiction, and responsibilities. It is anticipated that ESDCC is primarily concerned with policy and administration related issues.

3.2. Appointment of Representatives. The ESDCC is composed of one representative selected by each Participating Member except Travis County. Within one month after the effective date of this Agreement, each District shall select one person who is currently serving on its District Board to be a member of the ESDCC and designate one person who is currently serving on its District Board as an alternate to attend meetings of the ESDCC if the District's representative is not available. If at any time a District's representative or alternate becomes unable or unwilling to serve on the ESDCC or is no longer currently serving on the District Board, that District shall appoint a replacement person who is currently serving on its District Board within 30 days. Each Participating Member may determine the term of its appointees to the ESDCC.

3.3. Scope of ESDCC. The Participating Members recognize the national model of emergency services includes fire suppression; fire prevention and control; rescue operations; hazardous materials response; emergency medical assistance and other related services. The Participating Members desire to emulate this model through implementation of their respective internal policies and administrative practices.

3.4. Meeting Schedule. The ESDCC shall meet monthly and shall notify each Participating Member of the time, date and place of the monthly meetings.

3.5. Appointment of Committees. The ESDCC may appoint any committees that will facilitate its purpose and elect officers, if any, and establish the role and responsibilities of any such officers as deemed appropriate by the ESDCC.

3.6. Studies and Recommendations. The ESDCC will study and make recommendations to the Participating Members regarding improving the efficiency and effectiveness in the delivery of emergency services within Travis County through the coordination of services and available resources provided by Participating Members through interlocal contracts.

4.0 EMERGENCY SERVICES STANDARDS ADVISORY TEAM

4.1. Establishment of the ESSAT. The ESSAT is established by the execution of this Agreement. Participating Members shall actively participate in the ESSAT. It is anticipated that ESSAT is primarily concerned with day-to-day operational issues.

4.2. Appointment of Members.

4.2.1 The Participating Members that are emergency services districts hereby authorize their respective Fire Chiefs to appoint at least three fire chiefs from CAFCA to the ESSAT. At least one of the appointees must be from an emergency services district that has adopted a District fire code.

4.2.2 The Participating Members hereby authorize Travis County to appoint one management representative from County's Emergency Services staff to the ESSAT.

4.2.3 In addition, the ESSAT includes the following individuals as ex-officio participants to provide resource material and participate in discussion only on decisions related to their areas of expertise:

4.2.3.1 Office of the Medical Director representative for clinical and medical aspects of first response and emergency medical services,

4.2.3.2 EMS Director for emergency medical services;

4.2.3.3 Travis County Fire Marshal for fire prevention and investigation services including fire code enforcement; and

4.2.3.4 Travis County Emergency Management Coordinator for hazardous materials containment and services, and regional mutual aid and homeland security.

4.3. Powers and Duties of ESSAT.

The Participating Members recognize the national model of emergency services includes fire suppression; fire prevention and control; rescue operations; hazardous materials response; emergency medical assistance and other related services. The Participating Members desire to emulate this model in their respective internal approaches to day-to-day operational issues .

4.4. Meeting Schedule. The ESSAT shall meet at least monthly and shall notify each Participating Member of the time, date and place of the monthly meetings;

4.5. Appointment of Committees. The ESSAT may appoint any committees that will facilitate its purpose and elect officers, if any, and establish the role and responsibilities of any such officers as deemed appropriate by the ESSAT; and

4.6. Studies and Recommendations. The ESSAT will study and make recommendations to the ESDCC and Participating Members regarding improving the efficiency and effectiveness in the delivery of emergency services within Travis County through the coordination of services and available resources provided by Participating Members through interlocal contracts.

5.0 Model For Planning Delivery of Emergency Services.

5.1. Adoption of Model. The Participating Members adopt the Model for Planning the Delivery of Emergency Services shown in Attachment "B," which is a diagram that depicts the desired flow of information, ideas, requests, decisions and sharing of talents, resources and expertise among the Participating Members and with the City of Austin. This model shows this Agreement as a solid straight line between County and emergency services districts.

5.2. Communication through ESDCC. The Model for Planning shows communication and cooperation between executives of County and the members of the District Board and among representatives from Participating Members both directly in the curved solid line and indirectly through ESDCC in the curved dashed line. It implies that the ESDCC is an effective group through whom the District's representative may relay information to their District Board and Travis County Commissioners Court and may provide meaningful information that represents the District Board's discussions and preferences. It also implies that at times it may be appropriate for the County Emergency Services Executive Manager to attend meetings of the District Board and for members of the District Board who are not on the ESDCC

to meet with the County Emergency Services Executive Manager or a member of the Commissioners Court or attend meetings of the Commissioners Court.

5.3. Communication through CAFCA. The Model for Planning also shows communication and cooperation between employees and volunteers of an emergency services district and the County both directly in the curved solid line and indirectly through CAFCA in the curved dashed line. It implies that CAFCA is an effective group through which the District fire chief may relay information to the District Board and the Travis County Commissioners Court and may provide meaningful information that represents the District Board's discussions and preferences.

5.4. Communication through ESSAT. The Model for Planning also shows communication and cooperation between representatives of CAFCA through ESSAT to ESDCC directly in the straight solid line. It implies that ESSAT is an effective group through which the representatives of CAFCA may relay information to the ESDCC and may provide meaningful information that represents CAFCA's discussions and preferences.

5.5. Role of COA-County Interlocal. In addition, this model acknowledges the COA-County Interlocal in which the EMS Advisory Board is created, the services of A/TC EMS/SF are governed and the OMD is described. It shows that an emergency services district's involvement in the EMS Advisory Board is indirect through County and the COA-County Interlocal. It implies that the Participating Members understand that currently the COA-County Interlocal affects what County may do and to effect changes to many aspects of the Austin Travis County EMS System the cooperation and agreement of the City of Austin is needed.

6.0 Potential Types of Services and Activities.

The types of services and activities in which Participating Members are involved include but are not limited to the following which may benefit from coordination through using the Model described in Section 5:

6.1. emergency medical first response and advanced emergency medical services and transport, including training and medical supplies for doing so,

6.2. fire and explosion related services, including fire fighting and rescue services, fire investigation and inspections, fire prevention through education and regulation of development, control of wildfire threat to life and property, hazardous materials response, containment and services associated with community well being and ecosystem health,

6.3. homeland security, including disaster response and recovery planning and training,

6.4. mutual aid in all of the above areas of service,

6.5. planning and budgeting,

6.6. acquisition of equipment and supplies,

6.7. the adoption and implementation of national guidelines, for example, those published by the Center for Public Safety Excellence in Strategic Planning, Risk Assessment and

Standards of Response Coverage and standards like the National Incident Management System (NIMS),

6.8. development of standardized methods for measuring and reporting the effectiveness for related programs in achieving goals and objectives,

6.9. defining goals and objectives and placing timelines on them, and

6.10. developing a common set of criteria to be used in evaluating the effectiveness of emergency service organizations.

7.0 County Relationship Support Services and Agreements.

7.1. Administrative Support. County shall provide the administrative and coordinating support for Participating Members necessary to implement this Agreement. Because the representatives of emergency services districts negotiating this Agreement have requested that the County Emergency Services Executive Manager serve as the Facilitator of the ESDCC, County and Commissioners Court authorizes the County Emergency Services Executive Manager to serve as the Facilitator of the ESDCC until a majority of the ESDCC representatives at a meeting of the ESDCC, where a quorum is present, vote for another person to perform this function.

7.2. EMS Advisory Board Appointee. County shall appoint, as part of its four appointees, one representative selected based on their appointment to the ESDCC to serve on the EMS Advisory Board.

8.0 Miscellaneous Provisions.

8.1. Limit of Authority to Represent. The Participating Members intend to enter this Agreement as independent contractors and assume all of the rights, obligations and liabilities applicable to each of them as an independent contractor. This Agreement shall be construed to give effect to this intent. No Participating Member is authorized to represent any other Participating Member for any purpose whatsoever without the prior written consent of the other party. Representatives, commissioners, employees, and volunteers of any Participating Member shall not be considered to be employees or volunteers of any other Participating Member.

8.2. Limit on Agents. No agent, official, employee or representative of a Participating Member has the authority to amend or assign this Agreement or waive violations of it unless expressly granted this specific authority by the Participating Member's governing body.

8.3. Limit on Effect of Agreement. By entering into this Agreement, Participating Members are not deemed to have ceded or transferred any of their respective authority or responsibility as set forth by law.

8.4. Assignment. No Participating Member may assign any of the rights or duties created by this Agreement without the prior written approval of all other Participating Members. It is acknowledged by the Participating Members that no officer, agency, employee or representative of a Participating Member has any authority to grant such assignment unless expressly granted that authority by the Participating Member's governing body.

8.5. Compliance with Law. Participating Members shall comply with all laws, rules and regulations applicable to the performance of this Agreement.

8.6. Funds Management.

8.6.1 IRS Form W-9. Before any funds are payable to County, County shall provide the Participating Member paying the funds with an Internal Revenue Service 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 funds are payable by County to any other Participating Member, that Participating Member shall provide County with an Internal Revenue Service 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.

8.6.2 Current Revenue. Participating Members shall pay for their obligations under this interlocal Agreement from current revenue funds.

9.0 Formal Amendment Process.

9.1. Written Notice. Any change to this Agreement shall be made in writing and signed by all the Participating Members. It is acknowledged by each Participating Member that no officer, agency, employee or representative of a Participating Member has any authority to change the provisions of this Agreement unless expressly granted that specific authority by the respective governing body.

9.2. Request for Amendment. Participating Members shall submit all requests for changes to this Agreement to the Facilitator of the ESDCC. The Facilitator of the ESDCC shall present these requests to all Participating Members for consideration by their respective governing bodies.

10.0 Methods of Termination.

10.1. Annual Termination. Any Participating Member to this Agreement may terminate its participation in this Agreement without cause effective the next September 30, by giving 30 days prior written notice to all other Participating Members.

10.2. Termination for Breach. Any Participating Member may terminate its participation in this Agreement if it finds that another Participating Member has breached this Agreement. Before termination, the terminating Participating Member shall provide written notice to all other Participating Members of any alleged breaches. Upon receipt of this notice, the breaching Participating Member has 30 days to correct the alleged breaches or explain why the actions do not breach this Agreement to the satisfaction of the terminating Participating Member. Failure to correct the alleged breaches or give a satisfactory explanation within 30 days results in automatic termination of this Agreement with respect to the terminating Participating Member at the end of the 30-day period unless the terminating Participating Member agrees in writing to extend the time to cure the alleged breaches.

10.3. Mutual Termination. The Participating Members may terminate this Agreement when both all Participating Members agree, in writing, (1) that the continuation of some or all of

the activities under this Agreement would not produce beneficial results commensurate with the further expenditure of funds and (2) what conditions of termination will apply, including the effective date of termination and, in case of partial termination, the portion of the Agreement to be terminated.

10.4. Termination on Dissolution of District. If a Participating Member is dissolved, this Agreement is automatically terminated with respect to that Participating Member effective on the date of dissolution.

11.0 Notice.

11.1. Written Notice. All notices sent pursuant to this Agreement shall be in writing and either hand delivered or sent by registered or certified mail, postage prepaid, return receipt requested.

11.2. County Address. Notice sent pursuant to this Agreement shall be delivered or sent to County at the following addresses:

If hand delivered to:

County Judge, Travis County
314 West 11th Street, Room 520
Austin, Texas 78701

If mailed to:

County Judge, Travis County
P.O. Box 1748
Austin, Texas 78767

and

If hand delivered to:

Executive Manager
Emergency Services
5501 Airport Boulevard, Suite 203B
Austin, Texas 78751

If mailed to:

Executive Manager
Emergency Services
P.O. Box 1748
Austin, Texas 78767

11.3. District Addresses. Notices sent pursuant to this Agreement shall be delivered or sent to Participating Members at the addresses shown in Attachment "A" or in the Interlocal Participation Agreements subsequently executed by other Participating Members.

11.4. Notice to County Attorney. To be effective against County, a copy of any notice sent to County must also be sent to the Travis County Attorney's office at the following address:

Travis County Attorney
P.O. Box 1748
Austin, Texas 78767

11.5. Notice to Other Participating Member's Attorney. To be effective against any other Participating Member, a copy of the notice must also be sent to the office of that Participating Member's attorney at the address shown in Attachment "A".

11.6. Time of Delivery. When notices sent are hand delivered, notice is effective upon delivery. When notices are mailed by registered or certified mail, notice shall be deemed effective three days after deposit in a U.S. mail box or at a U.S. post office.

11.7. Change of Address. Any Participating Member may change its address for notice under this Agreement by providing a notice of the change to all other Participating Members in compliance with this 11.0.

12.0 Interpretation of Agreement.

12.1. Third Party Rights Not Created. This Agreement is not intended and shall not be construed to create any rights or remedies in any person or legal entity that is not a Participating Member and no Participating Member is waiving any defense or immunity to which it is entitled against any person or legal entity that is not a party to this Agreement.

12.2. Entire Agreement. This is the entire agreement between the parties regarding the subjects and terms of this Agreement. The Attachments that are part of this Agreement are limited to Attachment A—Addresses for Notice for Each Participating Member and Attachment B—Model of Planning Delivery of Emergency Services.

12.3. Law. This Agreement is governed by and shall be construed in accordance with the laws of Texas and is performable in Travis County, Texas.

12.4. Severability. If any portion of this Agreement, or application of it to any person or circumstance, is held invalid, illegal or unenforceable by a court of competent jurisdiction, that holding shall not affect other terms, conditions, or applications of this Agreement which shall be given effect without the invalid terms, conditions or applications.

12.5. Computation of Time. When any period of time is stated in this Agreement, the time shall be computed to exclude the first day and include the last day of the period. If the last day of any period falls on a Saturday, Sunday or a day that County has declared a holiday for its employees, these days shall be omitted from the computation.

12.6. Gender and Number. Words of gender used in this Agreement shall be construed to include any other gender and words in the singular number shall be construed to include the plural and vice versa unless this Agreement requires otherwise.

12.7. Headings. The headings at the beginning of the various provisions of this Agreement have only been included to make it easier to locate the subject matter covered by that section or subsection and are not to be used in construing this Agreement.

13.0 Duplicate Originals. This document may be executed in duplicate originals.

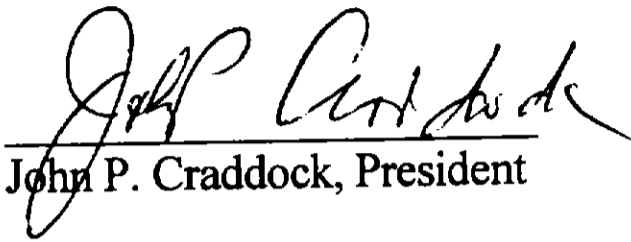
(signatures on following pages)

TRAVIS COUNTY

By: _____
Samuel T. Biscoe , County Judge

Date: _____

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 1

By: 
John P. Craddock, President

Date: 10-6-08

TRAVIS COUNTY

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 1

By: _____ Date: _____
[Name of signor], [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 2

By: Sherry Stewart President Date: 10/4/08
[Name of signor], [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 3

By: _____ Date: _____
[Name of signor], [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 4

By: Carole Lewis Commissioner Date: 10/4/08
[Name of signor], [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 5

By: _____ Date: _____
[Name of signor], [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 6

By: Dave A. Brown Commissioner Date: 10/4/08
[Name of signor], [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 8

By: Mike Cuyper Vice President Date: 10/4/2008
[Name of signor], [Title of signor]

TRAVIS COUNTY

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 1

By: _____ Date: _____
[Name of signor] , [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 2

By: _____ Date: _____
[Name of signor] , [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 3

By:  _____ Date: October 3, 2008
R. L. Taylor President

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 4

By: _____ Date: _____
[Name of signor] , [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 5

By: _____ Date: _____
[Name of signor] , [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 6

By: _____ Date: _____
[Name of signor] , [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 8

By: _____ Date: _____
[Name of signor] , [Title of signor]

TRAVIS COUNTY

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 1

By: _____ Date: _____
[Name of signor], [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 2

By: _____ Date: _____
[Name of signor], [Title of signor]

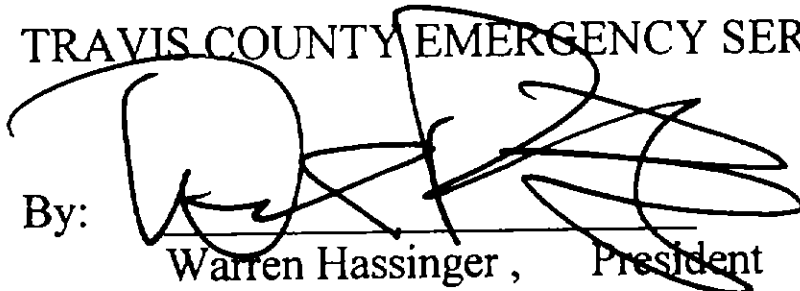
TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 3

By: _____ Date: _____
[Name of signor], [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 4

By: _____ Date: _____
[Name of signor], [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 5

By:  Date: 10/20/2008
Warren Hassinger, President

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 6

By: _____ Date: _____
[Name of signor], [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 8

By: _____ Date: _____
[Name of signor], [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 9

By: Nicholas C. Conner President Date: 10/17/2008
[Name of signor], [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 10

By: _____ Date: _____
[Name of signor], [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 11

By: _____ Date: _____
[Name of signor], [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 12

By: _____ Date: _____
[Name of signor], [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 13

By: _____ Date: _____
[Name of signor], [Title of signor]

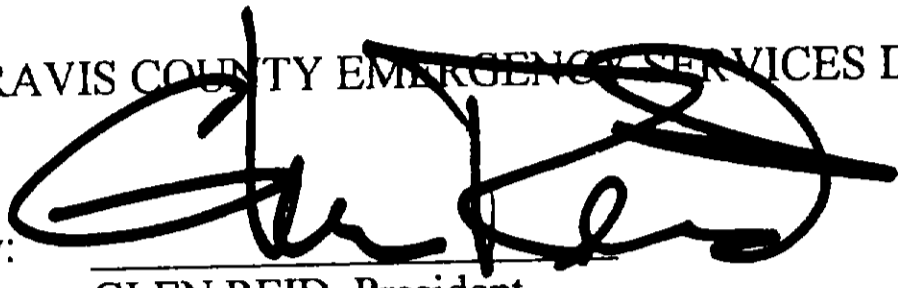
TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 14

By: _____ Date: _____
[Name of signor], [Title of signor]

BASTROP-TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 1

By: _____ Date: _____
[Name of signor], [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #10

By: 

GLEN REID, President,
Travis County Emergency Services District # 10
Board of Commissioners

Date: 9/17/2008

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 9

By: _____ Date: _____
[Name of signor] , [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 10

By: _____ Date: _____
[Name of signor] , [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 11

By: James M. Evans Date: 10/15/08
President
[Name of signor] , [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 12

By: _____ Date: _____
[Name of signor] , [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 13

By: _____ Date: _____
[Name of signor] , [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 14

By: _____ Date: _____
[Name of signor] , [Title of signor]

BASTROP-TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 1

By: _____ Date: _____
[Name of signor] , [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 9

By: _____ Date: _____
[Name of signor] , [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 10

By: _____ Date: _____
[Name of signor] , [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 11

By: _____ Date: _____
[Name of signor] , [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 12

By: Jesse Arellano PRESIDENT ESD 12 Date: 10-4-08
[Name of signor] , [Title of signor]
JESSE ARELLANO

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 13

By: Cliff Heath President ESD 13 Date: 10/4/08
[Name of signor] , [Title of signor]

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 14

By: Louise Moore VICE PRESIDENT Date: 10/4/2008
[Name of signor] , [Title of signor]
LOUISE MOORE

BASTROP-TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 1

By: _____
[Name of signor] , [Title of signor]

Date: _____

ATTACHMENT A

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 1

Address if hand delivered:

John P. Craddock
Travis County Emergency Services District Number 1
18300 Park Drive
Jonestown, Texas 78645

Address if mailed:

John P. Craddock
Travis County Emergency Services District Number 1
18300 Park Drive
Jonestown, Texas 78645

Address of Attorney:

Ken Campbell
Burns Anderson Jury & Brenner, L.L.P.
Travis County Emergency Services District Number 1
P.O. Box 26300
Austin, Texas 78730

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 2

Address if hand delivered:

Terry Struble
Travis County Emergency Services District Number 2
203 Pecan Street East
Pflugerville, Texas 78660

Address if mailed:

Terry Struble
Travis County Emergency Services District Number 2
203 Pecan Street East
Pflugerville, Texas 78660

Address of Attorney:

John Carlton
Travis County Emergency Services District Number 2
100 Congress Ave. suite 1300
Austin, Texas 78701

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 3

Address if hand delivered:

Rick Coneway
Travis County Emergency Services District Number 3
4111 Barton Creek Blvd.
Austin, Texas 78735

Address if mailed:

Rick Coneway
Travis County Emergency Services District Number 3
4111 Barton Creek Blvd.
Austin, Texas 78735

Address of Attorney:

Ken Campbell
Burns, Anderson, Jury & Brenner, L.L.P.
Travis County Emergency Services District Number 3
P.O.Box 26300
Austin, Texas 78755

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 4

Address if hand delivered:

Kevin MacDonnell
Travis County Emergency Services District Number 4
11800 North Lamar Blvd. #4B
Austin, Texas 78753

Address if mailed:

Kevin MacDonnell
Travis County Emergency Services District Number 4
11800 North Lamar Blvd. #4B
Austin, Texas 78753

Address of Attorney:

John Carlton
Armbrust & Brown
Travis County Emergency Services District Number 4
100 Congress Ave. #1300
Austin, Texas 78701

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 5

Address if hand delivered:

Warren Hassinger
Travis County Emergency Services District Number 5
3404 Socorro Trail
Austin, Texas 78739

Address if mailed:

Warren Hassinger
Travis County Emergency Services District Number 5
P.O.Box 1239
Manchaca, Texas 78652

Address of Attorney:

Ken Campbell
Burns, Anderson, Jury and Brenne L.L.P.
Travis County Emergency Services District Number 5
P.O. Box 26300
Austin, Texas 78755

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 6

Address if hand delivered:

Paula S. Barr
Travis County Emergency Services District Number 6
15516 General Williamson Drive
Austin, Texas 78734

Address if mailed:

Paula S. Barr
Travis County Emergency Services District Number 6
15516 General Williamson Drive
Austin, Texas 78734

Address of Attorney:

Doug Young
Scanlon, Buckle & Young, P.C
Travis County Emergency Services District Number 6
602 W. 11th Street
Austin, Texas 78701

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 8

Address if hand delivered:

Allyn Graif
Travis County Emergency Services District Number 8
801 Bee Creek Road
Briarcliff, Texas 78669

Address if mailed:

Allyn Graif
Travis County Emergency Services District Number 8
801 Bee Creek Road
Briarcliff, Texas 78669

Address of Attorney:

Ken Campbell
Burns, Anderson, Jury & Brenner, L.L.P.
Travis County Emergency Services District Number 8
P.O. Box 26300
Austin, Texas 78755

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 9

Address if hand delivered:

Nick Comsudi
Travis County Emergency Services District Number 9
1011 Westlake Drive
Austin, Texas 78746

Address if mailed:

Mike Elliott
Travis County Emergency Services District Number 9
P.O. Box 162170
Austin, Texas 78716

Address of Attorney:

Ken Campbell
Burns, Anderson, Jury & Brenner, L.L.P.
Travis County Emergency Services District Number 9
P.O. Box 26300
Austin, Texas 78730

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 10

Address if hand delivered:

Glen Reid
Travis County Emergency Services District Number 10
353 South Commons Ford Road
Austin, Texas 78733

Address if mailed:

Glen Reid
Travis County Emergency Services District Number 10
353 South Commons Ford Road
Austin, Texas 78733

Address of Attorney:

Ken Campbell
Travis County Emergency Services District Number 10
7804 Bell Mountain Road
P.O. Box 26300
Austin, Texas 78730

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 11

Address if hand delivered:

Darla Wegner
Travis County Emergency Services District Number 11
9019 Elroy Road
Del Valle, Texas 78617

Address if mailed:

Darla Wegner
Travis County Emergency Services District Number 11
P.O. Box 1043
Del Valle, Texas 78617

Address of Attorney:

John Carlton
Armburst & Brown, L.L.P.
Travis County Emergency Services District Number 11
100 Congress Avenue, suite 1300
Austin, Texas 78701

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 12

Address if hand delivered:

Jesse Arellano
Travis County Emergency Services District Number 12
405 W. Parsons St.
Manor, Texas 78653

Address if mailed:

Jesse Arellano
Travis County Emergency Services District Number 12
405 W. Parsons St.
Manor, Texas 78653

Address of Attorney:

Ken Campbell
Travis County Emergency Services District Number 12
P.O. Box 26300
Austin, Texas 78775

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 13

Address if hand delivered:

Marilyn Samuelson
Travis County Emergency Services District Number 13
14914 Svenska Rd.
Coupland, Texas 78615

Address if mailed:

Marilyn Samuelson
Travis County Emergency Services District Number 13
P.O. Box 1017
Manor, Texas 78653

Address of Attorney:

Ken Campbell
Burns, Anderson, Jury & Brenner, L.L.P.
Travis County Emergency Services District Number 13
P.O. Box 26300
Austin, Texas 78755

TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 14
Address if hand delivered:

Lonnie Moore
Travis County Emergency Services District Number 14
15406 FM 2769
Volente, Texas 78641

Address if mailed:

Lonnie Moore
Travis County Emergency Services District Number 14
15406 FM 2769
Volente, Texas 78641

Address of Attorney:

Ken Campbell
Burns, Anderson, Jury & Brenner, L.L.P.
Travis County Emergency Services District Number 14
P.O. Box 26300
Austin, Texas 78755

BASTROP-TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 1
Address if hand delivered:

[Name of person to receive notice]
Bastrop-Travis County Emergency Services District Number 1
[Street Address of District]
[City, State, Zip code]

Address if mailed:

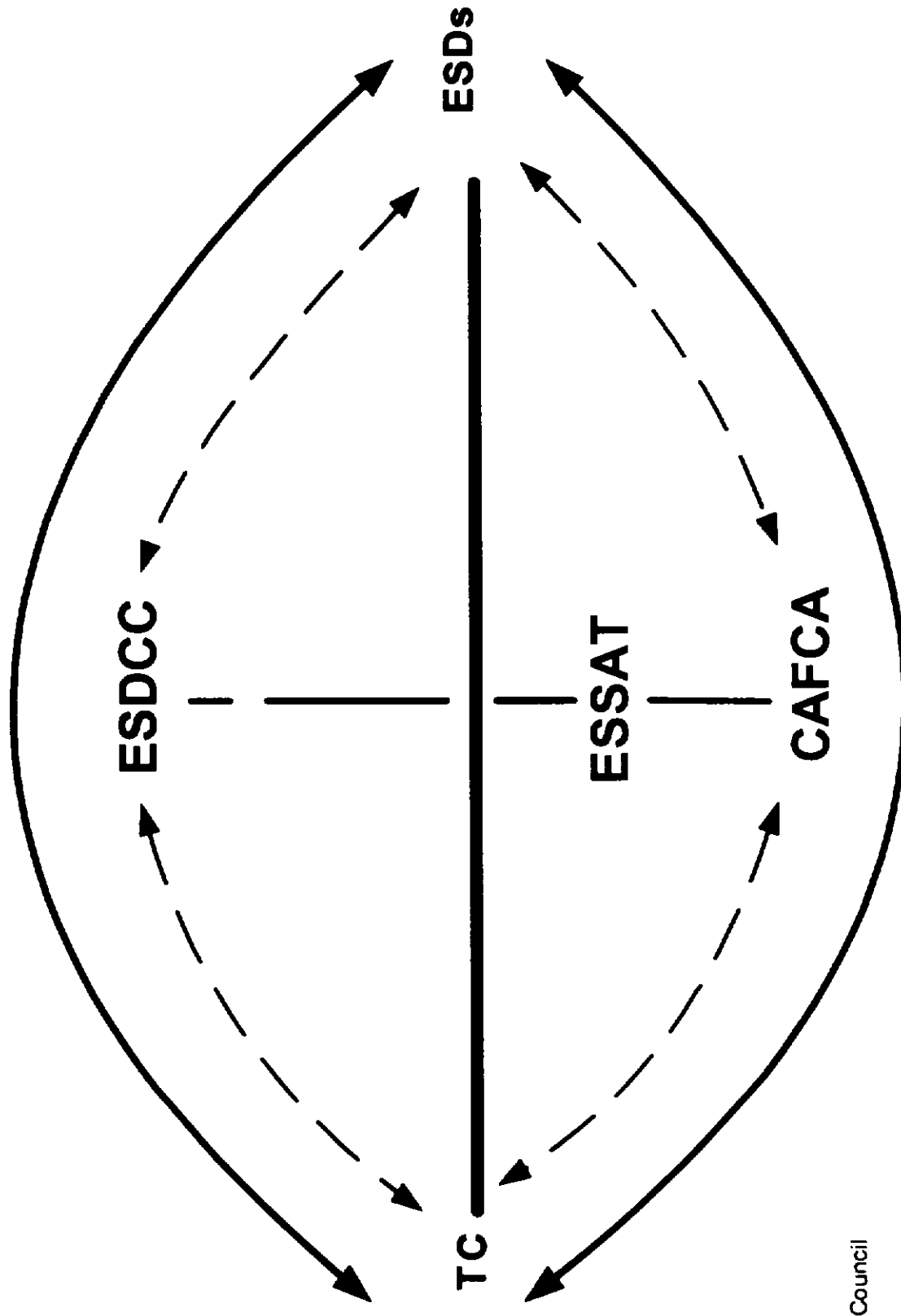
[Name of person to receive notice]
Bastrop-Travis County Emergency Services District Number 1
[Street Address of District]
[City, State, Zip code]

Address of Attorney:

[Name of Attorney]
[Name of Attorney's firm]
Bastrop-Travis County Emergency Services District Number 1
[Address of Attorney's Firm]
[City, State, Zip code]

ATTACHMENT B

MODEL FOR PLANNING THE DELIVERY OF EMERGENCY SERVICES



**EMS
AB**

COA

**ATC EMS/
SF** | **OMD**

- TC- Travis County
- COA- City of Austin
- ESDCC - Emergency Services District Commissioners Council
- EMSAB - EMS Advisory Board
- ATC EMS/SF - Austin Travis County EMS/SF
- ESSAT - Emergency Services Standards Advisory Team
- ESDs - Emergency Services Districts
- OMD-Office of Medical Director
- CAFCA - Capital Area Fire Chiefs Association

15 ✓

TRAVIS COUNTY COMMISSIONERS COURT AGENDA REQUEST

Voting Session: October 28, 2006

I. A. Request made by: Roger Jefferies, Exec. Manager, Justice and Public Safety
Phone #: 854-4759

R

B. Requested text: CONSIDER AND TAKE APPROPRIATE ACTION ON THE RECOMMENDATIONS FORWARDED BY THE COMMITTEE EXAMINING THE TRAVIS COUNTY SHERIFF'S OFFICE LAW ENFORCEMENT STAFFING REGARDING COMMITTEE MEMBERSHIP, CHARGE, AND CRITERIA TO BE USED IN THE STAFFING ANALYSIS

C. Approved by: _____
Signature of Commissioner or Judge

II. A. Any backup material to be presented to the court must be submitted with this Agenda Request (original and 8 copies).

B. Please list all agencies or official's names and telephone numbers that might be affected by or involved with this request. Send a copy of this Agenda Request and backup to them:

- Greg Hamilton, Travis County Sheriff (4-9770)
- James Sylvester, Chief Deputy Sheriff, TCSO (4-9770)
- Scott Burroughs, Major, Law Enforcement Bureau (4-9770)
- Rodney Rhoades, Exec. Manager, PBO (4-8679)

III. Required Authorizations (please check if applicable):

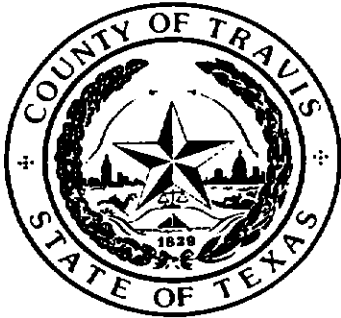
___ Planning and Budget Office

___ Human Resources Department

___ Purchasing Office

___ County Attorney Office

RECEIVED
COUNTY CLERK'S OFFICE
08 OCT 23 AM 10:33



JUSTICE & PUBLIC SAFETY DIVISION

Roger Jefferies, Executive Manager
P.O. Box 1748 Austin, Texas 78767 Phone (512) 854-4415 Fax (512) 854-4417

Criminal Justice Planning
Roger Jefferies
(512) 854-4415

Counseling & Education Services
Caryl Colburn
(512) 854-9540

Juvenile Public Defender
Kameron D. Johnson
(512) 854-4128

To: Sam Biscoe, Travis County Judge
Ron Davis, Commissioner, Precinct 1
Sarah Eckhardt, Commissioner, Precinct 2
Gerald Daugherty, Commissioner, Precinct 3
Margaret Gomez, Commissioner, Precinct 4

From: Roger Jefferies, Executive Manager, Justice and Public Safety 

Date: October 22, 2008

SUBJECT: AGENDA ITEM REQUEST BY COMMITTEE EXAMINING TCSO LAW ENFORCEMENT STAFFING

As requested by the Commissioners Court in the October 16 Work Session, Major Burroughs of the Travis County Sheriff's Office convened a meeting of the committee examining the law enforcement staffing to determine the committee's membership, draft a charge for the group going forward, and propose criteria that will be used to analyze and recommend a staffing plan for the TCSO Law Enforcement Bureau.

Recommendations for committee membership include the following:

- ✓ 2 representatives from the Travis County Sheriff's Office – Major Scott Burroughs and Tonya Mills
- ✓ 1 representative from Travis County Justice and Public Safety – Roger Jefferies
- ✓ 1 representative from Travis County Planning and Budget Office - Bill Derryberry
- ✓ 2 representatives from Travis County Commissioners Court at your discretion (recommend Loretta Farb from Commissioner Eckhardt's Office and Martin Zamzow from Commissioner Daugherty's office).
- ✓ 1 representative from TCSLEA – Frank Lofton

Roger Jefferies was elected Committee Chair.

Recommendation for the mission or charge for this committee is as follows:

The mission of this committee is to identify an appropriate staffing model for the Travis County Sheriff's Office Law Enforcement Bureau that will meet the challenges of providing comprehensive law enforcement services to a growing population of rural, suburban, and urban communities. The committee will develop a written plan that identifies current and future staffing needs every five years and will be monitored regularly for its continued relevance.

Criteria proposed for the staffing ratio analysis includes:

- ✓ Geography, law enforcement district size, and population density of Travis County.
- ✓ Call volume.
- ✓ Call levels.
- ✓ Workload.
- ✓ Standard for response time.
- ✓ Crime rate/volume.
- ✓ Economic conditions.
- ✓ Overtime usage.
- ✓ Various missions of TCSO Law Enforcement.
- ✓ Comparison of similarly situated jurisdictions across the nation.
- ✓ Comparison of law enforcement best practices.

These items are forwarded for your review and consideration. Please let us know if you have any questions or concerns.

c: Scott Burroughs, TCSO
Tonya Mills, TCSO
Bill Derryberry, PBO
Loretta Farb, Comm. Eckhardt's Office
Martin Zamzow, Comm. Daugherty's Office
Frank Lofton, TCSLEA



JAMES N. SYLVESTER
Chief Deputy

GREG HAMILTON
TRAVIS COUNTY SHERIFF

P.O. Box 1748
Austin, Texas 78767
(512) 854-9770
www.tcsheriff.org

SCOTT BURROUGHS
Major - Law Enforcement

DARREN LONG
Major - Corrections

MARK SAWA
Major - Administration & Support

To: Sam Biscoe, Travis County Judge
Ron Davis, Commissioner, Precinct 1
Sarah Eckhardt, Commissioner, Precinct 2
Gerald Daugherty, Commissioner, Precinct 3
Margaret Gomez, Commissioner, Precinct 4

From: Darren Long, Major, TCSO Corrections Bureau

Date: October 23, 2008

SUBJECT: AGENDA ITEM REQUEST BY COMMITTEE EXAMINING CORRECTIONS RELIEF FACTOR

As requested by the Commissioners Court in the October 17 Work Session, Major Long of the Travis County Sheriff's Office convened a meeting of the committee examining the Corrections Relief Factor and defined the charge for the group going forward, propose criteria that will be used to analyze and recommend a Relief Factor for the TCSO Corrections Bureau.

Recommendations for committee membership include the following:

- ✓ 4 representatives from the Travis County Sheriff's Office – Major Darren Long, Captain Lisa Brown, Lieutenant Emily Trevino and Senior Planner Meg Seville.
- ✓ 1 representative from Travis County Justice and Public Safety – Kimberly Pierce
- ✓ 1 representative from Travis County Planning and Budget Office - Bill Derryberry
- ✓ 2 representatives from Travis County Commissioners Court at your discretion (recommend Loretta Farb from Commissioner Eckhardt's Office and Martin Zamzow from Commissioner Daugherty's office).
- ✓ 1 representative from TCSOA – Sergeant James Hodge

Major Long was designated Committee Chair.

Recommendation for the mission or charge for this committee is as follows:

The mission of this committee is to identify and define the relief factor methodology and criteria to be utilized within the Corrections Bureau that will meet the challenges of providing adequate staffing levels for the security positions, meet officer to inmate ratio as outlined in the Texas Commission on Jail Standards, manage the growing population of the Correctional systems and maintain safety and security, and meet or exceed statutory requirements and the goals of the Sheriff's office.

The committee will develop a written plan that identifies current and future staffing needs every three years and will be monitored regularly for its continued relevance. Tasks proposed for the development of a written plan and final report include:

- ✓ Review previous methodology developed in the 2004 Criminal Justice Institute Study.
- ✓ Review historical data that was utilized for the current and past Relief Factor calculations in the Corrections Bureau.
- ✓ Conduct and submit Staffing/Post Analysis of all Corrections Positions that would be affected by a new Relief Factor calculation.
- ✓ Comparison of Relief Factor applied and methodology used by the top four jail systems in Texas (Harris, Dallas, Bexar, El Paso) and other agencies as deemed appropriate.
- ✓ Submit employee leave data for 2008 to replicate the 2004 CJI methodology and the 2007 Relief Factor calculation for review and comparison.
- ✓ Research Staffing Issues and Overtime usage reports.

The committee further acknowledges that they may also be tasked with the review of staffing for Hospital duty and any other relief related issues.

These items are forwarded for your review and consideration. Please let us know if you have any questions or concerns.



TRAVIS COUNTY PURCHASING OFFICE

Cyd V. Grimes, C.P.M., Purchasing Agent

314 W. 11th, Room 400 Austin, Texas 78701 (512) 854-9700 Fax (512) 854-9185

16

Cyd V. Grimes 10/20/08

Approved by: _____

Voting Session: Tuesday, October 28, 2008

REQUESTED ACTION: APPROVE CONTRACT AWARD FOR CAFETERIA AND VENDING CONCESSION SERVICES, RFS NO. S080236-LD TO F & M BLANK L. P., D/B/A ACCENT FOOD SERVICES. (FM)

Points of Contact:

Purchasing: Loren Breland, 854-4854

Department: FM, Roger A. El Khoury, P.E., Rony Aouad, John Carr, 854-9661

County Attorney (when applicable): John Hille, Tenley Aldredge

County Auditor's Office: Susan Spataro, Auditor and Jose Palacios, Chief Asst. County Auditor I

Other: Alicia Perez, Executive Manager

- **Purchasing Recommendation and Comments:** Purchasing concurs with department and recommends approval of requested action. This procurement action met the compliance requirements as outlined by the statutes. This contract provides cafeteria and vending services at various Travis County locations.
- RFS No. S080236-LD was issued on June 17, 2008. One response was received from F & M Blank L. P. on July 7, 2008. No other responses were received. F & M Blank L. P. is the current contractor. The commission structure for the contract recommended for action is a 15% commission on vending services with a minimum guaranteed yearly amount of \$30,000.00. The County receives no commission from cafeteria services.
- **Contract Expenditures:** Within the last 12 months \$0.00 has been spent against this contract:
 - Not applicable
- **Contract-Related Information:**
 - Award Amount: \$0.00 Revenue Generating Contract
 - Contract Type: Annual Contract
 - Contract Period: November 1, 2008 through October 31, 2009.

RECEIVED COUNTY AUDITORS OFFICE 08 OCT 21 PM 3:27

➤ **Contract Modification Information:**

Modification Amount:

Modification Type:

Modification Period:

➤ **Solicitation-Related Information:**

Solicitations Sent: 10

Responses Received: 1

HUB Information: Not Applicable

% HUB Subcontractor: N/A

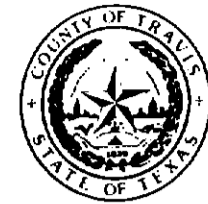
➤ **Special Contract Considerations:**

- Award has been protested; interested parties have been notified.
- Award is not to the lowest bidder; interested parties have been notified.
- Comments:

➤ **Statutory Verification of Funding:**

- * Purchase Requisition in HTE
- * Contract Verification Form signed by Auditor and/or P.B.O.
- Funding Account(s)
- Comments: This is a revenue generating contract.

* At least one of these must be included



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

FMD Project: SVCOT-02-O8F-XM
File: 703

TO: Cyd Grimes, C.P.M., Purchasing Agent

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

FROM: Rony R. Aouad, Service Contract Manager

DATE: September 23, 2008

SUBJECT: Cafeteria/Vending Machine Concession Services
Contract Award of RFS No. S080236-LD

Roger El Khoury
Rony Aouad

RECEIVED
PURCHASING
OFFICE
SEP 24 2008
TRAVIS COUNTY
FACILITIES MANAGEMENT

Facilities Management Department (FMD) has completed the review of the one bid received for Cafeteria and Vending Machine Concession Services. After meeting with this bidder to discuss his proposal, FMD recommends award of the contract to Accent Food Services, dba Sawyer Vending Services for both cafeteria and vending machine services. Accent Food Services is the current contractor and has provided acceptable services in the past. FMD also concurs with the Accent Food Service proposal that includes guaranteed minimum revenue of \$30,000 per year. Accent Food Services has requested increases in the vending machine prices for 20 ounce drinks and candy bars as outlined on the attached letter. FMD concurs and recommends the increases as outlined.

Facilities Management Department understands that it will be necessary for the County Attorney to draft a new contract capturing these terms. FMD therefore requests a 30 day extension of the current contract to allow adequate time for the development and award of the new contract. Current contract expires September 30, 2008.

Please direct any questions on this request to Roger at 44579 or Rony at 44781. Your assistance is greatly appreciated.

ATTACHMENT:

Accent Food Service Ltr, September 16, 2008

COPY TO:

Alicia Perez, Executive Manager, Administrative Operations
Amy Draper, CPA, Financial Manager, FMD
John Carr, Administrative Director, FMD
Lloyd Evans, Maintenance Division Director, FMD
Loren Breland, Purchasing Agent Assistant, Purchasing



September 16, 2008

Cyd Grimes, C.P.M.
Travis County Purchasing Agent
314 West 11th Street, Suite 400
Austin, TX 78701

PROCESSED
TRAVIS COUNTY
SEP 24 11:10:50
PURCHASING

Cyd,

Per your request, we have reviewed the financial outlook for this account once again. We propose the following changes to original proposal:

1. A minimum annual commission amount of \$30,000.00 for each full year of service.
2. Increases in price to these items:
 - a. 20 ounce drinks from \$1.35 to \$1.40
 - b. Effective January 1, 2009, 20 ounce drinks from \$1.40 to \$1.50
 - c. All regular sized candy from \$.90 to \$.95
 - d. Effective January 1, 2009, all regular sized candy from \$.95 to \$1.00

We appreciate your consideration of our revised proposal to continue serving the employees and guests of Travis County.

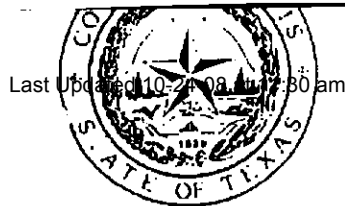
Sincerely,

Kendall R. Smith
Kendall Smith
Vice President of Business Affairs
ACCENT FOOD SERVICES

APPROVED

**TRAVIS COUNTY
FACILITIES MANAGEMENT DEPARTMENT
ROGER A. EL KHOURY, P.E., DIRECTOR**

Roger A. El Khoury
9/22/08



Approved by: _____

Cyd V. Grimes 10/21/08

Voting Session: Tuesday, October 28, 2008

REQUESTED ACTION: APPROVE MODIFICATION NO. 5 TO CONTRACT NO. PS070232DG, MWM DESIGN GROUP, FOR ADDITIONAL PROFESSIONAL SURVEYING SERVICES FOR PRECINCT ONE TAX OFFICE BUILDING (FM)

Points of Contact:

- Purchasing:** Diana Gonzalez
- Department:** Facilities Management, Roger A. El Khoury, M.S., P.E., Director; John F. Carr, Administrative Director
- County Attorney (when applicable):** Tenley Aldredge
- County Planning and Budget Office:** Leroy Nellis
- County Auditor's Office:** Susan Spataro and Jose Palacios
- Other:** Alicia Perez, Executive Manager, Administrative Operations

COUNTY OF TRAVIS
RECEIVED
OCT 21 2008

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

RFQ No. Q060229-DG, for the establishment of a pre-qualified list of Surveyors, was issued on June 13, 2006. On Aug 22, 2006, the court approved the establishment of a pre-qualified list of thirteen (13) Surveying firms. Individual Professional Service Agreements (PSA) are negotiated on an "as needed" basis from this pre-qualified list, based on a firm's qualifications which best match a particular project. Each additional project will be issued as a modification to the original PSA.

The proposed Modification No. 5 requires the Consultant to perform Professional Boundary Surveying Services for the new Precinct One Tax Office Building (phase two). The proposed modification will increase the contract by \$9,445.00, from \$49,143.00 to \$58,588.00.

Modification No. 4 required the Consultant to perform Professional Topographic Survey Services for the new Precinct One Tax Office Building (phase one) needed for the building design in the amount of \$9,445.00.

Modification No. 3 required the Consultant to perform Professional Surveying Services for 140 acres at FM 969 in the amount of \$27,270.00.

Mod No. 2 extended the contract term for one additional year from April 3, 2008 through April 2, 2009.

Mod No. 1 required the Consultant to perform Professional Surveying Services at 2201 Post Road Building in the amount of \$5,200.00.

The original Professional Services Agreement (PSA) No. PS070232DG, with MWM Design Group, in the amount of \$9,863.00, was approved by the Purchasing Agent on April 3, 2007, for a term of (1) year and three (3) optional renewal years.

➤ **Contract Expenditures:**

Within the last 12 months \$34,080.50 has been spent against this contract.

Not applicable

➤ **Contract-Related Information:**

Award Amount: \$9,863.00 (Not-to-Exceed)

Contract Type: Professional Services Agreement

Contract Period: 30 Calendar Days

➤ **Contract Modification Information:**

Modification Amount: \$9,455.00 (Firm Amount)

Modification Type: Professional Services

➤ **Solicitation-Related Information:**

Solicitations Sent: N/A

Responses Received: N/A

HUB Information: N/A

% HUB Subcontractor: N/A

➤ **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:

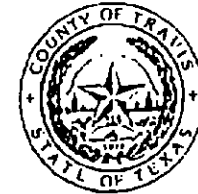
➤ **Funding Information:**

Purchase Requisition in H.T.E.: 451055

Funding Account(s): 001-1405-821-8105

➤ **Statutory Verification of Funding:**

Contract Verification Form: Funds Verified _____ Not Verified _____ by Auditor.



FACILITIES MANAGEMENT DEPARTMENT

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

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

MEMORANDUM

FMD Project: PCT1-05-08R-1N

FILE: 703

TO: Cyd Grimes, CPM, Purchasing Agent

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

FROM: Amy Lambert, AIA, Project Manager

DATE: October 13, 2008

SUBJECT: Travis County Precinct One New Building
Programming and Planning
Contract: PS070232DG

Roger El Khoury
Amy Lambert 10.13.08

Facilities Management Department recommends issuance of a purchase order under the above contract, in the amount of \$ 9,445.00, to MWM Design Group for Phase 2 professional surveying services on the complete site of the Precinct One Office Building. The project includes providing Certified Field Notes related to the metes and bounds description of the three tracts that compromise the 3.95 acre site. A proposal from MWM has been reviewed and found to be fair and reasonable. Facilities Management Department recommends approval. The performance period will be 30 days from issuance of a Notice to Proceed.

In accordance with the procedure to secure approval for this Job Order this request is being forwarded along with the supporting documents for Commissioners Court approval on October 28, 2008. If approved, please issue a modification to MWM Design Group. Please call Amy Lambert, AIA at 46409 or Tiffany Talbot at 44909 if you have any questions.

ATTACHMENT:

- 1) Proposal from MWM Design Group

COPY TO:

- Alicia Perez, Executive Manager, Administrative Operations
- Amy Draper, CPA, Financial Manager, FMD
- Tiffany Talbot, Architectural Associate, FMD
- Diana Gonzalez, Purchasing Agent Assistant IV

Account Balance Inquiry

15:53:41

Last Updated 10-24-08 at 11:30 am

Fiscal Year :	2009
Account number :	1-1405-821.81-05
Fund :	001 GENERAL FUND
Department :	14 FACILITIES MANAGEMENT
Division :	05 PROJECT MANAGEMENT SVCS
Basic activity :	82 CAPITAL AQUISITION FUNDS
Sub activity :	1 GENERAL GOVERNMENT
Element :	81 CAPITAL OUTLAY
Object :	05 BUILDINGS

Budget :	249,165
Encumbered amount :	319,906.23
Pre-encumbered amount :	182,839.50
Expenditures :	272,650.12-
Total expenditures :	230,095.61
Balance :	19,069.39

Press Enter to continue.

F3=Exit F12=Cancel

PURCHASE REQUISITION NUMBER: 0000451055

STATUS: ADDITION APPROVAL

REASON: HALLS FOR (NEW BLDG)

SUGGESTED VENDOR: VSB

DATE: 9 15 08

DELIVER BY DATE: 10 31 08

REQUISITION BY: ANGELA DAVIS 654-9134

DEPT TO LOCATION: FACILITIES MANAGEMENT

VENDOR PART NUMBER

LINE #	DESCRIPTION	QUANTITY	UNIT	UNIT COST	EXTEND COST
1	ROLLOVER PROJECT FUNDS FOR ONE NEW OFFICE BUILDING COMMODITY: BUILDING CONSTRUCT SVCS SUBCOMMOD: 520 BUILDING CONSTRUCTION	22960.00	DOZ	1.0000	22960.00

REQUISITION TOTAL: 22960.00

LINE #	ACCOUNT	AMOUNT
1	ACQUISITIONS	22960.00
	CAPITAL OUTLAY	100.00
	BUILDINGS	22960.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

MODIFICATION OF CONTRACT NUMBER: PS070232DG, PROFESSIONAL SURVEYING SERVICES

PAGE 1 OF 5

ISSUED BY: PURCHASING OFFICE 314 W. 11TH ST., RM 400 AUSTIN, TX 78701	PURCHASING AGENT ASST: Diana Gonzalez TEL. NO: (512) 854-5860 FAX NO: (512) 854-9185	DATE PREPARED: October 13, 2008
ISSUED TO: MWM Design Group Attn: Eduardo O. Mendez, R.P.L.S. 7700 Chevy Chase Dr. Ste. 100 Austin, TX 78752	MODIFICATION NO. FIVE	EXECUTED DATE OF ORIGINAL CONTRACT: April 3, 2007

ORIGINAL CONTRACT TERM DATES: April 3, 2007 through April 2, 2008 CURRENT CONTRACT TERM DATES: April 3, 2008 through April 2, 2009

FOR TRAVIS COUNTY INTERNAL USE ONLY:

Original Contract Amount \$ 9,863.00 Current Modified Amount \$ 58,588.00

DESCRIPTION OF CHANGES: Except as provided herein, all terms, conditions, and provisions of the document referenced above as heretofore modified, remain unchanged and in full force and effect.

- A. The total agreement amount is changed from \$49,143.00 to \$58,588.00 an increase of \$9,445.00.
- B. This Modification No. FIVE is issued in the amount of \$9,445.00, and requires the Consultant to perform Surveying Services for Precinct 1 – Tax Office (phase 2), per the attached Scope (MWM Design Group letter dated September 24, 2008), and priced as per the attached Exhibit I-D, both of which are made part hereof.

Note to Vendor:

Complete and execute (sign) your portion of the signature block section below for all copies and return all signed copies to Travis County.
 DO NOT execute and return to Travis County. Retain for your records.

LEGAL BUSINESS NAME: <u>MWM Design Group</u>	<input type="checkbox"/> DBA
BY: <u>Eduardo O. Mendez</u> SIGNATURE	<input checked="" type="checkbox"/> CORPORATION
BY: <u>Eduardo O. Mendez</u> PRINT NAME	<input type="checkbox"/> OTHER
TITLE: <u>Vice President</u> ITS DULY AUTHORIZED AGENT	DATE: <u>10/22/08</u>
TRAVIS COUNTY, TEXAS	DATE:
BY: <u>Cyd V. Gimes</u> CYD V. GIMES, C.P.M., TRAVIS COUNTY PURCHASING AGENT	<u>10/23/08</u>
TRAVIS COUNTY, TEXAS	DATE:
BY: _____ SAMUEL T. BISCOE, TRAVIS COUNTY JUDGE	

October 13, 2008

PS070232DG, Professional Surveying Services

Page 2 of 5

EXHIBIT 1-D

**INCORPORATED VIA MODIFICATION #5
COMPENSATION FOR PROFESSIONAL SERVICES**

BASIC SERVICES:

The fixed fee for the performance of the Basic Services in accordance with proposal dated September 24, 2008 shall be the sum of \$9,445.00. The CONSULTANT and the COUNTY acknowledge the fact that the fixed fee is the total cost of the Basic Services to be rendered under this Agreement.

Hourly Rates

1.	Senior Project Manager: 10 hours @ \$140.00	\$ 1,400.00
2.	RPLS: 12 hours @ \$130.00	\$ 1,560.00
3.	Senior Survey Technician: 49 hours @ \$85.00	\$ 4,165.00
4.	3-Man Field Party 16 hours @ \$130.00	\$ 2,320.00

TOTAL AMOUNT: \$ 9,445.00



Date: September 24, 2008
Project: Boundary Survey
Precinct 1/Tax Office
Client: Travis County Facilities Management
Contact: Roger A. El-Khoury, PE
Director
Address: 1010 Lavaca, Suite 400
Austin, Texas 78767
Phone: (512) 854-4579 Fax (512) 854-9226
Enclosure: Exhibit "A"

As requested, MWM DesignGroup is submitting this proposal for providing professional surveying services on the above referenced project. Services shall be limited to the three Travis County tracts (Precinct 1 tract, Travis County ROW tract, and Heflin tract) common to the previous topographic survey performed by MWM DesignGroup and will be provided in accordance with following:

Scope of Services

1. Obtain and review deeds and plats affecting adjoining properties identified from Travis Central Appraisal District records.
2. Field search and locate existing monumentation on affected boundary lines.
3. Perform calculations and analysis to re-establish affected boundary lines.
4. Provide closure and area calculations for 2 tracts.
5. Prepare metes and bounds description describing the three tracts referenced above as one parcel and metes and separate metes and bounds description for the Travis County ROW tract.
6. Prepare sketches for the 2 parcels outlined in item No. 5 above.
7. Provide field staking as identified in the metes and bounds description.
8. Update previous topographic survey performed by MWM DesignGroup by incorporating the boundary survey data outlined above.

Services can begin as soon as written authorization is received and can be completed in about 3 weeks (predicated upon suitable weather conditions).

MWM DesignGroup proposes to provide the services outlined above for a lump sum amount of \$9,445.00. Fee breakdown is shown on Exhibit "A" dated 8/24/08.

Chase Park One
7700 Chevy Chase Dr.
Suite 100
Austin, Texas 78752
p: 512.453.0767
f: 512.453.1734



Roger A. El-Khoury, PE
September 24, 2008
Page 2

Land Surveying

Complaints on the land surveying services provided by MWM DesignGroup can be directed to the Texas Board of Professional Land Surveying, 12100 Park 35 Circle, Building A, Suite 156, Austin, Texas 78753, (512) 239-5263.

This proposal is valid for a period of 60 days from date of proposal. If you concur, please include this proposal as part of the task order for the above referenced project

Approved:

Eduardo O. Mendez
Eduardo O. Mendez, R.P.L.S.,
Principal
MWM DesignGroup

9/24/08
Date

MWMM DesignGroup
Travis County Facilities Management Department

Precinct 1/Tax Office
Boundary Survey

Exhibit "A"

TASK AND DESCRIPTION	PROJ. MGR.	RPLS	SR. SURVEY TECHNICIAN	3 PERSON FIELD CREW	GPS 1 UNITS	CLERICAL	TOTAL HOURS	COST
	HOURLY RATE							
Boundary Survey								
1. IP Search	1		4	12			17	\$2,220
2. Research/Analyze/Calcs	2	4	20				26	\$2,500
3. Parcel Plats (2)	3		20				23	\$2,120
4. Metes and bounds (2)	3	8					11	\$1,460
5. Field staking	1		1	4			5	\$665
6. Update previous topo survey			4				5	\$480
	10	12	49	16	0	0	87	\$9,445
SUBTOTALS								
DIRECT EXPENSE								
Reproduction, plats, deeds								\$0
								\$0
TOTAL								
								\$9,445



TRAVIS COUNTY PURCHASING OFFICE

Cyd V. Grimes, C.P.M., Purchasing Agent

314 W. 11th Street, Room 400 Austin, Texas 78701 (512) 854-9700 Fax (512) 854-9185

18

Approved by: _____

Cyd V. Grimes 10/20/08

Voting Session: Tuesday October 28, 2008

REQUESTED ACTION: APPROVE MODIFICATION NO. 2 TO CONTRACT NO. PS070079RE, WITH READING IS FUNDAMENTAL OF AUSTIN, INC., FOR READING PROGRAMS. (HHS & VS)

Points of Contact:

- Purchasing:** Rebecca Gardner
- Department:** HHS, Sherri Fleming, Executive Manager
- County Attorney (when applicable):** Mary Etta Gerhardt
- County Planning and Budget Office:** Leroy Nellis
- County Auditor's Office:** Susan Spataro And Jose Palacios
- Other:**

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

Through this contract, Reading is Fundamental of Austin, Inc. provides books to children and their families through schools in the Travis County area.

Reading is Fundamental of Austin, Inc. has merged with Capital Area Reach Out and Read and has changed its name to BookSpring. BookSpring will continue to provide books to children through area schools as well as through healthcare clinics throughout the Austin Area.

Modification no. 2 changes the name on the contract from Reading is Fundamental of Austin, Inc. to BookSpring.

Modification no. 1 renewed the agreement for an additional twelve month period from January 1, 2008 through December 31, 2008. Contract funds were not to exceed \$13,126.00 for this renewal period.

➤ **Contract Expenditures:** Within the last 12 months \$13,126.00 has been spent against this contract.

Contract-Related Information:

- Award Amount: \$13,126.00
- Contract Type: Professional Services
- Contract Period: January 1, 2007 - December 31, 2007

➤ **Contract Modification Information:**

Modification Amount: \$0.00

Modification Type: Bilateral

Modification Period: January 1, 2008-December 31, 2008

➤ **Solicitation-Related Information:**

Solicitations Sent: N/A

Responses Received: N/A

HUB Information: N/A

% HUB Subcontractor: N/A

➤ **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:**

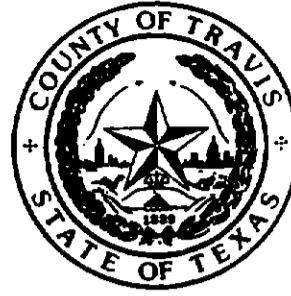
Purchase Requisition in H.T.E.: NA -no change to funding

Funding Account(s):

Comments:

➤ **Statutory Verification of Funding:**

Contract Verification Form: Funds Verified Not Verified X by Auditor.



RECEIVED
TRAVIS COUNTY

2008 OCT -9 AM 11:00

PURCHASING
OFFICE

**TRAVIS COUNTY HEALTH and HUMAN SERVICES
and VETERANS SERVICES
100 North I.H. 35
P. O. Box 1748
Austin, Texas 78767**

**Sherri E. Fleming
Executive Manager
(512) 854-4100
Fax (512) 854-4115**

DATE: October 14, 2008

TO: Members of the Commissioners Court

FROM: *Sherri E. Fleming*
Sherri E. Fleming, Executive Manager
Travis County Health and Human Services and Veterans Services

SUBJECT: Approval of name change for Reading is Fundamental of Austin, Inc.

Proposed Motion:

Consider and take appropriate action to approve the name change of Reading is Fundamental of Austin, Inc. to BookSpring.

Summary and Staff Recommendation:

Reading is Fundamental of Austin (RIF) has merged with Capital Area Reach Out and Read (CAROR) and has changed its name to BookSpring. They have merged their services and believe the new name better describes the services they offer to children and their families.

Travis County Health and Human Services and Veterans Service recommend the court approve this name change.

Budgetary and Fiscal Impact:

This contract follows the calendar year. The contract number is PS070079RE, Modification Number 1. The FY08 funding amount \$13,126.00.

Issues and Opportunities:

This name change broadens the focus of the contractor

Background:

RIF has been in Austin since 1974. RIF provides books in 39 elementary schools, 22 preschools and 4 high schools in which at least 80 percent of children are considered to be low-income. CAROR was founded in Austin in 1999. CAROR provides 23,100 books to low-income children (between the ages of 6 months and 5 years) and their families through 26 healthcare clinics in the Greater Austin area. Both programs work to instill children with a love of reading and to promote books as a means to success.

Cc: Deborah Britton, Division Director, Community Services, TCHHSVS
Susan A. Spataro, CPA, CMA, Travis County Auditor
Jose Palacios, Chief Assistant County Auditor
Mike Crawford, Senior Financial Analyst, Travis County Auditor
Mary Etta Gerhardt, Assistant County Attorney
Rodney Rhoades, Executive Manager, Planning and Budget Office
Travis Gatlin, Analyst, Planning and Budget Office
Cyd Grimes, C.P.M., Travis County Purchasing Agent
Rebecca Gardner, Assistant Purchasing Agent, Travis County Purchasing Office



TRAVIS COUNTY PURCHASING OFFICE
Cyd V. Grimes, C.P.M., Purchasing Agent

19

314 W. 11th, Room 400 Austin, Texas 78701 (512) 854-9700 Fax (512) 854-9185

Approved by: _____

Cyd V. Grimes 10/17/08

Voting Session: Tuesday, October 28, 2008

REQUESTED ACTION: APPROVE MODIFICATION NO. 5 TO INTERLOCAL IL040167LC, CITY OF AUSTIN, FOR THE OPERATION AND MAINTENANCE OF THE REGIONAL RADIO SYSTEM (RRS). (EMERGENCY SERVICES)

Points of Contact:

Purchasing: Lori Clyde, 854-4205

Department: TCES, Danny Hobby, 854-4416, Toby Fariss, 854-4762

County Attorney (when applicable): John Hille

County Planning and Budget Office: Leroy Nellis

County Auditor's Office: Susan Spataro and Jose Palacios

Other:

- **Purchasing Recommendation and Comments:** Purchasing concurs with department and recommends approval of requested action. This procurement action met the compliance requirements as outlined by the statutes. This Interlocal provides for the operation and maintenance of the Regional Radio System (RRS).

The RRS program is an interlocal cooperative effort involving partners from the City of Austin, University of Texas at Austin, Austin ISD, Capital Metro, Travis County and the State of Texas via its Legislative Council and House of Representatives. All six entities, along with citizens of central Texas currently benefit from the interoperability of voice and data communications made available by the RRS. This radio system enables public safety/service agencies to communicate and cooperate with each other, allowing for direct access to, and exchange, of data.

Emergency Services recommends approval of Modification No. 5 to the RRS O & M ILA. Given that this operations & maintenance agreement automatically renews annually, the requested action will be an internal administrative change to confirm contractual spending authority for Travis County's portion of the budget in the amount of \$952,857 as outlined in Exhibit G, of the RRS Interlocal Agreement for the Operation and Maintenance of the Regional Radio System FY09 RRS O&M Budget. This is a routine and expected item occurring every fall.

Modification No. 4, approved in Commissioners Court, October 30, 2007, was to confirm and approve Travis County's portion of the FY08 budget.

Modification No. 3, approved in Commissioners Court November 7, 2006, was to confirm and approve Travis County's portion of the FY07 budget.

Modification No. 2, approved in Commissioners Court October 25, 2005, was to confirm and approve Travis County's portion of the FY06 budget.

Modification No. 1, approved in Commissioners Court December 21, 2004, was to confirm and approve Travis County's portion of the FY05 budget.

➤ **Contract Expenditures:** Within the last 12 months \$925,216.00 has been spent against this contract.

➤ **Contract Modification Information:**

Modification Amount: \$952,857 Estimated amount

Modification Type: Approval to spend amount budgeted for RRS O&M

Modification Period: October 1, 2008 through September 30, 2009

➤ **Funding Information:**

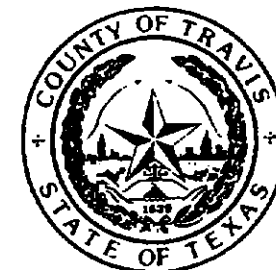
Purchase Requisition in H.T.E.: 452613

Funding Account(s) 001-4705-579-5001

Comments:

➤ **Statutory Verification of Funding:**

Contract Verification Form: Funds Verified ____ Not Verified ____ by Auditor.



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
Brad Beauchamp*

*Chief Medical Examiner
Dr. David Dolinak*

*STAR Flight
Casey Ping, Program Manager*

Technology & Communications

To: Travis County Commissioners Court
Via: Cyd Grimes, Purchasing Agent
From: Danny Hobby, Emergency Services Executive Manager
Date: October 9, 2008
Subject: RRS O&M Expense Authority for FY-2009, Contract Year Six

Proposed Motion:

APPROVE MODIFICATION NUMBER FIVE TO AUTOMATIC-RENEWAL CONTRACT IL040167LC, INTERLOCAL AGREEMENT WITH THE CITY OF AUSTIN FOR THE OPERATION AND MAINTENANCE OF THE REGIONAL RADIO SYSTEM ("RRS") IN FY-2009. (TCES)

Summary & Staff Recommendation:

The RRS program is an interlocal cooperative effort involving partners from the City of Austin, University of Texas at Austin, Austin Independent School District, Capital Metro, Travis County, and the State of Texas via its Legislative Council and House of Representatives. All six entities, along with citizens of central Texas currently benefit from the interoperability of voice and data communications made available by the RRS. This radio system enables public safety/service agencies to communicate and cooperate with each other, allowing for direct access to, and exchange of, information.

Travis County Emergency Services ("TCES") recommendation is to approve the contract modification. Given that this agreement automatically renews annually, the requested action will actually be an internal administrative change to confirm contractual spending authority for Travis County's portion of the shared program budget this fiscal year.

County representatives on the Operating and Governing Boards, the RRS Program Manager, and other County resource staff support this recommendation.

Commissioners Court previously approved a similar item as Modification No. 4 for FY-2008.

There appear to be no issues or concerns with approving the requested action, as this is a routine and expected item that occurs annually.

Budgetary Impact:

The necessary funding of \$952,857 for Travis County's FY-2009 RRS O&M share is a budgeted expense included in the approved TCES line item account 001-4705-579-5001.

Travis County's approved FY-2008 RRS O&M budget was \$925,216, a difference of about 3%.

Attachment(s):

Final Approved FY-2009 RRS Operation & Maintenance Budget – Exhibit G
Travis County Purchase Requisition 452613

Cc:

Board Members –	Constable Luke Mercer, Pct. 1; Lt. Robert Mills, TCSO; Mike Joyce, TNR; Charles Brotherton, TCES
Audit –	Jose Palacios
Legal –	Barbara Wilson
PBO –	Randy Lott
Purchasing –	Lori Clyde
TCES –	Christine Lego, Toby Fariss

PURCHASE REQUISITION NBR: 0000452613

STATUS: AUDITOR APPROVAL

REASON: FY09 RRS OPERATION AND MAINTENANCE IL040167LC

DATE: 10/06/08

REQUISITION BY: LEGOC X44855

SHIP TO LOCATION: EMERGENCY SERVICES

SUGGESTED VENDOR: 53547 CITY OF AUSTIN

DELIVER BY DATE: 9/30/09

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
----------	-------------	----------	-----	-----------	-------------	--------------------

1	FY09 RRS OPERATION & MAINT-NOT TO EXCEED \$952,857	952857.00	DOL	1.0000	952857.00	
	COMMODITY: EQUIP MAINT RPR- RADIO/TV					
	SUBCOMMOD: COMMUNICATIONS MAINTENANC					

REQUISITION TOTAL: 952857.00

A C C O U N T I N F O R M A T I O N

LINE #	ACCOUNT	PROJECT	%	AMOUNT
1	00147055795001 REPR & MTNC--SERVCS PURCHD MAINTENANCE AGREEMENTS		100.00	952857.00
				952857.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

GM200113

TRAVIS COUNTY

10/16/08

Fiscal Year 2009

Account Balance Inquiry

13:17:11

Account number : 1-4705-579.50-01
Fund : 001 GENERAL FUND
Department : 47 EMERGENCY SERVICES
Division : 05 TECHNOLOGY/COMMUNICATIONS
Activity basic : 57 PUBLIC SAFETY (LAW ENF)
Sub activity : 9 EMERGENCY SERVICES
Element : 50 REPR & MTNC-SERVCS PURCHD
Object : 01 MAINTENANCE AGREEMENTS

Original budget : 979,857

Actual expenditures - current : .00
Actual expenditures - ytd : .00
Unposted expenditures : .00
Encumbered amount : .00
Unposted encumbrances : .00
Pre-encumbrance amount : 952,857.00
Total expenditures & encumbrances: 952,857.00 97.2%
Unencumbered balance : 27,000.00 2.8

F5=Encumbrances **F7=Project data** **F8=Misc inquiry**
F10=Detail trans **F11=Acct activity list** **F12=Cancel** **F24=More keys**

MODIFICATION OF CONTRACT NUMBER: IL040167LC Regional Radio System (RRS) O&M
PAGE 1 OF 3 PAGES

ISSUED BY: PURCHASING OFFICE 314 W. 11TH ST., RM 400 AUSTIN, TX 78701	PURCHASING AGENT ASST: Lori Clyde TEL. NO: (512) 854-9700 FAX NO: (512) 854-9185	DATE PREPARED: October 16, 2008
ISSUED TO: City of Austin P.O. Box 1088 Austin, TX 78767-1088	MODIFICATION NO.: 5	EXECUTED DATE OF ORIGINAL CONTRACT: January 20, 2004
ORIGINAL CONTRACT TERM DATES: <u>January 20, 2004-September 30, 2004</u> CURRENT CONTRACT TERM DATES: <u>October 1, 2007-September 30, 2008</u>		

FOR TRAVIS COUNTY INTERNAL USE ONLY:

Original Contract Amount: \$ 404,888.00 Current Modified Amount \$ 952,857.00.

DESCRIPTION OF CHANGES: Except as provided herein, all terms, conditions, and provisions of the document referenced above as heretofore modified, remain unchanged and in full force and effect.

Replace Exhibit G, RRS Interlocal Agreement for the Operation and Maintenance of the Regional Radio System Budget for FY08 with the attached Exhibit G, RRS Interlocal Agreement for the Operation and Maintenance of the Regional Radio System FY09 RRS O&M Budget.

Note to Vendor:

- Complete and execute (sign) your portion of the signature block section below for all copies and return all signed copies to Travis County.
- DO NOT execute and return to Travis County. Retain for your records.

LEGAL BUSINESS NAME: _____	<input type="checkbox"/> DBA
BY: _____ SIGNATURE	<input type="checkbox"/> CORPORATION
BY: _____ PRINT NAME	<input type="checkbox"/> OTHER
TITLE: _____ ITS DULY AUTHORIZED AGENT	DATE: _____

TRAVIS COUNTY, TEXAS BY: <u>Cyd V. Grimes</u> CYD V. GRIMES, C.P.M., TRAVIS COUNTY PURCHASING AGENT	DATE: <u>10/17/08</u>
-----------------------------------------------------------------------------------------------------------	--------------------------

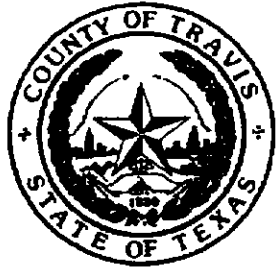
TRAVIS COUNTY, TEXAS BY: _____ SAMUEL T. BISCOE, TRAVIS COUNTY JUDGE	DATE: _____
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City of Austin - Wireless Communication Services
RRS Interlocal Agreement for the Operation and Maintenance of The Regional Radio System - Exhibit G
- For the Interlocal Agreement fiscal year, October 1, 2008 - September 30, 2009 (FY09)
*****FINAL ***APPROVED*****

	FTE		Operations/ Warranty	FY09 Inter-		Travis County	AISD	Capital		UT Austin	Legislative Council /House of	Total Allocated
	Summary 2008-09	2008-09		Local Share 44.32%	FY09 COA Share 55.68%			26.99%	7.46%				Metro 5.54%	3.64%	0.69%
Trunked Radio Manager	1.0	96,114		42,599	53,515	25,942	7,170	5,325	3,499		663	96,114
Radio Technician V	1.0	84,700		37,539	47,161	22,861	6,319	4,692	3,083		584	84,700
Radio Technician V	1.0	82,563		36,592	45,971	22,284	6,159	4,574	3,005		570	82,563
Administrative Senior	0.50	22,555		9,996	12,559	6,087	1,682	1,250	821		156	22,555
Stores Specialist Senior	0.50	22,354		9,907	12,447	6,033	1,668	1,238	814		154	22,354
Stores Specialist Senior	0.50	22,215		9,846	12,369	5,996	1,657	1,231	809		153	22,215
Overtime		15,000		6,648	8,352	4,048	1,119	831	546		104	15,000
Total Personnel Salaries		345,501		153,127	192,374	93,251	25,774	19,141	12,577		2,384	345,501
APCO, MTUG Membership		300		133	167	81	22	17	11		2	300
Fleet Maintenance & Fuel		11,180		4,955	6,225	3,018	834	619	407		77	11,180
Wireless Comm Equipment		1,800		798	1,002	486	134	100	66		12	1,800
Tower Leases		196,300		87,000	109,300	52,981	14,644	10,875	7,146		1,354	196,300
Tower Utilities		155,222		68,794	86,428	41,894	11,580	8,599	5,650		1,071	155,222
Tower Phone Lines		3,300		1,463	1,837	891	246	183	120		23	3,300
Motorola Security Network Monitoring		175,049		77,582	97,467	47,246	13,059	9,697	6,372		1,208	175,049
Tower Site Maintenance		15,000		6,648	8,352	4,049	1,119	831	546		103	15,000
Tower Inspection Contract		25,000		11,080	13,920	6,747	1,865	1,385	910		173	25,000
Tower Climbing Crew contract		20,000		8,864	11,136	5,398	1,492	1,108	728		138	20,000
Dictaphone Recording System Maintenance		100,000		44,320	55,680	26,990	7,460	5,540	3,640		690	100,000
Generator Preventative Maintenance		22,180		9,830	12,350	5,985	1,655	1,230	807		153	22,180
Motorola Maintenance Contract		2,224,703		985,988	1,238,715	600,447	165,963	123,249	80,979		15,350	2,224,703
EM Software Maintenance Fee		1,000		443	557	270	75	55	36		7	1,000

	FTE Summary 2008-09	Operations/ Warranty 2008-09	FY09 Inter- Local Share 44.32%	FY09 COA Share 55.68%	Travis County 26.99%	AISD 7.46%	Capital Metro 5.54%	UT Austin 3.64%	Legislative Council /House of 0.69%	Total Allocated 100.00%
Test Equipment Support	5,000		2,216	2,784	1,350	373	277	181	35	5,000
Internal WCSD Service	192,873		85,481	107,392	52,056	14,388	10,685	7,021	1,331	192,873
Mileage Reimbursement	5,000		2,216	2,784	1,350	372	277	182	35	5,000
Copier Rental	1,000		443	557	270	75	55	36	7	1,000
Total Contractuals	3,154,907		1,398,254	1,756,653	851,509	235,356	174,782	114,838	21,769	3,154,907
Travel/Training	30,000		13,296	16,704	8,097	2,238	1,662	1,092	207	30,000
Total Commodities	30,000		13,296	16,704	8,097	2,238	1,662	1,092	207	30,000
Total Requirements	3,530,408		1,564,677	1,965,731	952,857	263,368	195,585	128,507	24,360	3,530,408

Note: RRS Partner percentages have been rounded to two decimal places. The actual amount owed by each Partner for FY09 is shown at the bottom of the Partner column in the row entitled "Total Requirements."



TRAVIS COUNTY PURCHASING OFFICE
Cyd V. Grimes, C.P.M., Purchasing Agent

20

314 W. 11th, Room 400 Austin, Texas 78701 (512) 854-9700 Fax (512) 854-9185

Approved by: _____

Cyd V. Grimes 10/17/08

Voting Session: Tuesday, October 28, 2008

REQUESTED ACTION: APPROVE MODIFICATION NO. 6 TO INTERLOCAL IL030285LC, CITY OF AUSTIN, FOR THE OPERATION AND MAINTENANCE OF THE COMBINED TRANSPORTATION, EMERGENCY & COMMUNICATIONS CENTER (CTECC). (EMERGENCY SERVICES)

Points of Contact:

- Purchasing:** Lori Clyde, 854-4205
- Department:** TCES, Danny Hobby, 854-4416; Toby Fariss, 854-4762; TCOEM, Pete Baldwin, 974-0472; TCSO. Captain Paul Knight, 854-9770
- County Attorney (when applicable):** John Hille
- County Planning and Budget Office:** Leroy Nellis
- County Auditor's Office:** Susan Spataro and Jose Palacios
- Other:**

➤ **Purchasing Recommendation and Comments:** Purchasing concurs with department and recommends approval of requested action. This procurement action met the compliance requirements as outlined by the statutes. This Interlocal provides for the operation and maintenance of the Combined Transportation & Emergency Communications Center (CTECC).

Emergency Services recommends approval of Modification No. 6 to the CTECC O & M ILA. Given that this operations & maintenance agreement automatically renews annually, this requested action will be an internal administrative change to confirm contractual spending authority for Travis County's portion of the budget in the amount of \$1,725,952 as outlined in Exhibit B, the FY09 CTECC O&M budget.

Modification No. 5, approved in Commissioners Court January 29, 2008, was to confirm and approve Travis County's portion of the FY08 budget.

Modification No. 4, approved in Commissioners Court January 9, 2007, was to confirm and approve Travis County's portion of the FY07 budget.

Modification No. 3, approved in Commissioners Court October 25, 2005, was to confirm and approve Travis County's portion of the FY06 budget.

Modification No. 2, approved in Commissioners Court December 21, 2004, was to confirm and approve Travis County's portion of the FY05 budget.

Modification No. 1, approved in Commissioners Court February 10, 2004, was to confirm and approve Travis County's portion of the FY04 budget.

➤ **Contract Expenditures:** Within the last 12 months \$1,650,765.00 has been encumbered and \$1,032,204.46 has been spent against this contract.

➤ **Contract Modification Information:**

Modification Amount: \$1,725,952 Estimated amount

Modification Type: Approval to spend amount budgeted for CTECC O&M

Modification Period: October 1, 2008 through September 30, 2009

➤ **Funding Information:**

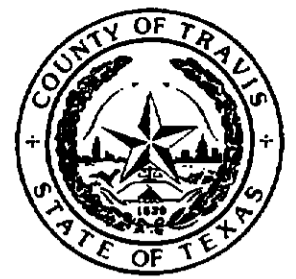
Purchase Requisition in H.T.E.: 452615

Funding Account(s) 001-4705-579-5004, 001-4705-823-5004

Comments:

➤ **Statutory Verification of Funding:**

Contract Verification Form: Funds Verified ____ Not Verified ____ by Auditor.



EMERGENCY SERVICES

DANNY HOBBY, EXECUTIVE MANAGER
P.O. Box 1748 , AUSTIN, TEXAS 78767
(512) 854-4416, FAX (512) 854-4786

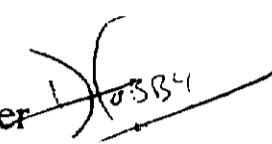
*Emergency Management
Pete Baldwin, Emergency Mgmt.
Coordinator*

*Fire Marshal
Brad Beauchamp*

*Chief Medical Examiner
Dr. David Dolinak*

*STAR Flight
Casey Ping, Program Manager*

Technology & Communications

To: Travis County Commissioners Court
Via: Cyd Grimes, Purchasing Agent
From: Danny Hobby, Emergency Services Executive Manager 
Date: October 9, 2008
Subject: CTECC O&M Expense Authority for FY-2009, Contract Year Seven

Proposed Motion:

APPROVE MODIFICATION NUMBER SIX TO AUTOMATIC-RENEWAL CONTRACT IL030285LC, INTERLOCAL AGREEMENT WITH THE CITY OF AUSTIN FOR THE OPERATION AND MAINTENANCE OF THE COMBINED TRANSPORTATION, EMERGENCY & COMMUNICATIONS CENTER ("CTECC") IN FY-2009. (TCES)

Summary & Staff Recommendation:

The CTECC program is an interlocal cooperative effort involving partners from the City of Austin, Texas Department of Transportation, Capital Metro, and Travis County. All four entities, along with citizens of central Texas currently benefit from ongoing operations at CTECC. The facility houses regional public safety/service systems related to two-way radio communications, computer-aided dispatch, 9-1-1, mobile data, joint emergency operations, and intelligent transportation. County emergency management activities presently operate out of CTECC, as do Sheriff dispatch functions.

Travis County Emergency Services ("TCES") recommendation is to approve the contract modification. Given that this agreement automatically renews annually, the requested action will actually be an internal administrative change to confirm contractual spending authority for Travis County's portion of the shared program budget this fiscal year.

County representatives on the Operating and Governing Boards, the CTECC General Manager, and resource staff with TCSO, ITS, and TCES support the recommendation.

Commissioners Court previously approved a similar item as Modification No. 5 for FY-2008.

There appear to be no issues or concerns with approving the requested action, as this is a routine and expected item that occurs annually.

Budgetary Impact:

The necessary funding of \$1,725,952 for Travis County's FY-2009 CTECC O&M share is a budgeted expense included in the approved TCES line item accounts 001-4705-579-5004 and 001-4705-823-5004.

Travis County's approved FY-2008 CTECC O&M budget was \$1,650,765, a difference of about 4%.

Attachment(s):

Final Approved FY-2009 CTECC Operations & Maintenance Budget – Exhibit B
Travis County Purchase Requisition 452615

Cc:

Board Members –	Capt. Paul Knight, TCSO; Pete Baldwin, TCOEM
Audit –	Jose Palacios
Legal –	Barbara Wilson
PBO –	Randy Lott
Purchasing –	Lori Clyde
TCES –	Christine Lego, Toby Fariss

PURCHASE REQUISITION NBR: 0000452615
 STATUS: AUDITOR APPROVAL
 REASON: FY09 CTECC OPERATING & MAINTENANCE IL030285LC
 DATE: 10/06/08

REQUISITION BY: LEGOC X44855
 SUGGESTED VENDOR: 53547 CITY OF AUSTIN
 DELIVER BY DATE: 9/30/09

SHIP TO LOCATION: EMERGENCY SERVICES

LINE NBR	DESCRIPTION	QUANTITY UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
----------	-------------	--------------	-----------	-------------	--------------------

1	FY09 OPERATING & MAINT NOT TO EXCEED \$1,725,952 COMMODITY: BLDG MAINT & REPAIRS SVCS SUBCOMMOD: GEN BLDG MAINT & REPAIR	1725952.00	DOL	1.0000	1725952.00
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REQUISITION TOTAL: 1725952.00

A C C O U N T I N F O R M A T I O N

LINE #	ACCOUNT	PROJECT	%	AMOUNT
1	00147055795004	REPR & MTNC-SERVCS PURCHD	91.95	1586919.00
		REPR-BLDG STRUCT & EQUIP		
1	00147058235004	REPR & MTNC-SERVCS PURCHD	8.05	139033.00
		REPR-BLDG STRUCT & EQUIP		
				1725952.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

TRAVIS COUNTY

10/16/08

Fiscal Year 2009

Account Balance Inquiry

13:17:18

Account number : 1-4705-579.50-04
Fund : 001 GENERAL FUND
Department : 47 EMERGENCY SERVICES
Division : 05 TECHNOLOGY/COMMUNICATIONS
Activity basic : 57 PUBLIC SAFETY (LAW ENF)
Sub activity : 9 EMERGENCY SERVICES
Element : 50 REPR & MTNC-SERVCS PURCHD
Object : 04 REPRS-BLDG STRUCT & EQUIP

Original budget : 1,586,919
Revised budget : 1,895,495 10/01/2008
Actual expenditures - current . . . : 382,841.00-
Actual expenditures - ytd : .00
Unposted expenditures : .00
Encumbered amount : 691,416.59
Unposted encumbrances : .00
Pre-encumbrance amount : 1,586,919.00
Total expenditures & encumbrances: 1,895,494.59 100.0%
Unencumbered balance : .41 0.0

F5=Encumbrances **F7=Project data** **F8=Misc inquiry**
F10=Detail trans **F11=Acct activity list** **F12=Cancel** **F24=More keys**

GM200I13

TRAVIS COUNTY

10/16/08

Fiscal Year 2009

Account Balance Inquiry

13:20:42

Account number : 1-4705-823.50-04
Fund : 001 GENERAL FUND
Department : 47 EMERGENCY SERVICES
Division : 05 TECHNOLOGY/COMMUNICATIONS
Activity basic : 82 CAPITAL AQUISITION FUNDS
Sub activity : 3 PUBLIC SAFETY (LAW ENF)
Element : 50 REPR & MTNC-SERVCS PURCHD
Object : 04 REPRS-BLDG STRUCT & EQUIP

Original budget : 139,033
Revised budget : 165,903 10/01/2008
Actual expenditures - current . : 33,425.00-
Actual expenditures - ytd . . . : .00
Unposted expenditures : .00
Encumbered amount : 60,295.00
Unposted encumbrances : .00
Pre-encumbrance amount : 139,033.00
Total expenditures & encumbrances: 165,903.00 100.0%
Unencumbered balance : .00 0.0

F5=Encumbrances **F7=Project data** **F8=Misc inquiry**
F10=Detail trans **F11=Acct activity list** **F12=Cancel** **F24=More keys**

Doc Updated 10-21-08 at 11:00 am
MODIFICATION OF CONTRACT NUMBER: IL030285LC CTECC O&M AGREEMENT

PAGE 1 OF 3 PAGES

ISSUED BY: PURCHASING OFFICE 314 W. 11TH ST., RM 400 AUSTIN, TX 78701	PURCHASING AGENT ASST: Lori Clyde TEL. NO: (512) 854-9700 FAX NO: (512) 854-9185	DATE PREPARED: October 16, 2008
--------------------------------------------------------------------------------	----------------------------------------------------------------------------------------	-------------------------------------------

ISSUED TO: City of Austin P.O. Box 1088 Austin, TX 78767-1088	MODIFICATION NO.: 6	EXECUTED DATE OF ORIGINAL CONTRACT: October 10, 2002
---------------------------------------------------------------------------------	-------------------------------	---------------------------------------------------------

ORIGINAL CONTRACT TERM DATES: October 10, 2002-September 30, 2003 CURRENT CONTRACT TERM DATES: October 1, 2008-September 30, 2009

FOR TRAVIS COUNTY INTERNAL USE ONLY:
 Original Contract Amount: \$ 886,960 Current Modified Amount \$ 1,725,952.00.

DESCRIPTION OF CHANGES: Except as provided herein, all terms, conditions, and provisions of the document referenced above as heretofore modified, remain unchanged and in full force and effect.

Replace Exhibit B, Estimated Operation Budget for FY07 with the attached Exhibit B, Estimated Operation Budget for FY09.

Note to Vendor:

- Complete and execute (sign) your portion of the signature block section below for all copies and return all signed copies to Travis County.
- DO NOT execute and return to Travis County. Retain for your records.

LEGAL BUSINESS NAME: _____	<input type="checkbox"/> DBA
BY: _____ SIGNATURE	<input type="checkbox"/> CORPORATION
BY: _____ PRINT NAME	<input type="checkbox"/> OTHER
TITLE: _____ ITS DULY AUTHORIZED AGENT	DATE: _____

TRAVIS COUNTY, TEXAS BY: <u>Cyd V. Grimes</u> CYD V. GRIMES, C.P.M., TRAVIS COUNTY PURCHASING AGENT	DATE: <u>10/17/08</u>
-----------------------------------------------------------------------------------------------------------	--------------------------

TRAVIS COUNTY, TEXAS BY: _____ SAMUEL T. BISCOE, TRAVIS COUNTY JUDGE	DATE: _____
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Combined Transportation and Emergency Communications Center (CTECC) Operating Budget - Exhibit B

FY2009

FY2009

FINAL

FINAL

APPROVED

APPROVED

PERSONNEL

Code / Definition	Base Salary	Fringe	Working Total	City (COA)	Travis County	TXDOT	CMTA	TOTAL	ALLOCATION
SHARED GM STAFF									
(1) General Manager	98,803	25,314	124,117	30,528	30,528	30,528	30,528	124,117	Equil %
(1) Administrative Specialist	43,652	15,724	59,376	14,934	14,934	14,934	14,934	59,376	Equil %
(1) Shared General Manager	32,705	24,101	56,806	7,973	29,087		11,827	56,806	Equil %
SHARED IT SUPPORT									
(1) System Support Tech Sr	14,885	3,788	18,673	18,902	45,603		16,277	66,772	Tech %
(2) System Support Tech Sr	50,006	14,885	64,891	46,987	17,691		7,077	70,765	Tech %
(2) System Support Tech Sr	119,202	31,171	150,373	97,743	37,593		15,037	190,374	Tech %
SYSTEM PERSONNEL - CAD									
(2) Prog Analyst Sr	137,542	35,947	173,489	140,145	25,408		6,936	173,489	CAD %
(1) System Supervisor	84,802	22,170	106,972	88,287	18,186		536	106,972	CAD %
(4) System Support Tech Sr	238,405	74,263	312,668	287,961	53,153		1,554	312,668	CAD %
(3) System Support Tech Sr	190,476	49,809	240,285	199,236	40,648		1,401	240,285	CAD %
(1) Database Admin (DBA)	84,661	22,120	106,781	88,099	18,154		534	106,781	CAD %
(1) GIS Analyst Sr	53,022	16,510	69,532	57,308	11,821		348	69,532	CAD %
(1) GIS Analyst Sr	65,373	17,095	82,468	68,036	14,020		412	82,468	CAD %
(1) Business Systems Analyst	59,601	15,589	75,190	62,028	12,782		378	75,190	CAD %
Total: Shared / CAD Personnel:			\$ 1,869,010	\$ 1,346,590	\$ 373,859	\$ 51,190	\$ 97,371	\$ 1,868,010	
COA SUPPORT									
APD RMS									
(2) System Support Admin Sr	161,643	42,270	203,913	203,913				203,913	COA %
(2) System Support Admin Sr	116,202	31,171	147,373	150,374				150,374	COA %
(1) System Support Tech Sr	63,170	16,510	79,680	70,689				79,680	COA %
(7) System Support Tech Sr	394,894	95,412	490,306	480,276				480,276	COA %
(1) System Supervisor	79,760	20,607	100,367	100,817				100,817	COA %
Total: APD Support Personnel:			\$ 994,869	\$ 994,869	\$ -	\$ -	\$ -	\$ 994,869	
AFD/EMS RUNS									
(2) System Support Admin Sr	116,202	31,171	147,373	150,374				150,374	COA %
(1) System Support Tech Sr	69,601	18,589	88,190	75,187				88,190	COA %
(4) System Support Tech Sr	203,990	53,542	257,532	257,532				257,532	COA %
(1) Prog Analyst Sr	72,614	18,660	91,274	91,092				91,092	COA %
(1) System Supervisor	79,760	18,604	98,364	98,620				98,620	COA %
Total: AFD/EMS Support Personnel:			\$ 670,317	\$ 670,317	\$ -	\$ -	\$ -	\$ 670,317	
OTHER / MISCELLANEOUS									
Overtime - Tech	11,590	864	12,454	8,082	3,106		1,243	12,454	Tech %
Overtime - CAD	12,000	864	13,564	11,190	2,308		88	13,564	COA %
Accrued payroll	10,000		10,000	10,000				10,000	COA %
Sm City Mobile Support (TBD)									ESD - Sm City Mobile Support > TBD Reimbursement (CAD %)
Total: Other / Miscellaneous:			\$ 35,997	\$ 29,272	\$ 5,414	\$ 68	\$ 1,243	\$ 35,997	
CONTRACTUALS									
Total: All Personnel:			\$ 3,570,193	\$ 3,041,048	\$ 379,273	\$ 51,258	\$ 98,614	\$ 3,570,193	

Code / Definition	Working Total	City (COA)	Travis County	TXDOT	CMTA	TOTAL	NOTES	ALLOCATION
5673 Security - Travis Co	888,570	217,143	217,143	217,143	217,143	888,570	TC Security LE	Equil %
5820 Services-Other	81,900	51,987	11,515	17,468	1,228	81,900	Services - Misc / Other - Non-COA Specific	Lease %
5890 Services-Other	30,000	30,000				30,000	Misc & Other - COA	COA %
6124 Rental - Copy Machines	12,000	7,900	3,000			12,000	Copying - Maintenance & Usage	Tech %
6127 Printing	4,007	4,007				4,007	COA Paper Service	COA %
6127 Printing	525	131	131	131		525	Non-COA Specific Paper Service	Lease %
6160 Electric Services	489,000	308,606	66,753	104,304	7,356	489,000	Electric Service	Employee %
6165 Water Services	10,000	7,300	1,300	1,000	400	10,000	Water Service	Employee %
6170 WWS Service	7,000	5,548	988	700	304	7,000	Waste Water Service	Employee %
6174 Drainage Fee Expense	12,000	7,573	1,697	2,560	180	12,000	Drainage - Expenses	Lease %
6174 Drainage Fee Expense	12,000	7,573	1,697	2,560	180	12,000	Drainage - Expenses	Lease %
6203 CIM Services	45,000	36,420	25,200	4,989	76	45,000	Street cleaning fees & Garbage Collection	Employee %
6203 Telephone Support-shared ports	49,890	2,198	10,905		1,996	49,890	Help desk, Internet, network services (Help Desk % - TC/CMTA)	Employee %
6203 Telephone Support-shared EOC ports	32,987	2,198	10,905		1,996	32,987	Phone Svcs (EOC Ports - COA 60.67% / TC 33.33%)	Employee %
6203 Telephone Support-shared EOC ports	55,197	34,294	6,095	11,758	2,450	55,197	Phone Svcs (Ports - Direct Cost)	Direct \$ (ports)
6203 Telephone Support-shared EOC ports	16,250	16,250				16,250	CTM/CTECC Financial Support	Equil %
6240 Interdepartmental Data Systems	2,115	2,115				2,115	Equipment - Call Phones / Bases - COA 100%	COA %
6327 Insurance - Fire/Food Extended Coverage	70,000	70,000				70,000	Insurance COA 100%	COA %
6383 Facility Management	1,881,000	1,080,870	239,349	358,557	25,215	1,881,000	Facility Related / FMS	Lease %
6383 011 Backup Center Facility Management	66,500	63,200	13,300			66,500	911 Backup Center	Blck %
6387 Maintenance Hardware - Admin Server Maint	20,000	7,460	3,400	3,530		20,000	Admin Server Maintenance	GM %
6387 Maintenance Hardware	20,000	20,000				20,000	Monitors Replacement	COA %
6387 Maintenance Hardware - CAD/Mobile Shared	20,000	16,500	3,400			20,000	Maintenance Hdw - COA 100% / APD	COA %
6392 Premium Power Maintenance	400,180	20,250	3,400	100		400,180	Maintenance Hardware - CAD/Mobile Servers - Shared Hardware	CAD %
6398 Chilled Water Maintenance	413,896	280,423	64,702	78,750	6,903	413,896	Video Wall - COA 25% / TXDOT 75%	Video Wall %
6404 Telephone - Base Cost	309,078	154,539	56,206	66,303	0,210	309,078	Premium Power	Lease %
6405 Telephone - Long Distance	108,000	108,000	51,810	81,810	30,908	108,000	Chilled Water	Lease %
	5,552	4,953	721	555	223	5,552	Base Telephone Expenses - Shared	Lease %
							Base Telephone - COA only	COA %
							Direct Costs - Long Distance	Direct \$ (LD-Share)

Combined Transportation and Emergency Communications Center (CTECC) Operating Budget - Exhibit B

Code / Definition	Working Total	City (COA)	Travis County	TXDOT	CMTA	TOTAL	ALLOCATION
6406 Telephone - Equipment / Maintenance	1,500	750	300	300	150	1,500	Part %
6407 Phone Allowance cell phones	15,000	9,750	3,750	300	1,500	15,000	Part %
6408 Phone Allowance cell phones	1,500	750	300	300	150	1,500	Part %
6415 Postage	500	125	125	125	125	500	Equal %
6416 Priority Mail/Federal Services	50	15	15	15	15	50	Equal %
6452 Printing/Binding/Photographic Repro	50	13	13	13	13	50	Equal %
6531 Educational Services/Seminar Fees	2,000	931	668	441	41	2,500	Equal %
6531 Educational Services/Seminar Fees	2,000	931	668	441	41	2,500	Equal %
6531 Seminar / Training Fees - CAD	12,717	7,075	3,068	625	1,228	12,717	Equal %
6531 Seminar / Training Fees - Police RMS	1,000	500	1,870	55	1,228	1,000	Equal %
6531 Seminar / Training Fees - AF/EMS RMS	12,600	6,557	1,870	55	1,228	12,600	Equal %
6532 Travel - Training (FACD)	1,000	275	275	275	275	1,000	Equal %
6532 Travel - Training (FACD)	3,500	2,125	612	275	325	3,500	Equal %
6551 Mileage Reimbursement	50,000	46,375	9,350	275	500	55,000	Tech %
6551 Mileage Reimbursement	50,000	46,375	9,350	275	500	55,000	Tech %
6551 Professional Registration	5,000	1,250	1,250	1,250	1,250	5,000	Equal %
6551 Professional Registration	5,000	1,250	1,250	1,250	1,250	5,000	Equal %
6551 Parking Costs	2,700	1,008	741	477	477	2,700	Equal %
7801 Lease Reimbursement	250	83	83	83	85	250	Equal %
Totals: Contractuals: \$ 5,258,868 \$ 2,991,389 \$ 845,877 \$ 1,070,233 \$ 351,389 \$ 5,258,868							
SYSTEMS							
6398 MDC Software Maintenance	233,000	174,750	58,250			233,000	MDC %
6398 Maintenance-Computer Software	3,500	3,500				3,500	COA 100%
6398 Maintenance-Computer Software	4,000	4,000				4,000	COA 100%
6398 Maintenance-Wireless Transfer	14,785	14,785				14,785	COA 100%
6398 Maintenance-Computer Software	190,000	190,000				190,000	COA 100%
6398 Maintenance-Computer Software	15,750	15,750				15,750	COA 100%
6398 Maintenance-Computer Software	359,500	359,500				359,500	COA 100%
6398 Maintenance-Back-Up Center - 911	400,000	400,000				400,000	COA 100%
6398 Maintenance-Web/EOC	10,000	10,000				10,000	COA 100%
6398 Maintenance-Back-Up Center - EOC	12,000	6,000	4,000			12,000	COA 100%
6398 Maintenance-Computer Software	10,700	10,700				10,700	COA 100%
6398 Maintenance-Computer Software	5,000	3,250	1,500			5,000	COA 100%
6398 CAD System Expenses	930,000	767,250	156,100	4,650		930,000	Tech %
6398 Maintenance-Other Equipment (Shared AV)	30,000	18,933	4,218	6,399		30,000	COA 100%
6398 Maintenance-Other Equipment	3,600	3,600				3,600	COA 100%
6398 Maintenance-Other Equipment	230,000	230,000				230,000	COA 100%
6398 CAD System Expenses	2,600	2,600				2,600	COA 100%
6398 CAD System Expenses	71,994	59,395	12,239	360		71,994	COA 100%
6398 Police RMS System Expenses	133,027	133,027				133,027	COA 100%
6398 Police RMS System Expenses	132,500	132,500				132,500	COA 100%
Totals: Systems: \$ 2,762,556 \$ 2,428,807 \$ 321,390 \$ 11,409 \$ 950 \$ 2,762,556							
COMMODITIES							
7454 Educational/Promotional	410	153	113	72	72	410	GM %
7468 Books-Library	2,132	1,385	503	213	213	2,132	Tech %
7500 Office Supplies	20,000	7,450	5,400	3,530	3,530	20,000	GM %
7515 Computer Supplies	4,500	1,876	1,235	794	794	4,500	GM %
7580 Computer Software	2,000	745	648	353	353	2,000	GM %
7610 Minor Computer Hardware	5,500	4,225	1,629	3,006	650	5,500	GM %
7610 Minor Computer Hardware	41,700	32,306	5,290	4,104	1,127	41,700	Tech %
7610 Minor Computer Hardware	63,110	39,629	6,673	13,441	347	63,110	Tech %
7610 Minor Computer Hardware	66,800	43,420	16,700	6,680	6,680	66,800	Tech %
Totals: Commodities: \$ 207,152 \$ 131,190 \$ 40,378 \$ 21,217 \$ 14,367 \$ 207,152							
Total Operating Budget: \$ 11,798,769 \$ 8,592,414 \$ 1,586,919 \$ 1,154,117 \$ 465,319 \$ 11,798,769							
CAPITAL ITEMS							
9043 / 9045 Servers, printers, etc.	303,297	218,924	48,824	16,724	18,824	303,297	MANUAL ENTRY
9043 / 9045 Capital Budget - CTECC Expansion	576,000	363,882	81,070	122,989	8,648	576,000	Lease %
9056 Capital Budget - FFE / Furnishings	65,000	41,022	9,139	13,865	875	65,000	Lease %
Total Capital Budget: \$ 944,897 \$ 623,838 \$ 139,033 \$ 153,578 \$ 28,448 \$ 944,897							
Grand Totals: CTECC Budget: \$ 12,743,666 \$ 9,216,252 \$ 1,725,952 \$ 1,307,694 \$ 493,768 \$ 12,743,666							
* GRAND TOTALS ARE NOT TO EXCEED AMOUNTS - NO BY LINE CAP *							
- Per CTECC Governing Board Meeting & Minutes, April 18, 2008							
COA %	Weighted average of Party's use of COA staff/resources						
COA %	100% City of Austin (COA) expense						
COA %	Direct Costs - Direct Agency Costs - Unique - use appropriate direct costs in Allocation array cells to determine appropriate budgeted percentage						
COA %	Party's FTEs to total of all FTEs within CTECC						
COA %	Emergency Operations Center Post or EOC Related Activity - COA at 87% / TC 13.33%						
COA %	Even distribution of expense						
COA %	Weighted average of Party's use of City CTECC staff						
COA %	TC: 17 writ stations, CMTA: 13 writ stations @ \$1,600 for Inet, helpdesk, virus, e-mail, GAATN						
COA %	Based on Party's lease payment percentages						
COA %	Mobile Data Computers - COA 78% / TC 22%						
COA %	State Telephone Ports - Based upon agency share of port/direct extensions (MicroCall summary)						
COA %	Travis County Mobile Support - TC 100%						
COA %	Weighted average of Party's use of technical staff						
COA %	Video Mail - COA 25% / TXDOT 75%						

AVIATION CALCULATED AS A PERCENTAGE OF COA AMOUNTS FOR BUDGETARY PURPOSES ONLY - DOES NOT IMPACT OVERALL TOTALS - ALLOCATION RATES: 1.5% CAD / TECH, 3.0% APD RMS, 4.0% MOBILE (NOTE: DO NOT UTILIZE UPPER ARRAY TABLE)



TRAVIS COUNTY PURCHASING OFFICE

Cyd V. Grimes, C.P.M., Purchasing Agent

314 W. 11th Street, Room 400 Austin, Texas 78701 (512) 854-9700 Fax (512) 854-9185

21

Cyd V. Grimes 10/20/08

Approved by: _____

Voting Session: Tuesday, October 28, 2008

REQUESTED ACTION: APPROVE ONE (1) MONTH EXTENSION (MODIFICATION NO. 4) TO CONTRACT 05K00264RV, HARMONY CONSTRUCTION COMPANY, FOR PAINTING AND WALL REPAIR/MINOR CONSTRUCTION. (FM)

Points of Contact:

Purchasing: Jorge Talavera

Department: Facilities Management, Roger A. El Khoury, M.S., P.E., Director; John Carr, Administrative Director

County Attorney (when applicable): John Hille

County Planning and Budget Office: Leroy Nellis

County Auditor's Office: Susan Spataro and Jose Palacios

Other: Alicia Perez, Executive Manager, Administrative Operations

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

This contract requires the vendor to provide all labor and materials necessary to provide Painting and Wall Repair/Minor Construction Services to the County on an as needed basis.

The proposed modification will extend the contract for one (1) additional month through December 14, 2008. FM has requested this additional one (1) month extension to the current contract to ensure that the County has contract coverage while FM completes revisions to the specifications to be used when Purchasing issues an invitation for bid to establish a new contract. This extension is permitted in accordance with Part V - Special Provisions, Paragraph 2, entitled "Option to Extend."

Modification No. 3 extended the contract for one additional month through November 14, 2008.

Modification No. 2 extended the contract for one additional year through October 14, 2008.

Modification No. 1 extended the contract for one additional year through October 14, 2007.

- **Contract Expenditures:** Within the last 12 months \$153,776.56 has been spent against this contract.

➤ **Contract Modification Information:**

Award Amount: N/A (as needed basis)
Contract Type: Annual Contract
Contract Period: November 15, 2008 through December 14, 2008

➤ **Solicitation-Related Information:**

Solicitations Sent: N/A Responses Received: N/A
HUB Information: Vendor is a HUB % HUB Subcontractor: N/A

➤ **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:**

- Purchase Requisition in H.T.E.:
- Funding Account(s): 001-1415-525-5004
- Comments: Contract on an as needed basis. No requisition required at this time. Requisition will be entered when service is needed.

➤ **Statutory Verification of Funding:**

- Contract Verification Form: Funds Verified ____ Not Verified ____ by Auditor.

Harmon - FYH
Jorge
12.10.08



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: SVCOT-20-08F-XM
File: 801

TO: Cyd Grimes, C.P.M., Purchasing Agent
VIA: Roger A. El Khoury, M.S., P.E., Director
FROM: Rony Aouad, Service Contract Manager
DATE: October 8, 2008
SUBJECT: Option to extend - Painting and Wall Repair/ Minor Construction
Contract #05K00264RV

Roger A. El Khoury
Rony Aouad

Facilities Management Department (FMD) recommends exercising the option to extend the existing contract with Harmony Construction for 30 days. FMD has monitored the performance of this contractor over the previous year and is satisfied that the contractor is providing these services in full compliance with the terms of the contract. This 30 day extension will extend the contract through December 14, 2008 and provide adequate time for development and procurement of a replacement contract.

Funding for painting and wall repair/minor construction services is included under line item 001-1415-525-5004. Please direct any questions on this recommendation to Rony at 44781.

COPY TO:
Amy Draper, CPA, Financial Manager, FMD
John Carr, Administrative Director, FMD
Lloyd Evans, Maintenance Division Director, FMD
Richard Villareal, Purchasing Agent Assistant, Purchasing

PROCESSED
TRAVIS COUNTY
2008 OCT -9 PM 4:40
PURCHASING
OFFICE

10/16/08
13:17:04

PI655I01
TRAVIS COUNTY
Account Balance Inquiry

Fiscal Year	2009	
Account number	1-1415-525.50-04	
Fund	001	GENERAL FUND
Department	14	FACILITIES MANAGEMENT
Division	15	BUILDING MAINTENANCE
Basic activity	52	GENERAL GOVERNMENT
Sub activity	5	FACILITIES
Element	50	REPR & MTNC-SERVCS PURCHD
Object	04	REPRS-BLDG STRUCT & EQUIP
Budget		752,005
Encumbered amount		119,286.56
Pre-encumbered amount		30,794.55
Expenditures		31,103.42-
Total expenditures		118,977.69
Balance		633,027.31

Press Enter to continue.

F3=Exit F12=Cancel

MODIFICATION OF CONTRACT NUMBER: 05K00264RV, Painting and Wall Repair/Minor Construction
PAGE 1 OF 1 PAGES

ISSUED BY: PURCHASING OFFICE 314 W. 11TH ST., RM 400 AUSTIN, TX 78701	PURCHASING AGENT ASST: Jorge Talavera TEL. NO: (512) 854-9700 FAX NO: (512) 854-9185	DATE PREPARED: October 16, 2008
ISSUED TO: Harmony Construction Co. Attn.: Mrs. Melody Golmon 3601 Dry Hole Rd., Suite C4 Kyle, Texas 78640	MODIFICATION NO.: Four	EXECUTED DATE OF ORIGINAL CONTRACT: October 15, 2005
ORIGINAL CONTRACT TERM DATES: <u>October 15, 2005 - October 14, 2006</u>		CURRENT CONTRACT TERM DATES: <u>October 15, 2007 - December 14, 2008.</u>

FOR TRAVIS COUNTY INTERNAL USE ONLY:
 Original Contract Amount: \$ N/A (as needed basis) Current Modified Amount \$ N/A (as needed basis)

DESCRIPTION OF CHANGES: Except as provided herein, all terms, conditions, and provisions of the document referenced above as heretofore modified, remain unchanged and in full force and effect.

The purpose of this modification is to exercise the option to extend the contract term for one (1) additional month in accordance with Part V – Special Provisions, Paragraph 2, entitled “Option to Extend”.

A. The contract period is changed from: October 15, 2007 through November 14, 2008, to read: October 15, 2007 through December 14, 2008, a one month extension.

Note to Vendor:
 Complete and execute (sign) your portion of the signature block section below for all copies and return all signed copies to Travis County.
 DO NOT execute and return to Travis County. Retain for your records.

LEGAL BUSINESS NAME: _____	<input type="checkbox"/> DBA
BY: _____ SIGNATURE	<input type="checkbox"/> CORPORATION
BY: _____ PRINT NAME	<input type="checkbox"/> OTHER
TITLE: _____ ITS DULY AUTHORIZED AGENT	DATE: _____

TRAVIS COUNTY, TEXAS BY: <u>Cyd V. Grimes</u> CYD V. GRIMES, C.P.M., TRAVIS COUNTY PURCHASING AGENT	DATE: <u>10/20/08</u>
-----------------------------------------------------------------------------------------------------------	--------------------------

TRAVIS COUNTY, TEXAS BY: _____ SAMUEL T. BISCOE, TRAVIS COUNTY JUDGE	DATE: _____
----------------------------------------------------------------------------	-------------



TRAVIS COUNTY PURCHASING OFFICE

Cyd V. Grimes, C.P.M., Purchasing Agent

314 W. 11th Street, Room 400 Austin, Texas 78701 (512) 854-9700 Fax (512) 854-9185

22

Cyd V. Grimes 10/20/08

Approved by: _____

Voting Session: Tuesday, October 28, 2008

REQUESTED ACTION: APPROVE MODIFICATION NO. 1 FOR TERMINATION OF CONTRACT NO. PS040271ML, CHARLES SIEPERT, JR, FOR PROGRAMMING SOFTWARE AND SUPPORT SERVICES. (DISTRICT CLERK)

Points of Contact:

Purchasing: Michael Long

Department: DISTRICT CLERK Amalia Rodriguez- Mendoza; Michelle Brinkman

County Attorney (when applicable): John Hille

County Planning and Budget Office: Leroy Nellis

County Auditor's Office: Susan Spataro and Jose Palacios

Other:

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

This contract provides the software and support services for the programming at the District Clerks Office.

Modification No. 1 terminates the above referenced contract, per Section 6.0, Term, other provisions notwithstanding, this Agreement may be terminated by either party by giving thirty (30) days written notice to the other party.

- **Contract Expenditures:** Within the last 12 months \$0.00 has been spent against this contract.

Not applicable

➤ **Contract-Related Information:**

Award Amount: N/A

Contract Type: Professional Services Agreement

Contract Period: 9/1/04 – Termination by either party

➤ **Solicitation-Related Information:**

Solicitations Sent: N/A

Responses Received: N/A

HUB Information: N/A

% HUB Subcontractor: N/A

➤ **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:**

- Purchase Requisition in H.T.E.:
- Funding Account(s)
- Comments: No Funding information is applicable

➤ **Statutory Verification of Funding:**

Contract Verification Form: Funds Verified _____ Not Verified _____ by Auditor.

From: Laura Taylor
To: Mike Long
Date: 10/9/2008 10:28 AM
Subject: Re: Contract with Charles Siepert

No Sir.

Laura Taylor
Deputy District Clerk
512-854-5224

>>> Mike Long 10/9/2008 10:15 AM >>>

Hi Laura,
Is Charles Siepert still working for your office as a contracted employee?
Thanks
Mike

Michael E. Long, CPPB
Travis County Purchasing Office
Purchasing Assistant III
314 W. 11th St.
Austin, TX 78701
ph # 512 854 4850
fax # 512 854 9185
mike.long@co.travis.tx.us

MODIFICATION OF CONTRACT NUMBER: PS040271ML-Charles Siepert

ISSUED BY: PURCHASING OFFICE 314 W. 11TH ST., RM 400 AUSTIN, TX 78701	PURCHASING AGENT ASST: Michael Long TEL. NO: (512) 8544850 FAX NO: (512) 854-9185	DATE PREPARED: October 16, 2008
-----------------------------------------------------------------------------	------------------------------------------------------------------------------------------------	-------------------------------------------

ISSUED TO: Charles Siepert 85 Sunkist Drive Lockhart, TX 78644	MODIFICATION NO.: 1	EXECUTED DATE OF ORIGINAL CONTRACT: 8/31/04
----------------------------------------------------------------------	-------------------------------	-------------------------------------------------------

ORIGINAL CONTRACT TERM DATES: <u>9/1/04</u> - <u>8/31/05</u>	CURRENT CONTRACT TERM DATES: <u>10/01/08</u> - <u>9/30/09</u>
--------------------------------------------------------------	---------------------------------------------------------------

FOR TRAVIS COUNTY INTERNAL USE ONLY:

Original Contract Amount:	Current Modified Amount
---------------------------	-------------------------

DESCRIPTION OF CHANGES: Except as provided herein, all terms, conditions, and provisions of the document referenced above as heretofore modified, remain unchanged and in full force and effect.

1. Pursuant to Section 6.0 Term, other provisions notwithstanding, this Agreement may be terminated by either party by giving thirty (30) days written notice to the other party.
2. This modification serves as official notification that subject contract is hereby terminated effective thirty (30) days from receipt of this notice.

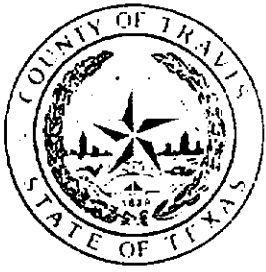
Note to Vendor:

- Complete and execute (sign) your portion of the signature block section below for all copies and return all signed copies to Travis County.
- DO NOT execute and return to Travis County. Retain for your records.

LEGAL BUSINESS NAME: _____	<input type="checkbox"/> DBA
BY: _____	<input type="checkbox"/> CORPORATION
SIGNATURE	<input type="checkbox"/> OTHER
BY: _____	DATE: _____
PRINT NAME	
TITLE: _____	

TRAVIS COUNTY, TEXAS	DATE: _____
BY: <u>Cyd V. Grimes</u>	<u>10/20/08</u>
CYD V. GRIMES, C.P.M., TRAVIS COUNTY PURCHASING AGENT	

TRAVIS COUNTY, TEXAS	DATE: _____
BY: _____	
SAMUEL T. BISCOE, TRAVIS COUNTY JUDGE	



TRAVIS COUNTY PURCHASING OFFICE
Cyd V. Grimes, C.P.M., Purchasing Agent

314 W. 11th. Room 400 Austin, Texas 78701 (512) 854-9700 Fax (512) 854-9185

Approved by: _____

REVISED

Cyd V. Grimes

10/21/08

Voting Session: Tuesday, October 28, 2008

REQUESTED ACTION: APPROVE CONTRACT AWARD FOR EXCESS WORKERS COMPENSATION INSURANCE, RFP P080263-OJ, TO THE QUALIFIED RESPONDENT, FROST INSURANCE AGENCY. (HRMD)

Points of Contact:

Purchasing: Oralia Jones, 854-4204

Department: Human Resource Management Department, Dan Mansour, 854-9499

Linda Moore-Smith, HRMD Director, Alicia Perez, Executive Manager, 854-9342

County Attorney (when applicable): Barbara Wilson, 854-9567

County Planning and Budget Office: Leroy Nellis

County Auditor's Office: Susan Spataro and Jose Palacios

Other:

RECEIVED
COUNTY CLERK'S OFFICE
OCT 22 PM 3:18

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

The contract provides the Excess Workers Compensation Insurance for Travis County.

Proposals were received on September 2, 2008, for the provision of a twenty-four (24) month Term Contract for Excess Workers' Compensation Insurance for Travis County. There were two respondents, Frost Insurance Agency, San Antonio, Texas, and, Key & Piskuran, Arlington, Texas.

The Purchasing Office concurs with the recommendation from the Human Resource Management Department to award the contract to the qualified proponent, Frost Insurance Agency, San Antonio, Texas. The Midwest Employers Casualty Company will be the carrier. The recommendation is based on the reduced premium, statutory limits and the catastrophic occurrence protection. An evaluation matrix has been prepared and is attached.

The premium rate offered by the Midwest Employers Casualty Company underwriters is \$0.0475 per \$100 of actual payroll based on an annual audit. The deposit premium will be \$134,899.00 and the minimum premium for a two-year policy will be \$197,819.00. The final premium will be based on the actual payroll developed over the period and

determined by audit.

➤ **Contract Expenditures:** Within the last 12 months \$112,746.00 has been spent against this requirement.

Not applicable

➤ **Contract-Related Information:**

Award Amount: \$197,819.00 (Estimated quantity)

Contract Type: Requirements

Contract Period: November 1, 2008 through November 1, 2010

➤ **Solicitation-Related Information:**

Solicitations Sent: 10

Responses Received: 2

HUB Information: Not Applicable

% HUB Subcontractor: N/A

➤ **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:**

Purchase Requisition in H.T.E.: 452246

Funding Account(s): 525-1140-522-4403

Comments: A requisition will be entered into HTE system upon approval by the Commissioners Court, and an automatic purchase order will be printed.

➤ **Statutory Verification of Funding:**

Contract Verification Form: Funds Verified _____ Not Verified ___ by Auditor.

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:
10/16/2008 RETURNED PER DEPT. REQUEST. JP
10/21/08 EMD MARGIE CONTRACT REQ2008C
IT IS GOING TO COURT FOR APPROVAL ON
10 22 08

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:
10/16/2008 RETURNED PER DEPT. REQUEST. JP
10/21/08 EMD MARGIE CONTRACT REQ2008C
IT IS GOING TO COURT FOR APPROVAL ON
10 22 08

REQUISITION COMMENTS:
10/16/2008 RETURNED PER DEPT. REQUEST. JP
10/21/08 EMD MARGIE CONTRACT REQ2008C
IT IS GOING TO COURT FOR APPROVAL ON
10 22 08

REQUISITION COMMENTS:
10/16/2008 RETURNED PER DEPT. REQUEST. JP
10/21/08 EMD MARGIE CONTRACT REQ2008C
IT IS GOING TO COURT FOR APPROVAL ON
10 22 08

REQUISITION COMMENTS:
10/16/2008 RETURNED PER DEPT. REQUEST. JP
10/21/08 EMD MARGIE CONTRACT REQ2008C
IT IS GOING TO COURT FOR APPROVAL ON
10 22 08

REQUISITION COMMENTS:
10/16/2008 RETURNED PER DEPT. REQUEST. JP
10/21/08 EMD MARGIE CONTRACT REQ2008C
IT IS GOING TO COURT FOR APPROVAL ON
10 22 08

REQUISITION COMMENTS:
10/16/2008 RETURNED PER DEPT. REQUEST. JP
10/21/08 EMD MARGIE CONTRACT REQ2008C
IT IS GOING TO COURT FOR APPROVAL ON
10 22 08

REQUISITION COMMENTS:
10/16/2008 RETURNED PER DEPT. REQUEST. JP
10/21/08 EMD MARGIE CONTRACT REQ2008C
IT IS GOING TO COURT FOR APPROVAL ON
10 22 08



Human Resources Management Department



1010 Lavaca St. 2nd Floor

● P.O. Box 1748

● Austin, Texas 78767

● (512) 854-9165 / FAX(512) 854-4203

Memorandum

September 19, 2008

To: Cyd Grimes, County Purchasing Agent

From: Dan Mansour, Risk Manager, HRMD *[Signature]*
 William Paterson, Risk Specialist

Re: Excess Workers Compensation RFP Proposal Review

RECEIVED
 COUNTY OF TRAVIS
 PURCHASING
 OFFICE
 SEP 22 AM 10:20

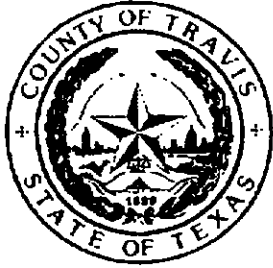
After reviewing the options from Frost Insurance Agency, Inc., and Key and Piskuran the two respondents:

It is the recommendation of Risk Management that the contract be awarded to Frost Insurance Agency, Inc. with Midwest Employers Casualty Company as the carrier. The recommendation is based on option # 0125672 due to the reduced premium, statutory limits, and the catastrophic occurrence protection. The line item from which the premium will be paid from is # 525-1140-522-4403. If you have any questions please call me at 854-9650. Thank you.

CC: Alicia Perez, Executive Manager, Administrative Operations
 Linda Moore Smith, Director, HRMD
 Lolly Jones/Purchasing

EXCESS WORKERS' COMPENSATION INSURANCE
RFP #P080263-OJ
EVALUATION MATRIX

EVALUATION FACTORS:	POINTS	FROST INSURANCE	KEY & PISKURAN INSURANCE
3.1 Premium	30	30	10
3.2 Policy terms and conditions	25	20	15
3.3 The manner in which minimum performance parameters are met and the extent, if any, to which these parameters are exceeded	15	14	14
3.4 Coverage enhancement and services afforded	15	14	6.5
3.5 Financial and operational strength of the qualified insurance company	10	10	10
3.6 Completeness of proposal relative to requirements	5	5	5
TOTAL POINTS	100	93	60.5



TRAVIS COUNTY PURCHASING OFFICE

Cyd V. Grimes, C.P.M., Purchasing Agent

314 W. 11th Street, Room 400 Austin, Texas 78701 (512) 854-9700 Fax (512) 854-9185

24

Approved by: _____

Cyd V. Grimes 10/21/08-UB

Voting Session: Tuesday, October 28, 2008

REQUESTED ACTION: APPROVE MODIFICATION NO. 4 TO INTERLOCAL AGREEMENT NO. IL000104MQ, WITH TEXAS AGRICULTURAL EXTENSION SERVICE, FOR DEMONSTRATION WORK. (HHS & VS)

Points of Contact:

Purchasing: Rebecca Gardner

Department: HHS, Sherri Flemming, Executive Manager

County Attorney (when applicable): Mary Etta Gerhardt

County Planning and Budget Office: Leroy Nellis

County Auditor's Office: Susan Spataro And Jose Palacios

Other:

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

Through this contract, Texas Agricultural Extension Service provides programs that encompass food and fiber production, marketing and policy, environmental and natural resource conservation management, family and consumer sciences, human nutrition and health, 4-H and youth development, and community economic development.

This modification number 4 changes the old name of the Texas Agricultural Extension Service to the new name of the Texas AgriLife Extension Service. It also updates the job titles of the county support staff, and sets a maximum amount the County will contribute for the Extension Director and Extension Agent salaries.

Modification number 3 changed the contractor name from Texas Cooperative Extension to Texas Agricultural Extension.

Modification number 2 added the extension agent position and increased the contract amount by \$10,000.00.

Modification number 1 added the address for the Travis County Purchasing Agent.

- **Contract Expenditures:** In the past 12 months, \$145,765.00 has been spent against this contract.

➤ **Contract-Related Information:**

Award Amount: \$114,398.00

Contract Type: Professional Services

Contract Period: May 5, 1999-September 30, 1999

➤ **Contract Modification Information:**

Modification Amount: \$162,186.00

Modification Type: Bilateral

Modification Period: October 1, 2008-September 30, 2009

➤ **Solicitation-Related Information:**

Solicitations Sent: N/A

Responses Received: N/A

HUB Information: N/A

% HUB Subcontractor: N/A

➤ **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:**

- Purchase Requisition in H.T.E.: 453928
- Funding Account(s): 001-1800-613-4099
- Comments:

➤ **Statutory Verification of Funding:**

Contract Verification Form: Funds Verified X Not Verified by Auditor.



**TRAVIS COUNTY HEALTH and HUMAN SERVICES
and VETERANS SERVICE
100 North I.H. 35
P. O. Box 1748
Austin, Texas 78767**

**Sherri E. Fleming
Executive Manager
(512) 854-4100
Fax (512) 854-4115**

MEMORANDUM

Date: October 16, 2008
To: Members of the Commissioners Court

FROM: Sherri E. Fleming, Executive Manager
Travis County Health and Human Services and Veterans Service

Subject: Texas AgriLife Extension interlocal

Proposed Motion:

Consider and take appropriate action to approve amending the interlocal agreement with Texas AgriLife Extension Service.

Summary and Staff Recommendation:

Travis County and the Texas Agricultural Extension Service entered into an agreement in 1999 whereby the Extension Director and six Travis County Extension Agents were taken off the county payroll and put on the Texas A&M payroll. The Commissioners Court agreed to pay 30% of their salaries and provide funds for mileage, travel, meals, and lodging incurred in the performance of their services in Travis County. The court also agreed to provide money for supplies and equipment as well as support staff. Members of the support staff are county employees.

The amendment changes the old name of the Texas Agricultural Extension Service to the new name of the Texas AgriLife Extension Service, updates the job titles of the county support staff, and sets a maximum amount the county will contribute for the Extension Director and Extension Agent salaries. The amendment also deletes sections of the contract that are no longer relevant.

TCHHSVS staff recommends approving this amendment. In order to save time, TCHHSVS requests the court approve and sign this amendment before sending it to Texas A&M for signature. In the past, it has taken several weeks for documents to be routed through the appropriate offices at Texas A&M.

Budgetary and Fiscal Impact:

The contract amount is \$162,186. The money is budgeted in 001-1800-613-4099. The contract number is IL000104MQ.

Issues and Opportunities:

AgriLife Extension offers a variety of programs to county residents in the areas of Agriculture and Natural Resources, Family and Consumer Sciences, 4-H and Youth Development, and Community Development.

Background:

The mission of AgriLife Extension is to improve the lives of people, businesses, and communities across Texas and beyond through high-quality, relevant education.

Cc: Robert Richter, Director, Texas AgriLife Extension Service
Susan A. Spataro, CPA, CMA, Travis County Auditor
Jose Palacios, Chief Assistant County Auditor
Mike Crawford, Senior Financial Analyst, Travis County Auditor
Mary Etta Gerhardt, Assistant County Attorney
Rodney Rhoades, Executive Manager, Planning and Budget Office
Travis Gatlin, Analyst, Planning and Budget Office
Cyd Grimes, C.P.M., Travis County Purchasing Agent
Rebecca Gardner, Assistant Purchasing Agent, Travis County Purchasing Office

TRAVIS COUNTY
Purchase Requisition

10/17/08
13:44:26

Number : 0000453928
 Type : 1 PURCHASE REQUISITION
 Status : DEPARTMENT APPROVAL
 Reason : FUNDING CONTRACT FY09
 By : CAULA MCMARION 44119
 Date : 10/17/08
 Vendor : 11306 TEXAS COOPERATIVE EXTENSION
 Contract nbr :
 Ship to : EX TEXAS COOPERATIVE
 Deliver by date : 10/17/08
 Buyer :
 Fiscal year code : C C=Current year, P=Previous year, F=Future year

Type options, press Enter.
 5=Display 8=Item extended description

Opt Line#	Quantity	UOM	Description
1	162186.00	DOL	30% SALARY CONTRIBUTION PAID BY COUNTY FUNDING CONTRACT FOR FY09 FOR TEXAS AGRILIFE EXTENSION INTERLOCAL TO PAY 30% OF SALARIES
			Total: 162186.00

+

F3=Exit F7=Alternate view
 F10=Approval info F12=Cancel F20=Comments

F9=Print

MODIFICATION OF CONTRACT NUMBER: IL000104MQ- Demonstration Work

ISSUED BY: PURCHASING OFFICE 314 W 11TH ST. RM 400 AUSTIN, TX 78701	PURCHASING AGENT ASST: Rebecca Gardner TEL. NO: (512) 854-9700 FAX NO: (512) 854-9185	DATE PREPARED: October 17, 2008
ISSUED TO: Texas Agricultural Extension 2147TAMU College Station, Texas 77843-2147	MODIFICATION NO.: 4	EXECUTED DATE OF ORIGINAL CONTRACT: May 5, 1999
ORIGINAL CONTRACT TERM DATES: <u>May 5, 1999-September 30, 2000</u>		CURRENT CONTRACT TERM DATES: <u>October 1, 2008-September 30, 2009</u>

FOR TRAVIS COUNTY INTERNAL USE ONLY:

Original Contract Amount: \$114,398.00 Current Modified Amount \$162,186.00

DESCRIPTION OF CHANGES: Except as provided herein, all terms, conditions, and provisions of the document referenced above as heretofore modified, remain unchanged and in full force and effect.

The above referenced contract is hereby modified to reflect the following changes, as well as those more completely set for in the attachment:

1) Contractor's name on Interlocal No. IL000104MQ is changed as follows:

From: Texas Agricultural Extension 2147TAMU College Station, Texas 77843-2147	To: Texas AgriLife Extension Service Room 106, Jack K. Williams Administration Building College Station, Texas 77843-7101
-------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------

2) The Contract is amended according to the terms of the attachment to this Modification, all of which is hereby made a part of the Contract and constitute promised performances by the Contractor in accordance with all terms of the Contract, as amended.

3) The changes in this Modification are effective upon signature by both parties.

Note to Vendor/City:

Complete and execute (sign) your portion of the signature block section below for all copies and return all signed copies to Travis County.

DO NOT execute and return to Travis County. Retain for your records.

LEGAL BUSINESS NAME: Texas AgriLife Extension Service

BY: _____
SIGNATURE

BY: _____
PRINT NAME

TITLE: _____
ITS DULY AUTHORIZED AGENT

- DBA
- CORPORATION
- OTHER

DATE: _____

TRAVIS COUNTY, TEXAS

BY: _____
CYD V. GRIMES, C.P.M., TRAVIS COUNTY PURCHASING AGENT

DATE: _____

TRAVIS COUNTY, TEXAS

BY: _____
SAMUEL T. BISCOE, TRAVIS COUNTY JUDGE

DATE: _____

RECEIVED
TRAVIS COUNTY

OCT 22 AM 11: 25

PURCHASING
OFFICE

INTERLOCAL COOPERATION AGREEMENT
FOR COUNTY DEMONSTRATION WORK IN TRAVIS COUNTY

This agreement is made by the following parties: Travis County, a political subdivision of Texas ("County") and The Texas AgriLife Extension Service, a component of The Texas A & M University System, a legal entity created under the Smith Lever Act and the TEX. AGRIC. CODE ANN., ch. 43, ("Extension Service").

RECITALS

Extension Service performs county demonstration work in the areas of agriculture, environmental stewardship, youth and adult life skills, human capital and leadership, and community economic development throughout the state of Texas and wants to continue to provide these services for residents in Travis County.

County wants to continue to support these county demonstration services for its residents.

County has the authority to support these services for its residents under TEX. AGRIC. CODE ANN., ch. 43.

Both County and Extension Service have the authority to enter into an Interlocal Cooperation Agreement for the services in this agreement pursuant to TEX. GOV'T CODE ANN., ch. 791.

AGREEMENT

County and Extension Service agree to the following terms and conditions:

1 Term

1.1 Initial Term. This agreement begins on October 1, 2008, and continues in force until September 30, 2008, unless sooner terminated in compliance with 8.

1.2 Automatic Renewal. Unless sooner terminated in compliance with 8, this Agreement automatically renews each year after the Initial Term for a term of one year commencing on the first day of October. The exercise of any option to renew under this provision shall be with the understanding that all terms and conditions, including the negotiated rates, remain unchanged and in full force and effect, unless this Agreement is specifically amended pursuant to the terms of this Contract to make any changes in those terms. Non-competitive renewal shall be based upon the Contractor's positive performance and County's continuing need for the services as determined by County.

2 Extension Service Responsibilities

2.1 Diversity of Professional Staff of County Extension Office. Pursuant to the legislative mandate for public institutions of higher education in sections 118 through 122 inclusive in Chapter 1452 enacted by the Regular Session of the 75th Legislature and to the extent allowed by law, Extension Service shall select the County Extension Director and County Extension Agents in a manner that promotes the diversity of the professional staff in the County Extension Office and provides employment opportunities in the County Extension Office for African Americans, Hispanics, and women that are, at a minimum, consistent with the percentage of that minority in the available workforce for professional staff.

2.2 Employer of County Extension Director. Extension Service is the sole employer of the County Extension Director. Extension Service shall not hire anyone as County Extension Director unless there is concurrence on the hiring of that applicant by the Commissioners Court. The only authority that the Commissioners Court has in relation to the employment of County Extension Director is the right to concur with or not concur with the hiring of the applicant recommended by the Extension Service to be the County Extension Director. The only reason for this authority is to

ensure that the person acting as liaison between County and Extension Service can work with the Commissioners Court and Executive Manager, Health and Human Services and Veteran Services. This right of concurrence is not intended to and shall not be construed to affect the rights and responsibilities of Extension Service as sole employer of the County Extension Director in any way. Extension Service shall determine the Salary and Employer-Paid Benefits of the County Extension Director.

2.3 Employer of County Extension Agents. Extension Service is the sole employer of County Extension Agents. Extension Service shall determine the Salary and Employer-Paid Benefits of the County Extension Agents.

2.4 Salary of County Extension Director and County Extension Agents. Extension Service shall pay seventy per cent (70%) of the Salary and Employer-Paid Benefits of one County Extension Director and six County Extension Agents. The primary functions of these six County Extension Agents include work in Family and Consumer Sciences, 4-H and Youth Development, Agriculture and Horticulture.

2.5 Extension Service Employer Responsibility. As their employer, Extension Service is responsible for at least the following:

2.5.1 designating which County Extension Directors and County Extension Agents are to serve as custodians of County property;

2.5.2 complying with County policies and procedures related to the use of County property by all Extension Service custodians of County property;

2.5.3 providing Workers' Compensation coverage for the County Extension Director and the County Extension Agents; and

2.5.4 ensuring that County Extension Director and County Extension Agents do not incur expenses payable by County under this agreement in excess of the amount approved by the Commissioners Court during the budget approval process for that Fiscal Year.

2.6 General Extension Services. Extension Service has the authority to plan, direct, supervise and modify the activities of the County Extension Office in any manner that is consistent with the annual plan of work (Work Statement - Attachment A); including goals, objectives, performance measures, and levels of service approved by Commissioners Court during the budget approval process for that Fiscal Year.

2.7 Specific Extension Services Required. Extension Service shall perform the services and activities for County in compliance with the terms and conditions of this agreement; and the annual plan of work as set forth in Attachment A of this Agreement, including goals, objectives, performance measures, and levels of service stated in Attachments A and B. Each program, objective, and description in Attachments A and B under this agreement will be followed as closely as possible or by mutual agreement amendment to meet emerging issues impacting Travis County residents.

2.8 Liability of Extension Service.

2.8.1 In 2.8, "Claims or Damages" means any claims or damages of any kind, including court costs, fees, and reasonable attorney's fees, arising from Torts as a result of:

2.8.1.1 violation of any federal or state law related to employment,

2.8.1.2 injury or death of any person or loss of property,

2.8.1.3 the failure of the County Extension Director or a County Extension Agent to comply with County policies and procedures related to the use of County property, and result from the actions of:

2.8.1.4 acts of the County Extension Director or a County Extension Agent in the scope of employment, or

2.8.1.5 acts of volunteers supervised by them in the implementation of the work plan of the County Extension Office.

2.8.2 In 2.8, "Torts" means acts or omissions, whether intentional or negligent.

2.8.3 County is not liable for and Extension Service assumes full risk of and liability for any Claims or Damages arising in whole or in part, directly or indirectly, as a result of the Torts of Extension Service, its agents, employees, or representatives while operating the County Extension Office or while providing services within Travis County in compliance with this agreement and in accordance with Texas law. If the Claims or Damages are caused by the joint Torts of County and Extension Service, Extension Service shall pay the portion of the Claims or Damages that is equal to its proportionate share of the Tort. It is the expressed intention of both Extension Service and County that the risk assumed by Extension Service in this paragraph is risk assumed to protect County from the consequences of Extension Service's Torts, whether those Torts are solely those of Extension Service or jointly those of Extension Service and County if the Torts arise out of or in connection with this agreement, whenever those Torts are the sole or concurring cause of the Claims or Damages. Extension Service is not liable for any Claims or Damages that are caused solely by the Torts of County, its agents, employees or representatives.

2.9 Liaison with County. The District Extension Administrators are the official liaisons between the Extension Service and the County through the Commissioners Court and the Executive Manager, Health and Human Services and Veteran Services on all matters related to the County Extension Director personally and on any matter specifically reserved to the District Extension Administrators by the Extension Service by notice in compliance with 14. Except for matters related to the County Extension Director personally or specifically reserved to the District Extension Administrators by the Extension Service by notice, the County Extension Director is the liaison between the Extension Service and the County through the Commissioners Court and the Executive Manager, Health and Human Services and Veteran Services, on all matters including renewal negotiations, use of County property, and compliance with this agreement.

2.10 Renewal Negotiation. Extension Service shall comply with the budget process established by the Commissioners Court budget rules and the Travis County Planning and Budget Office, including compliance with all of its procedures, use of all its forms and presentation of all materials in the prescribed format and involvement in all hearings and presentations required by the process to negotiate the annual plan of work (Work Statement - Attachment A); including goals, objectives, performance measures, types and levels of services to be provided under this agreement, the number of County Extension Agents for whom the County is to provide a portion of the Salary and Employer-Paid Benefits, the maximum amount available for travel reimbursement for them from County, the maximum budget for Operating Supplies, Materials and Equipment for the County Extension Office, and all other matters funded or partially funded by County for the next Agreement Term.

2.11 Operating Supplies, Materials, and Equipment. Extension Service shall comply with the County Purchasing Policies and Procedures in the purchase of Operating Supplies, Materials and Equipment that are approved

and funded by the Commissioners Court for use in the County Extension Office during the budget process applicable to each Agreement Term. The Parties understand and agree that the funds for such Operating Supplies, Materials, and Equipment are not included in the amount set forth in Section 3.5 and the Budget included as Attachment C, but will be included in the Department budget for the Extension Service County program.

2.12 Annual Inventory. Extension Service shall prepare an annual inventory report of all capital equipment funded by the Commissioners Court that states the location and personnel responsible for each piece of equipment. Extension Service shall file the inventory report with the County Purchasing Agent no later than 120 days after the Fiscal Year end.

2.13 IRS Form W-9 Required. Extension Service 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, its rules and regulations.

2.14 Expense Reimbursement Request Requirements. Extension Service shall send County a Quarterly Expense Reimbursement Request that states the Allowable Costs incurred by Extension Service and not previously included in a Quarterly Expense Reimbursement Request to the County Auditor at P. O. Box 1748, Austin, Texas, 78767 with a copy to Executive Manager, Health and Human Services and Veteran Services ("Department"), P.O. Box 1748, Austin, Texas 78767.

2.15 County Satisfaction. Extension Service shall not hold County responsible for the costs of any services under this agreement that are not performed to County's satisfaction, which shall not be unreasonably withheld. County's satisfaction shall be determined by the Commissioners Court for services under this agreement, and the Travis County Auditor and Commissioners Court for the sufficiency and correctness of reimbursement requests provided.

2.16 Extension Service Payments. Extension Service shall pay for all costs incurred under this Interlocal agreement from current revenue funds.

2.17 Repayment of Overpayment. Extension Service shall refund to County any money which has been paid to Extension Service, which has resulted in overpayment to Extension Service, or which County determines, as a result of a financial audit has not been spent by Extension Service strictly in compliance with the terms and conditions of this agreement. This refund shall be made by Extension Service to County within 30 days after the refund is requested by County. If Extension Service does not make this refund, County may offset the amount of the overpayment from the amount due in subsequent Quarterly Expense Reimbursement Requests.

2.18 Publicity. Extension Service may publicize the services and activities of County Extension Office under this agreement. In any such publicity prepared or distributed by or for Extension Service, the statement "cooperative efforts of Travis County and the Texas AgriLife Extension Service have made this project possible" shall be used.

3 **County Responsibilities**

3.1 County Extension Director. Commissioners Court shall review the recommendation of Extension Service each time the position is vacated and advise Extension Service if the recommended applicant is not acceptable within 30 days after the recommendation is received by the Commissioners Court.

3.2 County Support Positions. County is authorized to provide and is the sole employer of a minimum of 15 Full Time Equivalent Positions in support of Extension Service which include the following positions:

3.2.1 four Administrative Assistants,

3.2.2 one Office Assistant,

- 3.2.3 one Office Supervisor,
- 3.2.4 one Social Services Program Specialist, and
- 3.2.5 ten Education Instructional Specialists.

3.3. County Responsibilities as Employer. As with other County employees, the persons in Full Time Equivalent Positions are subject to County policies and procedures related to employment, salary, benefits (including retirement), travel reimbursement and other personnel related matters.

3.4 County Budget. County, in its budget, shall make appropriate allocations for its portion of the Salaries and Employer-Paid Benefits for one County Extension Director and six County Extension Agents, the Salaries and Employer-Paid Benefits for the Full Time Equivalent Positions approved by Commissioners Court, the Operating Supplies, Materials, and Equipment for the County Extension Office, and other expenses necessary for and incident to the effective operation of the County Extension Office.

3.5 Salary of County Extension Director and County Extension Agents. County shall pay Extension Service thirty per cent (30%) of the Salaries and Employer-Paid Benefits of one County Extension Director and six County Extension Agents not to exceed a total of One Hundred Sixty-Two thousand, One Hundred Eighty-Six Dollars (\$162,186.00). These six County Extension Agents provide services as set forth in Section 2.4.

3.6 County Responsibility for Reimbursement of Travel. County is responsible for reimbursements to one County Extension Director, six County Extension Agents, and County Full Time Equivalent Positions for mileage, travel, meals, and lodging incurred in the performance of their services in Travis County within the limitation of the funding approved by Commissioners Court for that Agreement Term and subject to the rules for reimbursement established in the Travis County Budget Rules for the Fiscal Year in which these are incurred. These six County Extension Agents provide services as set forth in Section 2.4.

3.7 Payment to Extension Service. County has no obligation to pay Extension Service until a complete and correct Expense Reimbursement Request is received by County. Within 15 days after receipt of the Expense Reimbursement Request, County shall notify County Extension Director if the Quarterly Expense Reimbursement Request appears insufficient or incorrect. County shall pay Extension Service its Allowable Costs by checks made payable to Texas AgriLife Extension Service within 30 days after receipt of the services or a correct and complete Expense Reimbursement Request, whichever occurs later. County shall send payments to the following address:

Texas AgriLife Extension Services
Fiscal Office
Jack K. Williams Administration Building, Room 104
College Station, Texas 77843-7102

3.8 Payment for Costs of Program. Up to the maximum amount approved for Operating Supplies, Materials, and Equipment in the County budget for that Agreement Term, County shall pay for the Operating Supplies, Materials, and Equipment incurred by the County Extension Director and County Extension Agents if these are necessary and appropriate for the programs, and types and levels of service to be provided during that Agreement Term.

3.9 Space. County shall provide adequate, appropriate space, as determined by County, for the use of the County Extension Director, County Extension Agents, and the Full Time Equivalent Positions, including offices, storage space, demonstration space, kitchen, and conference rooms.

3.10 Current Revenue Funds. County shall pay for all costs incurred pursuant to this Interlocal agreement

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from current revenue funds.

3.11 Liability of County.

3.11.1 In 3.11, "Claims or Damages" means any claims or damages of any kind, including court costs, fees and reasonable attorney's fees, arising from Torts as a result of:

3.11.1.1 violation of any federal or state law related to employment,

3.11.1.2 injury to or death of any person or loss of property,

3.11.1.3 the failure of the County Extension Director or a County Extension Agent to comply with County policies and procedures related to the use of County property, and result from the actions of:

(a) the County Extension Director, or a County Extension Agent in the scope of employment, or

(b) volunteers or persons in Full Time Equivalent Positions supervised by them and performing work in the scope of their employment in the implementation of the work plan of the County Extension Office.

3.11.2 In 3.11, "Torts" means acts or omissions, whether intentional or negligent.

3.11.3 County is liable only for those Claims or Damages from applicants recommended by Extension Service to be County Extension Director that result from the failure of Commissioners Court to concur with the hiring of the applicant for the position of County Extension Director. Unless the County Extension Director or a County Extension Agent has failed to comply with County policies and procedures related to the use of County property, County assumes full risk of and liability for any Claims or Damages arising solely as a result of the Torts of County, its agents, employees, or representatives from the maintenance of County property. Except as limited in the preceding sentence, Extension Service is not liable for and County assumes full risk of and liability for any Claims or Damages arising in whole or in part, directly or indirectly as a result of the Torts of County, its agents, employees, or representatives related to the implementation of the work plan in compliance with this agreement. If the Claims or Damages are caused by the joint Torts of County and Extension Service, County shall pay the portion of the Claims or Damages that is equal to its proportionate share of the Tort. It is the expressed intention of both Extension Service and County that the risk assumed by County in this paragraph is risk assumed to protect Extension Service from the consequences of County's Torts, whether those Torts are solely those of County or jointly those of Extension Service and County if the Torts arise out of or in connection with this agreement, whenever those Torts are the sole or concurring cause of the Claims or Damages. County is not liable for any Claims or Damages that are caused solely by the Torts of Extension Service, its agents, employees or representatives.

4 **Property**

4.1 Ownership of Property All Operating Supplies, Materials and, Equipment, and any other tangible property purchased by County for the use of the Extension Service in Travis County is County property.

4.2 Maintenance of Property County shall maintain all County property provided for use under this agreement, including vehicles, office furniture, machinery, equipment and buildings. County shall provide utilities, telephone service, and janitorial services to the extent approved by Commissioners Court for that Agreement Term.

4.3 Distribution on Termination If this agreement is terminated, Operating Supplies, Materials and Equipment, and any other tangible property purchased by County is the property of County.

5 Retention, Accessibility and Audit of Records

5.1 Extension Service Retention Extension Service shall maintain the original of all fiscal records and documentation for all expenditures pertaining to this agreement in a readily available state and location either until an audit in conformance with generally accepted auditing standards and procedures for governmental organizations is completed and all questions arising from it are resolved satisfactorily or for three years after the Agreement Term in which the expense was incurred, whichever occurs later.

5.2 County Access and Audit Extension Service shall give County, or its duly authorized representatives, full reasonable access to and the right to examine all books, records, accounts, reports, files, and other papers, things or property belonging to or in use by Extension Service pertaining to this agreement at reasonable times and for reasonable periods for the purpose of conducting a financial audit. County has the right, at its expense, to conduct an annual financial audit, in conformance with generally accepted auditing standards, of the Extension Service's performance of this agreement. Extension Service shall permit County, or its authorized representatives, to audit Extension Service's records that relate to this agreement and to obtain copies of any document, materials, or information necessary to facilitate these audits.

6 Express Warranties and Acknowledgements

6.1 Maximum Funds Extension Service expressly acknowledges and agrees that the total costs of this agreement for any Agreement Term shall not exceed the amount included in the County budget for the County Extension Office for that Agreement Term unless or until an increase in the County budget is approved by Commissioners Court.

6.2 Independent Entity The parties expressly acknowledge and agree that Extension Service is an independent entity and assumes all of the rights, obligations and liabilities applicable to it as an independent entity. Extension Service expressly acknowledges that the County Extension Director and County Extension Agents are not the agents, employees, or representatives of County. No employee of Extension Service shall be considered an employee of County or gain any rights against County pursuant to County's personnel policies.

7 Mediation

7.1 When mediation is acceptable to both parties in resolving a dispute arising under this agreement, the parties agree to use the Dispute Resolution Center of Austin, Texas as the provider of mediators for mediation as described in the TEX. CIV. PRAC. AND REM. CODE ANN., §154.023. 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 TEX. CIV. PRAC. AND REM. CODE ANN., §154.073, unless both parties agree, in writing, to waive the confidentiality.

8 Termination

8.1 County Termination County may terminate this agreement, in whole or in part, for one or more of the following reasons at any time in compliance with 8.2:

8.1.1 Extension Service has failed to comply with any term or condition of this agreement,

8.1.2 Extension Service is unable to conform to changes required by federal, state or local laws or regulations related to performance under this agreement,

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8.1.3 During the budget planning and adoption process, Commissioners Court fails to provide funding for this agreement for any Fiscal Year, or

8.1.4 Commissioners Court determines that it is in the best interests of County to terminate this Agreement.

8.2 Procedure At least 60 days before the effective date of termination, County shall notify Extension Service. The notice must be in writing and in compliance with 14.0. It must include a statement of the decision to terminate this agreement, the reasons for termination, the effective date of termination and, in the case of a partial termination, the portion of the agreement to be terminated. Extension Service may avoid termination of this agreement pursuant to 8.1.1 if Extension Service corrects the causes of the reasons for termination stated in the notice to the satisfaction of County prior to the effective date of termination.

8.3 Extension Service Termination Extension Service may terminate this agreement, in whole or in part, at any time for any of the following reasons in compliance with 8.4:

8.3.1 County has failed to comply with any term or condition of this agreement,

8.3.2 County is unable to conform to changes required by federal, state or local laws or regulations related to performance under this agreement, or

8.3.3 Extension Service has failed to receive funding sufficient to pay its portion of the Salary and Employer-Paid Benefits of the County Extension Director and the County Extension Agents during any Agreement Term.

8.4 Procedure At least 60 days before the date of termination, Extension Service shall notify County. The notice must be in writing and in compliance with 14.0. It must include a statement of the decision to terminate this agreement, the reasons for termination, the effective date of termination and in the case of a partial termination, the portion of the agreement to be terminated. County may avoid termination of this agreement pursuant to 8.3.1 if County corrects the causes of the reasons for termination stated in the notice to the satisfaction of the Extension Service prior to the effective date of termination.

8.5 Mutual Termination Either party may terminate this agreement, in whole or in part, when both parties agree in writing that the continuation of the activities under this agreement would not produce beneficial results commensurate with the further expenditure of funds. The notice of termination must state what conditions of termination will apply, including the effective date of termination, and, in case of partial termination, the portion of the agreement to be terminated.

8.6 Without Cause Termination. Either party may terminate this agreement without cause if the party wanting to terminate this agreement notifies the other party in writing at least 120 days before the effective date of termination. The notice must be made in compliance with 14.0 and include the following information: statement of the decision to terminate this agreement and an effective date of termination.

8.7 Right Surviving Termination. If either party terminates this agreement, in whole or in part, in relation to any services provided by Extension Service, Extension Service has the right to receive payment for all Allowable Costs incurred before the date of termination and not previously paid by County. Extension Service shall return all Operating Supplies, Materials, and Equipment provided through County funding to County no later than the effective date of termination. If all Operating Supplies, Materials, and Equipment provided through County funding are not returned on or before the effective date of the termination, Extension Service shall pay County the fair market value of Operating Supplies, Materials, and Equipment.

9 Non-Waiver and Reservation of Remedies

9.1 Non-Waiver Any act of forbearance by either party from enforcing any provision of this agreement and payments made in compliance with this agreement shall not be construed as a modification of this agreement or as a waiver of any breach or default of the other party which then exists or may subsequently exist. The failure of either party to exercise any right or privilege granted in this agreement shall not be construed as a waiver of that right or privilege. County and Extension Service do not waive any immunity or defense that would otherwise be available to them against claims arising in the exercise of their governmental powers and functions.

9.2 Reservation of Rights and Remedies All rights of both parties under this agreement are specifically reserved. Any payment, act or omission by a party shall not impair or prejudice any remedy or right of that party under this agreement. Any right or remedy stated in this agreement does not preclude the exercise of any other right or remedy under this agreement, under the law or at equity, nor does any action taken in the exercise of any right or remedy constitute a waiver of any other rights or remedies.

10 Assignability

10.1 Neither party may assign any of the rights or duties created by this agreement without the prior written approval of the other party. It is acknowledged by Extension Service that no officer, agency, employee or representative of County has any authority to grant an assignment unless expressly granted that specific authority by the Commissioners Court.

11 Amendments

11.1 Formal Process Unless specifically provided in 13.2, any change to the provisions of this agreement or any attachments to it must be made in writing and signed by both parties. It is acknowledged by Extension Service that no officer, agency, employee or representative of County has any authority to change the provisions of this agreement unless expressly granted that specific authority by Commissioners Court. It is acknowledged by County that no officer, agency, employee or representative of Extension Service has any authority to change the provisions of this agreement unless expressly granted that specific authority by the Director.

11.2 Delegation of Authority If Director and Commissioners Court agree in writing to ~~the~~ any change in Attachment A, B, or C; then Attachment A, B, or C is amended by that written agreement without further review by Extension Service provided a copy of the written agreement is provided to the County Clerk and the Extension Service within ten days of the amendment being signed by Director and County Judge.

11.3 Extension Service Request Extension Service shall submit all requests for changes to this agreement to the Executive Manager of Health and Human Services with a copy to the Travis County Purchasing Agent, Cyd Grimes (or her successor in office). As approved by the Executive Manager of Health and Human Services, the Travis County Purchasing Agent shall present Extension Service's requests to Commissioners Court for consideration.

11.4 County Request County shall submit all requests for changes to this agreement to the Director through the District Extension Administrators. The Director shall present County's requests to the Extension Service for consideration.

12 Entire Agreement

12.1 Agreement All Inclusive All oral and written agreements between the parties to this agreement relating to the subject matter of this agreement that were made prior to the execution of this agreement have been reduced to writing and are contained in this document. Any agreement, covenant or understanding that is not included in this

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document has been superseded by this agreement.

12.2 Incorporated Documents The attachments enumerated and denominated below are made a part of this agreement:

12.2.1	<u>Attachment A</u>	Work Statement
12.2.2	<u>Attachment B</u>	Goals and Performance Measures
12.2.3	<u>Attachment C</u>	Budget

13 **Compliance with Law**

13.1 Applicable Law Extension Service and County shall comply with the Constitutions of the United States and the State of Texas and all federal, state, county, and city laws, rules, orders, ordinances and regulations applicable to this agreement.

13.2 Non-discrimination Extension Service shall provide all services and activities required by this agreement in compliance with the Civil Rights Act of 1964. Extension Service shall not discriminate against any employee, applicant for employment, or resident of Travis County based on race, religion, color, sex, national origin, age, or disability.

13.3 Disability Non-Exclusion Extension Service shall comply with those provisions of the Rehabilitation Act of 1973, Public Law 93-1122, Section 504, which ensure that no individual shall, solely by reason of disability, be excluded from the participation in, be denied the benefit of, or be subject to discrimination in providing services in Travis County.

14 **Notices**

14.1 Method of Notice Any notice required or permitted to be given under this agreement by one party to the other must be in writing. Any notice is deemed to have been given immediately if delivered in person to the person to whom it is to be given and is deemed to be given on the third day following mailing if placed in the United States Mail, postage prepaid, by registered or certified mail with return receipt requested, addressed to the party at the address specified in 14.2 or 14.3.

14.2 Address of County The address of County for all purposes under this contract is:

If by Mail

Sherri Fleming
(or her successor)
Executive Manager, Health and
Human Services, and Veteran Services
P.O. Box 1748
Austin, Texas 78767

If by Personal Delivery

Sherri Fleming
(or her successor)
Executive Manager, Health and
Human Services, and Veteran Services
1000 N. IH 35, Suite 2000
Austin, Texas 78701

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With copies to (registered or certified mail is not required):

If by Mail

Honorable David Escamilla
(or his successor in office)
Travis County Attorney
P.O. Box 1748
Austin, Texas 78767

If by Personal Delivery

Honorable David Escamilla
(or his successor in office)
Travis County Attorney
314 West 11th Street, Suite 300
Austin, Texas 78701

14.3 Address of Extension Service The address of the Extension Service for all purposes under this agreement and for all notices hereunder is:

If by Mail

Dr. Edward Smith (or his successor)
Director
Texas AgriLife Extension Service
Room 106
Jack K. Williams Administration Building
College Station, Texas 77843-7101

If by Personal Delivery

Dr. Edward Smith (or his successor)
Director
Texas AgriLife Extension Service
Room 106
Jack K. Williams Administration Building
College Station, Texas 77843-7101

14.4 Change of Address Each party may change the address for notice to it by giving notice of the change in accordance with the provisions of 14.1.

15 **Legal Authority**

15.1 Extension Service Signors The person or persons signing this agreement on behalf of Extension Service, or representing themselves as signing this agreement on behalf of Extension Service, do warrant and guarantee that he, she or they have been duly authorized by Extension Service to sign this agreement on behalf of Extension Service and to bind Extension Service validly and legally to all terms, performances, and provisions in this agreement.

15.2 County Signors The person or persons signing this agreement on behalf of County, or representing themselves as signing this agreement on behalf of County, do warrant and guarantee that he, she or they have been duly authorized by County to sign this agreement on behalf of County and to bind County validly and legally to all terms, performances, and provisions in this agreement.

16 **Interpretation of Contract**

16.1 Law This agreement is governed by the laws of Texas and is performable in Travis County, Texas.

16.2 Third Party Rights Not Created This agreement is not intended and shall not be construed to created any rights or remedies in any person or legal entity that is not a party to it and neither County nor Extension Service is waiving any defense or immunity to which it is entitled against any person or legal entity that is not a party to this agreement.

16.3 Severability If any portion of this agreement is ruled invalid by a court of competent jurisdiction, the remainder of the agreement shall be construed as if that portion were not included in the agreement and the remainder shall remain valid and binding.

16.4 Binding Agreement This agreement is binding upon the successors, assigns, administrators, and legal

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representatives of the parties to this agreement.

16.5 Definitions In this agreement,

16.5.1 Agreement Term "Agreement Term" means either the Initial Term as described in 1.1, or Renewal Term as described in 1.2, whichever is appropriate based on the context.

16.5.2 Allowable Costs. "Allowable Costs" means thirty per cent (30%) of the amount actually incurred by Extension Service for the Salaries and Employer-Paid Benefits of County Extension Director and County Extension Agents to the extent approved by Commissioners Court during the County budget process for the County Extension Office during the Agreement Term that corresponds to the Fiscal Year for which that budget is being approved.

16.5.3 Commissioners Court. "Commissioners Court" means the Travis County Commissioners Court.

16.5.4 County Extension Agents "County Extension Agents" means the professional employees assigned by Extension Service to work in Travis County through the County Extension Office on a full time basis and provide county demonstration services to residents in Travis County and includes both the professional employees assigned from College Station, but does not include any of the employees for the Expanded Nutrition Program.

16.5.5 County Extension Director "County Extension Director" means the employee assigned by Extension Services to work in Travis County through the County Extension Office on a full-time basis and act as the supervisor of the County Extension Agents as well as providing county demonstration services to residents in Travis County.

16.5.6 County Extension Office "County Extension Office" means the office in Travis County for which Extension Service provides the County Extension Director and County Extension Agents and from which county demonstration services are provided in compliance with this agreement.

16.5.7 Director "Director" means the Director of the Texas AgriLife Extension Service.

16.5.8 Employer-Paid Benefits "Employer-Paid Benefits" means vacation, personal leave, sick leave, insurance benefits, retirement benefits, unemployment compensation, and any other benefit paid by an employer on behalf of employees and listed in the Texas A & M University System and Extension Service Polices, Regulations or Rules as a benefit.

16.5.9 Fiscal Year. "Fiscal Year" means Travis County fiscal year, which at the time of execution of this agreement begins October 1 and ends on the next following September 30.

16.5.10 Full Time Equivalent Position "Full Time Equivalent Position" means one full time employment position, without regard to whether it is filled by one or more persons, that is approved and funded by Commissioners Court during the County budget process to provide administrative, secretarial, reception, and clerical services for the County Extension Office during the Agreement Term that corresponds to the Fiscal Year for which that budget is being approved.

16.5.11 Quarterly Expense Reimbursement Request "Quarterly Expense Reimbursement Request" means a paper document that identifies the following information:

16.5.11.1 the name of the County Extension Director and each County Extension

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Agent in the County Extension Office in the period covered by that request;

16.5.11.2 the amount paid by category and subcategory for the County Extension Director and each County Extension Agent for Salary and for Employer-Paid Benefits;

16.5.11.3 the subtotal of costs for the County Extension Director and each County Extension Agent,

16.5.11.4 the subtotal of costs for each category and subcategory of Salary and Employer-Paid Benefits,

16.5.11.5 the total cost for all categories and the County Extension Director and all County Extension Agent.

16.5.12 Operating Supplies, Materials, and Equipment "Operating Supplies, Expenses, and Equipment" means office supplies, building supplies, paint supplies, cleaning supplies, food and grocery supplies, textiles, veterinary fees and supplies, long distance telephone, postage, publications and subscriptions, professional memberships and employees' automobile mileage, travel costs, clothing and uniforms, equipment repair, electrical equipment, educational equipment, general hardware, kitchen equipment, institutional equipment, agricultural equipment, office and computer equipment and other equipment.

16.5.13 Salary "Salary" means regular pay, overtime pay, merit pay, longevity pay, and cost of living pay increase.

16.6 Number and Gender Words of any gender in this agreement shall be construed to include any other gender and words in either number shall be construed to include the other unless the context in the agreement clearly requires otherwise.

16.7 Computation of Time When any period of time is stated in this agreement, the time shall be computed to exclude the first day and include the last day of the period. If the last day of any period falls on a Saturday, Sunday or a day that either County or Extension Service has declared a holiday for its employees, these days must be omitted from the computation.

16.8 Headings The headings at the beginning of the various provisions of this agreement have been included only to make it easier to locate the subject matter covered by that section or subsection and are not to be used in construing this agreement.

17 **Effective Date of Agreement**

17.1 This agreement shall be effective October 1, 2008, when signed by all Parties.

TRAVIS COUNTY

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

County Approvals: _____
As to Form: Mary Beth Anderson Date: 10/22/08
Assistant County Attorney

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By Purchasing: _____ Date: _____
Cyd Grimes, Purchasing Agent
Funds Verified By: _____ Date: _____

THE TEXAS AGRILIFE EXTENSION SERVICE
A COMPONENT OF THE TEXAS A & M UNIVERSITY SYSTEM

BY: _____
Dr. Edward Smith, Director
Date: _____

ATTACHMENT A
WORK STATEMENT

The mission of Texas AgriLife Extension Service is **improving the lives of people, businesses, and communities across Texas and beyond through high-quality, relevant education**. The variety of AgriLife Extension education programs helps Travis County residents to **eat well, stay healthy, manage money, raise their children to be successful adults, and improve stewardship of the environment**.

Texas AgriLife Extension Service is an outreach arm of the Texas A&M University System. The Travis County office provides quality, relevant education and services based on local needs to county residents. AgriLife Extension continually assesses and responds to educational needs identified by residents, advisory committee members, volunteers, stakeholder groups, and representatives of community-based organizations and agencies.

Travis County residents identify local needs and provide input on an ongoing basis to guide program planning and implementation through citizen-led advisory boards and program committees that work in coordination with Travis County Extension Agents and the Travis County Extension Director. In addition, AgriLife Extension engages in ongoing communication with local, state, and federal agencies, commodity groups, and local and regional planning groups and leaders.

Extension agents and specialists have expertise and conduct programs that encompass food and fiber production, marketing and policy, environmental and natural resource conservation and management, family and consumer sciences, human nutrition and health, 4-H and youth development, and community economic development. Programs in these areas are designed to address the needs of Travis County residents.

These are the priorities for AgriLife Extension in Travis County:

1. Educate agriculture and horticulture industry producers to improve sustainability and profitability for our food, fiber and green industries.
2. Enhance natural resource conservation and management.
3. Build local capacity for economic development in Travis County communities.
4. Improve the health, nutrition, safety, and economic security of Travis County families.
5. Prepare Travis County youth to be productive, positive, and equipped with life skills for the future.
6. Expand access to Extension education and knowledge resources.

The AgriLife Extension program utilizes demonstrations of new technology on farms and ranches as well as in the home. Several methods are used to facilitate learning including educational meetings, field days, workshops, short courses, newsletters, teleconferencing, online interactive programs, and the use of master volunteers. Web sites and other electronic media are used to make educational information as accessible as possible. Printed materials are also made available to residents not able to access materials online.

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ATTACHMENT B

GOALS AND PERFORMANCE MEASURES
and
Funding Sources

Goals and Performance Measures for the County Extension Services Program over-all for the 2009 Fiscal Year, including the services and activities provided by employees as set forth in this Agreement, shall be as follows:

<u>MEASURE</u>	<u>PROJECTED</u>	<u>ACTUAL</u>
Educational Program Participants	77,000	_____
Educational Programs Presented	3,500	_____
Volunteers Trained	4,500	_____
Clientele Reached by Volunteers	40,000	_____
Office, Site and Telephone Contacts	70,000	_____

Sources of Funding for the Texas AgriLife Extension Service in Travis County are as follows:

<u>SOURCE</u>	<u>PERCENTAGE</u>
Travis County	30%
Texas AgriLife Extension Services	70%

ATTACHMENT C

BUDGET

<u>PERSONNEL</u>	<u>Total Program Budget</u>	<u>Requested Amount</u>
	\$162,186.00	162,186.00

A. TOTAL PERSONNEL	\$162,186.00	162,186.00
---------------------------	--------------	------------

OPERATING EXPENSES

B. TOTAL OPERATING EXPENSES

C. TOTAL DIRECT ASSISTANCE

EQUIPMENT/CAPITAL OUTLAY

D. TOTAL EQUIPMENT CAPITAL OUTLAY

<u>GRAND TOTAL (A+B+C+D)</u>	<u>\$162,186.00</u>	<u>162,186.00</u>
-------------------------------------	----------------------------	--------------------------



TRAVIS COUNTY PURCHASING OFFICE

Cyd V. Grimes, C.P.M., Purchasing Agent

314 W. 11th, Room 400 Austin, Texas 78701 (512) 854-9700 Fax (512) 854-9185

Approved by: _____

Cyd V. Grimes 10/21/08

Voting Session: Tuesday, October 28, 2008

REQUESTED ACTION: APPROVE MODIFICATION NO. 4 TO CM050179LC, AMT SOLUTIONS, INC. D/B/A E-MDS, INC. FOR PURCHASE/MAINTENANCE OF E-MDS SOFTWARE FOR THE HEALTH CLINIC. (HRMD)

Points of Contact:

Purchasing: Lori Clyde, 854-4205

Department: HRMD: Dan Mansour, 854-9499; Linda Moore Smith, Director; Alicia Perez, Executive Manager

County Attorney (when applicable): Barbara Wilson

County Planning and Budget Office: Leroy Nellis

County Auditor's Office: Susan Spataro and Jose Palacios

Other:

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COUNTY CLERK
03 OCT 31 PM 3:17

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

In 2005, e-MDs Solution Series software application was chosen for the Health Clinic electronic medical records software package. At this time, HRMD recommends modifying the software with an interface between e-MDs and the CPL Laboratories. CPL will pay for the interface, but the County will need to pay the \$25 shipping fee and for maintaining the interface. The maintenance fee for the interface will be \$600.00/year. The initial year will be prorated through May 31, 2009. Renewal fees will not increase more than 3% annually.

- **Contract Expenditures:** Within the last 12 months \$9,995.00 has been spent against this contract.

Not applicable

- **Modification-Related Information:**

Modification Amount: \$625.00 (maintenance will be prorated)

Modification Type: Shipping and Maintenance

Contract Period: October 28, 2008 – May 31, 2009

➤ **Funding Information:**

- Purchase Requisition in H.T.E.: 454009
- Funding Account(s) 526-1146-522-5002
- Comments:

➤ **Statutory Verification of Funding:**

Contract Verification Form: Funds Verified _____ Not Verified _____ by Auditor.

From: Dan Mansour
To: Lori Clyde
Date: 10/20/2008 4:56 PM
Subject: eMD Contract Modification

CC: Iman Hammoudeh; Josie Pena; Margie Solano
Lori,

This modification is necessary so eMD can include an interface allowing direct electronic transfer of information from our lab to the Wellness and Health Clinics. CPL is the lab we use and they will pay the interface however the clinics are responsible for ongoing maintenance.

Thanks,

Dan

PURCHASE REQUISITION NBR: 0000454009

STATUS: READY FOR BUYER PROCESS

DATE: 10/20/08

REASON: MODIFY CONTRACT C050179LC ATT: LORI CLYDE

DELIVER BY DATE: 10/28/08

REQUISITION BY: MARGIE SOLANO 854-9239

SUGGESTED VENDOR: 64648 AMT SOLUTIONS INC

SHIP TO LOCATION: HUMAN RESOURCES MGT.

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
----------	-------------	----------	-----	-----------	-------------	--------------------

1	MAINTENANCE	400.00	DOL	1.0000	400.00	
---	-------------	--------	-----	--------	--------	--

LAB INTERFACE BETWEEN EMDS AND CPL
 COMMODITY: DP PROCESS & SOFTWARE SVC
 SUBCOMMOD: SOFTWARE MAINT/SUPPORT

2	SHIPPING COST	25.00	DOL	1.0000	25.00	
---	---------------	-------	-----	--------	-------	--

COMMODITY: DP PROCESS & SOFTWARE SVC
 SUBCOMMOD: SOFTWARE MAINT/SUPPORT

REQUISITION TOTAL: 425.00

A C C O U N T I N F O R M A T I O N

LINE #	ACCOUNT	PROJECT	%	AMOUNT
1	52611465225002	REPR & MTNC-SERVCS PURCHD MAINTENANCE AGREEMENTS-DP	100.00	400.00
2	52611465225002	REPR & MTNC-SERVCS PURCHD MAINTENANCE AGREEMENTS-DP	100.00	25.00
				425.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

GM200113

TRAVIS COUNTY

10/20/08

Fiscal Year 2009

Account Balance Inquiry

17:33:20

Account number . . . : 526-1146-522.50-02
Fund : 526 EMPLOYEE HEALTH BENEFIT
Department : 11 HUMAN RESOURCE MANAGEMENT
Division : 46 WELLNESS & HEALTH CLINIC
Activity basic : 52 GENERAL GOVERNMENT
Sub activity : 2 HUMAN RESOURCE MANAGEMENT
Element : 50 REPR & MTNC-SERVCS PURCHD
Object : 02 MAINTENANCE AGREEMENTS-DP

Original budget : 1,500

Actual expenditures - current . . . : .00
Actual expenditures - ytd . . . : .00
Unposted expenditures : .00
Encumbered amount : .00
Unposted encumbrances : .00
Pre-encumbrance amount : 425.00
Total expenditures & encumbrances: 425.00 28.3%
Unencumbered balance : 1,075.00 71.7

F5=Encumbrances **F7=Project data** **F8=Misc inquiry**
F10=Detail trans **F11=Acct activity list** **F12=Cancel** **F24=More keys**

MODIFICATION OF CONTRACT NUMBER: CM050179LC E-MDs Software for Health Clinic

ISSUED BY: PURCHASING OFFICE 314 W. 11TH ST., RM 400 AUSTIN, TX 78701	PURCHASING AGENT ASST: Lori Clyde TEL. NO: (512) 854-9700 FAX NO: (512) 854-9185	DATE PREPARED: October 20, 2008
ISSUED TO: AMT Solutions, Inc. d/b/a e-MDs, Inc. P.O. Box 2889 Cedar Park, Texas 78630	MODIFICATION NO.: 4	EXECUTED DATE OF ORIGINAL CONTRACT: April 26, 2005
ORIGINAL CONTRACT TERM DATES: <u>April 26, 2005-May 31, 2006</u>		CURRENT CONTRACT TERM DATES: <u>June 1, 2008 – May 31, 2009</u>

OR TRAVIS COUNTY INTERNAL USE ONLY:

Original Contract Amount: \$ 11,880.01 Current Modified Amount \$ 26,935.26

DESCRIPTION OF CHANGES: Except as provided herein, all terms, conditions, and provisions of the document referenced above as heretofore modified, remain unchanged and in full force and effect.

- The purpose of this modification is to add the maintenance and shipping cost for an interface between e-MDs and CPL as per the attached Purchase Schedule. (CPL will pay for the actual interface.) The annual maintenance fee will be \$600.00. The initial year's maintenance fee will be prorated through May 31, 2009.

Note to Vendor:

- Complete and execute (sign) your portion of the signature block section below for all copies and return all signed copies to Travis County.
- DO NOT execute and return to Travis County. Retain for your records.

LEGAL BUSINESS NAME: _____	<input type="checkbox"/> DBA
BY: _____ SIGNATURE	<input type="checkbox"/> CORPORATION
BY: _____ PRINT NAME	<input type="checkbox"/> OTHER
TITLE: _____ ITS DULY AUTHORIZED AGENT	DATE: _____
TRAVIS COUNTY, TEXAS	DATE: _____
BY: _____ CYD V. GRIMES, C.P.M., TRAVIS COUNTY PURCHASING AGENT	
TRAVIS COUNTY, TEXAS	DATE: _____
BY: _____ SAMUEL T. BISCOE, TRAVIS COUNTY JUDGE	

Purchase Schedule - Page 1 of 1



P.O. Box 2889
Cedar Park, TX 78630
P: (888) 344-9836
F: (512) 335-4375
www.e-MDs.com

Prepared By: Lisa Miller
Direct Line: 888-344-9836
e-Mail: lmiller@e-mds.com
Fax: 512-257-5239

Proposal Valid Until: 20-Nov-08
Date Proposal Prepared: 20-Oct-08

Prepared For: Travis County Wellness & Health Clinic
Address: PO Box 1748
City: Austin
e-Mail:

ST: TX **Zip:** 78767
Tel: 512-854-5509 **Fax:**

Lab interface with CPL

	<i>Unit Price</i>	<i>Totals</i>
Interface	\$3,000.00	(3,000.00)
FTP Download	\$150.00	(150.00)
Lab Interface Annual Maintenance *	\$600/year	350.00
Shipping	\$25	25.00
	**Grand Total \$	375.00

* The first year's maintenance will be pro-rated at the time of invoicing to correspond with your renewal date.

** Applicable sales tax will be applied at the time of invoicing

You must have the ability to download minor updates via the internet

Sign Here _____



TRAVIS COUNTY PURCHASING OFFICE

Cyd V. Grimes, C.P.M., Purchasing Agent

314 W. 11th, Room 400 Austin, Texas 78701 (512) 854-9700 Fax (512) 854-9185

26

Cyd V. Grimes 10/21/08

Approved by: _____

Voting Session: Tuesday, October 28, 2008

REQUESTED ACTION: APPROVE MODIFICATION NO. 15 TO CONTRACT MA960322, EASY ACCESS, INC., FOR TAX OFFICE COMPUTER SYSTEM. (ITS/TAX OFFICE/COUNTY CLERK)

Points of Contact:

Purchasing: Lori Clyde, 854-4205

Department: TAX OFFICE: Dusty Knight, 854-9702; COUNTY CLERK: Sam Castleberry, 854-4483; Gail Fisher, 854-9193; Susan Bell; Dana DeBeauvoir

County Attorney (when applicable): Tamara Armstrong

County Planning and Budget Office: Leroy Nellis

County Auditor's Office: Susan Spataro and Jose Palacios

Other:

- **Purchasing Recommendation and Comments:** Purchasing concurs with department and recommends approval of requested action. This procurement action met the compliance requirements as outlined by the statutes. This contract is for the maintenance of the Tax Office Computer System, which currently includes EZ-Vote, EZ-Tax, EZ-VIP, ITP software applications and the Tax Office Internet home page.

In preparation for and during the elections, ITS recommends purchasing additional licenses of the Easy Access Software. With the inclusion of activity in the County Clerks Office, the number of licenses needed will exceed the number of available licenses currently licenses for EZTax and EZVote. ITS recommends purchasing 50 additional licenses to meet the license requirements. This increase will insure continuous availability during the upcoming National Elections. The cost for the additional licenses is \$37,500.00. The maintenance fee will increase \$13,750 effective March 1, 2009.

Modification 14, approved in Commissioners Court October 7, 2008, was for the creation of an IVR file containing voter registration data.

Modification 13, approved in Commissioners Court April 29, 2008, was for enhancements to EZ-VIP and to include an imaging component to EZ-Tax/EZ-Vote.

Modification 12, approved in Commissioners Court January 8, 2008, was for additional EZ-VIP licenses and support.

Modification 11, approved by the Purchasing Agent February 15, 2007, was to create a website for the County Clerk's Office similar in design to the one used by the Tax Office.

Modification 10, approved in Commissioners Court December 20, 2005, was for programming changes to handle the increase in ballot styles simultaneously.

Modifications 8-9, were for modifications and enhancements approved during FY05.

Modifications 4-7, were for modifications and enhancements approved during FY04.

Modification 3, approved in Commissioners Court February 4, 2003, was for the maintenance renewal, an increase in user licenses and the addition of maintenance for the ITP software product.

Modification 2 was for the extension/renewal of the EZ-Vote maintenance of the EZ-Tax/EZ-Vote System.

Modification 1 amended the original contract for the Tax Office computer system.

➤ **Contract Expenditures:** Within the last 12 months \$87,057.43 has been spent against this contract.

➤ **Contract Modification Information:**

Modification Amount: \$37,500.00

Modification Type:

Modification Period: Through February 28, 2009

➤ **Funding Information:**

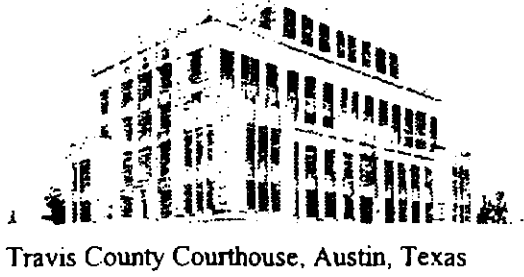
Purchase Requisition in H.T.E.: 451045

Funding Account(s) 001-1230-523-3002

Comments:

➤ **Statutory Verification of Funding:**

Contract Verification Form: Funds Verified _____ Not Verified _ by Auditor.



TRAVIS COUNTY INFORMATION & TELECOMMUNICATION SYSTEMS

Joe Harlow Jr., Chief Information Officer

314 W. 11th Street, P. O. Box 1748, Austin, TX 78767 (512) 854-9666 Fax (512) 854-4401

DATE: October 6, 2008

TO: Cyd V. Grimes, C.P.M-Travis County Purchasing Agent

FROM: Joe Harlow, Chief Information Officer *[Signature]*

SUBJ: Easy Access Inc - E-Z Vote and E-Z Tax - Contract # MA960322 – Increased Licenses

ITS Recommendation:

Approve modification to Easy Access Inc. to increase number of licensed users for EZTAX and EZVOTE.

Summary and Staff Analysis:

ITS has been advised by the Tax Department that in preparation for and during the elections, the Tax Office with the inclusion of the activity in the County Clerks Office exceeds the number of licenses available for EZTAX and EZVOTE.

ITS is proposing to purchase an additional 50 licenses of Easy Access Software to meet the license requirements. This increase of licenses will insure continuous availability during the upcoming National Elections.

Budgetary and Fiscal Impact:

The funding for this procurement is provided under the Line Items listed below.

001-1230-523-3002	\$ 37,500
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Required Authorizations:

Legal: John Hille, County Attorney

Purchasing: Cyd Grimes, Lori Clyde, Purchasing Department

Budget: Randy Lott, PBO

cc: Lynn Harper, Admin Ops; Jackie Goodfellow, ITS; Nick Macik, ITS

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 TRAVIS COUNTY
 PURCHASING OFFICE
 2008 OCT -7 AM 9:56

TRAVIS COUNTY

10/20/08

Fiscal Year 2009

Account Balance Inquiry

18:03:54

Account number : 1-1230-523.30-02
Fund : 001 GENERAL FUND
Department : 12 INFORMATION & TELECOMMUNI
Division : 30 OPERATIONS
Activity basic : 52 GENERAL GOVERNMENT
Sub activity : 3 INFORMATION SYSTEMS MGMT
Element : 30 OPERATG SUPPLIES,RP&E,NC
Object : 02 SOFTWARE

Original budget : 142,788
Revised budget : 314,524 10/20/2008
Actual expenditures - current . . : 14,179.10-
Actual expenditures - ytd : .00
Unposted expenditures : .00
Encumbered amount : 104,039.28
Unposted encumbrances : .00
Pre-encumbrance amount : 80,235.28
Total expenditures & encumbrances: 170,095.46 54.1%
Unencumbered balance : 144,428.54 45.9

F5=Encumbrances **F7=Project data** **F8=Misc inquiry**
F10=Detail trans **F11=Acct activity list** **F12=Cancel** **F24=More keys**

PURCHASE REQUISITION NBR: 0000451045

REQUISITION BY: TERRI FLEMMINGS/854-4998 STATUS: AUDITOR APPROVAL DATE: 9/18/08
REASON: E-Z VOTE AND E-Z TAX APPLICATION SW LICENSES

SHIP TO LOCATION: ITS - ANNEX COMPUTER ROOM SUGGESTED VENDOR: 30099 EASY ACCESS INC DELIVER BY DATE: 9/30/08

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	E-Z VOTE AND E-Z TAX APPLICATION SW LICENSES	50.00	EA	750.0000	37500.00	

UNIT COST OF \$1500 LESS ONE-TIME SPECIAL LICENSE
 FEE DISCOUNT OF \$37500
 COMMODITY: COMP SOFTWARE-MINI&MAINFR
 SUBCOMMOD: DATABASE

REQUISITION TOTAL: 37500.00

ACCOUNT INFORMATION

LINE #	ACCOUNT	PROJECT	%	AMOUNT
1	00112305233002	OPERATG SUPPLIES, RP&E, NC SOFTWARE	100.00	37500.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

MODIFICATION OF CONTRACT NUMBER: MA960322 – Tax Office Computer System PAGE 1 OF 7 PAGES

ISSUED BY: PURCHASING OFFICE 314 W. 11TH ST., RM 400 AUSTIN, TX 78701	PURCHASING AGENT ASST: Lori Clyde TEL. NO: (512) 854-9700 FAX NO: (512) 854-9185	DATE PREPARED: October 17, 2008
ISSUED TO: Easy Access, Inc. 4200-A N Bicentennial Dr. McAllen, Texas 78504 (956) 682-3466 (v) (956) 682-0906 (f)	MODIFICATION NO.: 15	EXECUTED DATE OF ORIGINAL CONTRACT: December 13, 1994
ORIGINAL CONTRACT TERM DATES: <u>February 28, 2003–February 29, 2004</u> CURRENT CONTRACT TERM DATES: <u>March 1, 2008 – February 28, 2009</u>		

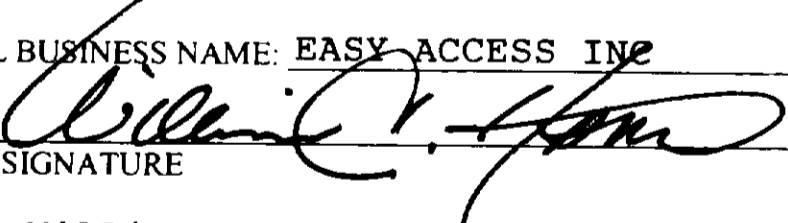
FOR TRAVIS COUNTY INTERNAL USE ONLY:
Original Contract Amount: \$ 288,850.00 Current Modified Amount \$ 785,725.24

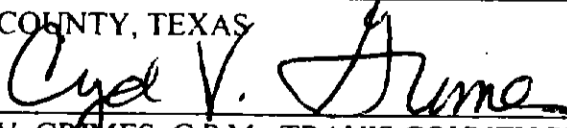
DESCRIPTION OF CHANGES: Except as provided herein, all terms, conditions, and provisions of the document referenced above as heretofore modified, remain unchanged and in full force and effect.

The above mentioned contract is hereby modified as follows:

- 1) Purchase 50 licenses of EZTax/EZVote at \$750.00 each for a total of \$37,500.00.
- 2) Beginning with the renewal period March 1, 2009, the annual maintenance fee will increase \$13,750.00.

Note to Vendor:
 Complete and execute (sign) your portion of the signature block section below for all copies and return all signed copies to Travis County.
 DO NOT execute and return to Travis County. Retain for your records.

LEGAL BUSINESS NAME: <u>EASY ACCESS INC</u>	<input type="checkbox"/> DBA
BY:  SIGNATURE	<input checked="" type="checkbox"/> CORPORATION
BY: <u>William C Hamer</u> PRINT NAME	<input type="checkbox"/> OTHER
TITLE: <u>CEO</u> ITS DULY AUTHORIZED AGENT	DATE: <u>10/20/2008</u>

TRAVIS COUNTY, TEXAS	DATE:
BY:  CYD V. GRIMES, C.P.M., TRAVIS COUNTY PURCHASING AGENT	<u>10/21/08</u>

TRAVIS COUNTY, TEXAS	DATE:
BY: _____ SAMUEL T. BISCOE, TRAVIS COUNTY JUDGE	

30

Travis County Commissioners Court Agenda Request

Voting Session 10 / 28 / 08
(Date)

Work Session _____
(Date)

I. A. Request made by: Joseph P. Gieselman, TNR Phone # 854-9383
Signature of Elected Official/Appointed Official/Executive Manager/County Attorney

RECEIVED
COUNTY JUDGE'S OFFICE
08 OCT 21 PM

B. Requested Text:

Consider and take appropriate action on a proposed Lease Agreement for construction of a T-Mobile telecommunications tower in Allen Park, located along Balcones Drive in Precinct Two.

C. Approved by: _____
Commissioner Sarah Eckhardt, Precinct 2

II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request (original and eight (8) copies of agenda request and backup).

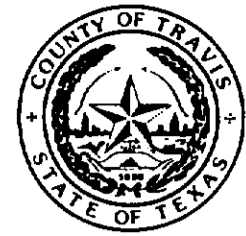
B. Please list all of the agencies or officials names and telephone numbers that might be affected or be involved with the request. Send a copy of the Agenda Request and backup to them:

<u>Joseph P. Gieselman, TNR</u>	<u>854-9383</u>	<u>Donna Williams-Jones, TNR</u>	<u>854-9383</u>
<u>Steve Manilla, P.E., TNR</u>	<u>854-9429</u>	<u>Greg Chico, TNR</u>	<u>854-4659</u>
<u>Charles Bergh, TNR</u>	<u>854-9383</u>	<u>Mike Martino, TNR</u>	<u>854-7646</u>
<u>Robert Armistead, TNR</u>	<u>854-9383</u>		

III. Required Authorizations: Please check if applicable:

- Planning and Budget Office (854-9106)
- Additional funding for any department or for any purpose
- Transfer of existing funds within or between any line item budget
- Grant
- Human Resources Department (854-9165)
- A change in your department's personnel (reclassifications, etc.)
- Purchasing Office (854-9700)
- Bid, Purchase Contract, Request for Proposal, Procurement
- County Attorney's Office (854-9415)
- Contract, Agreement, Policy & Procedure

AGENDA REQUEST DEADLINE: This Agenda Request complete with backup memorandum and exhibits MUST be submitted to the County Judge's Office no later than 5:00 p.m. on Monday for the following week's meeting. Late or incomplete requests will be deferred.



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building, 11th Floor
P.O. Box 1748
Austin, Texas 78767
(512) 854-9383
FAX (512) 854-4697

COURT DATE: 10 / 28 / 08

AGENDA ITEM #

MEMORANDUM

DATE: October 16, 2008
TO: Members of the Commissioners' Court
FROM: Joseph P. Gieselman, Executive Manager
SUBJECT: Requested lease of land in Allen Park

SUMMARY OF BRIEFING AND STAFF RECOMMENDATION

In October 2008, TNR was contacted by representatives of a consulting firm representing T-Mobile West Corporation regarding the lease of County-owned land for the construction of a communications tower. T-Mobile is a widely known and popular, publicly held telecommunications firm providing wireless mobile voice and data transmission services throughout the Austin area. The property they wish to lease is a small tract of land within Allen Park. This County park, located in northwest Austin between Balcones Drive and Westside Drive, serves area residents with facilities concentrated in the western (above the bluff / cliff area) sections of the roughly 10 acre "pocket" park. More specifically, the site of interest to T-Mobile is adjacent to and accessed from Balcones Drive, close to a commercially developed strip of properties just south of Hart Lane. The eastern acreage of Allen Park is at the bottom of a natural bluff or cliff – approximately fifty (50) below the publicly accessible park areas. As such, this lower section of the park is rarely, if ever, used by the general public. Moreover, the topographical characteristics of the site would serve to minimize visual impacts of the proposed tower. Due to the bluff elevation, and dense tree canopy, the proposed communication facility would likely be shielded from the main section of the park, as well as the residential area and homes to the west. Land uses east, north, and south of the proposed lease site are all commercial.

Initially, the representative (Galaxy Consulting, Inc.) proposed leasing a 40 foot by 40 foot area to construct a 100' high communications tower. They also requested a 5 foot utility easement to the nearest electric utility pole (approximately 100 feet) to run an underground conduit for electrical power and a fifteen foot wide easement for access to the site from Balcones Drive.

Without consideration as to whether or not this was something of interest to or worthwhile for Travis County, TNR staff did recognize several issues of importance. If the County were to proceed with such an endeavor, in order to minimize impact on the park, staff negotiated for a reduction in lease area to 25 feet by 30 feet (750 sq. ft.), and a new location in the immediately southeast corner of the park property, adjacent to the Balcones right-of-way. This new location will likely eliminate their need for any utility easement. The site location and details of the proposed tower are shown on Exhibit "A". A general area site map showing the location of Allen Park is attached as Exhibit "B".

Commissioners' Court
October 16, 2008
Page 2 of 2

The proposed lease has a five year initial term, and individual options for five renewals periods of five years each. In total, the tenant could lease the property for thirty (30) years if all options were exercised. In preliminary discussions / negotiations with TNR staff, T-Mobile agreed to an increased lease payment of \$1,000 per month, with an annual 4% escalation clause. The originally offered lease rate proposed by the prospective tenant was \$500 per month. This \$1,000 / month rental rate correlates to a monthly rent of \$1.33 per square foot, or \$16 per square foot (in the first year) annually. An overview of the proposed lease rates is attached as Exhibit "C". Cumulative income for the first five year term would be \$64,966. Total income over 30 years, if all renewals were exercised, would be \$673,019.

Finally, if Travis County were to proceed with consideration of the matter, regulations called for in Chapter 26 of the Texas Parks and Wildlife Code would need to be addressed and satisfied. In particular, the Commissioners' Court must concur with T-Mobile's assertion that this site is the only suitable location to provide this public service / utility, and that no other alternate locations will suffice. Additionally, public notice and hearings must also be conducted.

FISCAL AND BUDGETARY IMPACT

The total compensation of the proposed agreement is \$673,019 if all lease extensions are exercised. No other direct financial considerations are associated with this proposed action.

ISSUES AND OPPORTUNITIES

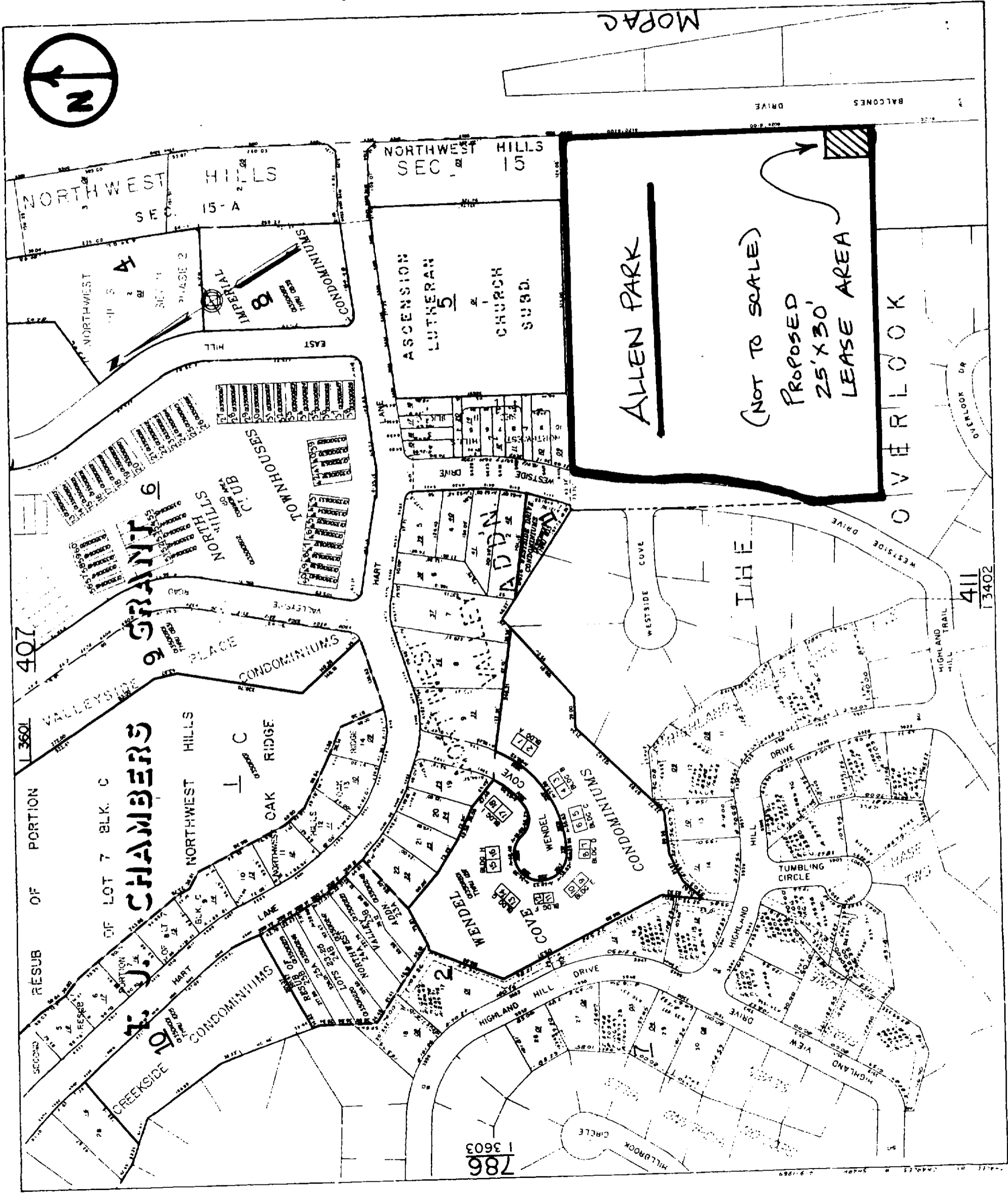
TNR staff views this proposed lease as a possible revenue generation source from a County-owned asset with limited public use. If appropriate, the rental cash flow and financial yield represents an opportunity for a healthy rate of return on investment.

REQUIRED AUTHORIZATION County Attorney – Chris Gilmore

- EXHIBITS**
- (A) Sketch of proposed 25' by 30' lease area (750 square feet) and tower details
 - (B) Allen Park and area location map
 - (C) Rental income analysis

copy: Charles Bergh, Parks Director
Robert Armistead, Parks Manager
Steve Manilla, P.E., Public Works Director
Greg Chico, Right-of-Way Manager
Mike Martino, Right-of-Way Negotiator
Donna Williams-Jones, TNR, Senior Financial Analyst

EXHIBIT "A"



786
 13603

EXHIBIT "B"



Address
Google
Maps

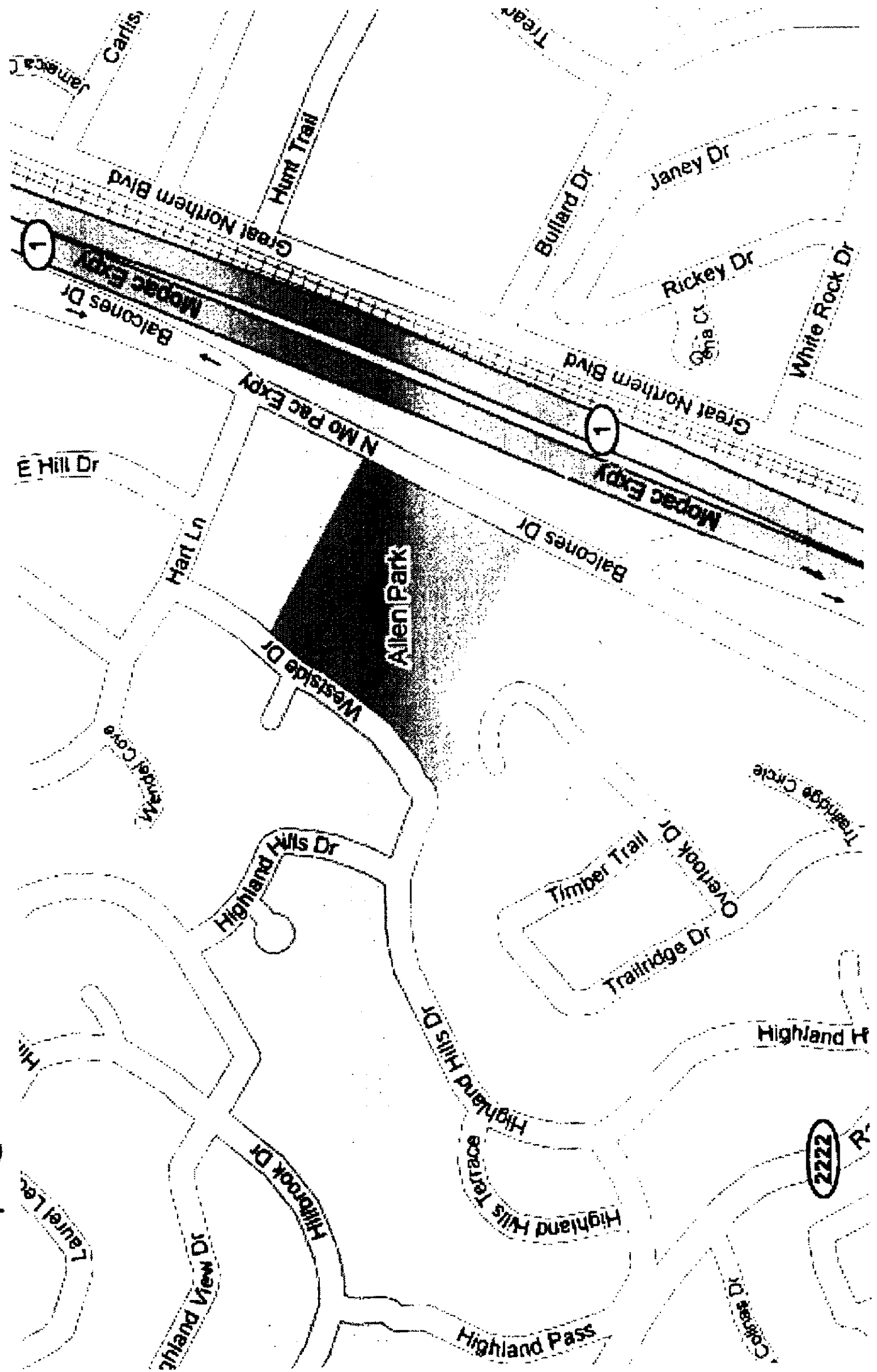


EXHIBIT "B"



Address
Google
Maps



Rental Income Analysis for Proposed Lease with T-Mobile for Allen Park Property

Rental Income by Month, Year, and Term

Values by Square Foot

Lease Year	Monthly Rent	Yearly Rent	Rent by 5 Yr Terms
1	\$1,000	\$12,000	
2	\$1,040	\$12,480	
3	\$1,082	\$12,979	
4	\$1,125	\$13,498	
5	\$1,170	\$14,038	\$64,996
6	\$1,217	\$14,600	
7	\$1,265	\$15,184	
8	\$1,316	\$15,791	
9	\$1,369	\$16,423	
10	\$1,423	\$17,080	\$144,073
11	\$1,480	\$17,763	
12	\$1,539	\$18,473	
13	\$1,601	\$19,212	
14	\$1,665	\$19,981	
15	\$1,732	\$20,780	\$240,283
16	\$1,801	\$21,611	
17	\$1,873	\$22,476	
18	\$1,948	\$23,375	
19	\$2,026	\$24,310	
20	\$2,107	\$25,282	\$357,337
21	\$2,191	\$26,293	
22	\$2,279	\$27,345	
23	\$2,370	\$28,439	
24	\$2,465	\$29,577	
25	\$2,563	\$30,760	\$499,751
26	\$2,666	\$31,990	
27	\$2,772	\$33,270	
28	\$2,883	\$34,600	
29	\$2,999	\$35,984	
30	\$3,119	\$37,424	\$673,019

Monthly SF Rental Rate	Annual SF Rental Rate	Indicated SF Land Value
\$1.33	\$16.00	\$160
\$1.39	\$16.64	\$166
\$1.44	\$17.31	\$173
\$1.50	\$18.00	\$180
\$1.56	\$18.72	\$187
\$1.62	\$19.47	\$195
\$1.69	\$20.25	\$202
\$1.75	\$21.05	\$211
\$1.82	\$21.90	\$219
\$1.90	\$22.77	\$228
\$1.97	\$23.68	\$237
\$2.05	\$24.63	\$246
\$2.13	\$25.62	\$256
\$2.22	\$26.64	\$266
\$2.31	\$27.71	\$277
\$2.40	\$28.82	\$288
\$2.50	\$29.97	\$300
\$2.60	\$31.17	\$312
\$2.70	\$32.41	\$324
\$2.81	\$33.71	\$337
\$2.92	\$35.06	\$351
\$3.04	\$36.46	\$365
\$3.16	\$37.92	\$379
\$3.29	\$39.44	\$394
\$3.42	\$41.01	\$410
\$3.55	\$42.65	\$427
\$3.70	\$44.36	\$444
\$3.84	\$46.13	\$461
\$4.00	\$47.98	\$480
\$4.16	\$49.90	\$499

Total for lease term: \$673,019

* Per square foot calculations based on proposed 25' x 30' (750 s.f.) lease site.

32

RECEIVED
COUNTY JUDGE'S OFFICE

Travis County Commissioners Court Agenda Request 08 OCT 21 PM 3:19

Voting Session 10/28/08 Work Session _____
(Date) (Date)

I. A. Request made by: Joseph P. Gieselman Phone # 854-9383
Executive Manager, TNR

B. Requested Text: **Notify Court of satisfactory construction of the private streets in Steiner Ranch Phase 1 Section 6C and River Dance Phase 2, two subdivisions in Precinct 3**

C. Approved by: _____
Commissioner Gerald Daughtery, Precinct 3

II. A. Is backup material attached*: Yes X No
*Any backup material to be presented to the court must be submitted with this Agenda Request (original and 8 copies).

B. Have the agencies affected by this request been invited to attend the Work Session?

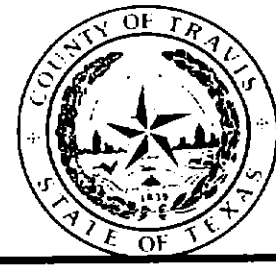
Yes X No _____ List of contacts and their phone numbers:

Anna Bowlin - 854-9383 David Greear - 854-9383
Patricia Moreno - 266-3314

III. Required Authorizations: Please check if applicable:

- _____ Planning and Budget Office (473-9106)
- _____ Additional funding for any department or for any purpose
- _____ Transfer of existing funds within or between any line item budget
- _____ Grant
- _____ Human Resources Department (473-9165)
- _____ A change in your department's personnel (reclassifications, etc.)
- _____ Purchasing Office (473-9700)
- _____ Bid, Purchase Contract, Request for Proposal, Procurement
- _____ County Attorney's Office (473-9415)
- _____ Contract, Agreement, Policy & Procedure

AGENDA REQUEST DEADLINE: This Agenda Request complete with backup memorandum and exhibits should be submitted to the County Judge's Office no later than 5:00 PM on Tuesday for the following week's meeting. Late or incomplete requests may be deferred to the next subsequent meeting.

**TRANSPORTATION AND NATURAL RESOURCES**

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building
PO Box 1748
Austin, Texas 78767
(512) 854-9383
FAX (512) 854-4649

MEMORANDUM

DATE: October 17, 2008

TO: Members of the Commissioners' Court

THROUGH: Joseph P. Gieselman, TNR Executive Manager

FROM: Stacey Scheffel, CFM, Floodplain Manager

SUBJECT: Notify Court of satisfactory construction of the private streets in Steiner Ranch Phase 1 Section 6C and River Dance Phase 2, two subdivisions in Precinct 3.

Summary and TNR Staff Recommendation:

Steiner Ranch Phase 1 Section 6C was recorded on June 10, 2003. Although it may have been completed some time ago, it had to wait until the subdivision, Steiner Ranch Phase 2 Section 5, which it connects to was accepted for maintenance. That subdivision was accepted on June 17, 2008. On October 16, 2008, Stacey Scheffel, CFM, Floodplain Manager gave this subdivision Approval of Construction and Recommendation for Fiscal Release. All items required for Approval of Construction have been received, including the documents showing that this subdivision is added to the Master Declaration of Covenants, Conditions, and Restrictions, as recorded in Volume 13008 Page 756 in the Real Property Records of Travis County, Texas, and as amended at Doc. 2003129884 in the Official Public Records of Travis County, Texas, showing that there is a body in place to take over maintenance of the private streets.

River Dance Phase 2 was recorded on July 14, 2005. It was constructed in construction phases. Phase 2A received Conditional Construction Acceptance (CCA) on May 4, 2007. Phase 2B received Conditional Construction Acceptance (CCA) on July 28, 2008. On October 16, 2008, Stacey Scheffel, CFM, Floodplain Manager gave this subdivision Approval of Construction and Recommendation for Fiscal Release. All items required for Approval of Construction have been received, including the documents showing that this subdivision is added to the Master Declaration of Covenants, Conditions, and Restrictions, as recorded in Volume 13008 Page 756 in the Real Property Records of Travis County, Texas, and as amended at Doc. 2005126894 in the Official Public Records of Travis County, Texas, showing that there is a body in place to take over maintenance of the private streets.

According to Standards for Construction of Streets and Drainage in Subdivisions [§82.401(c)(2)] adopted by Travis County Commissioner's Court August 28, 1997, the Executive Manager will notify the Commissioners Court of the satisfactory construction of private improvements. Upon approval of the private improvements, the Executive Manager will release the security for the private improvements. TNR recommends approval of this item.

Page 2

October 17, 2008

Budgetary and Fiscal Impacts:

There are no budgetary impacts. Fiscal for the private street subdivisions will be released.

Issues and Opportunities:

This allows that not only is the private street subdivision built to public street standards, but that there is a collective body in place to insure the maintenance of the streets for the residents of the subdivision. We foresee no problems in acknowledging the completion of construction, turning the streets over to the homeowners association for maintenance, and releasing the fiscal.

Required Authorizations:

None Required

Exhibits:

Construction Acceptance (2)

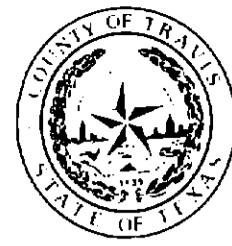
Requirements list (3)

Maps

DV:SS:dv

1105 River Dance Ph 2

1105 Steiner Ranch Ph 1 Sec 6C



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building
PO Box 1748
Austin, Texas 78767
(512) 854-9383
FAX (512) 854-4649-

CONSTRUCTION ACCEPTANCE AND RECOMMENDATION
FOR FISCAL RELEASE -PRIVATE STREET SUBDIVISION

DATE: 10/10/08

TO: Developer
TWC/Steiner Ranch, L.L.C.
James D. Plasek, Vice President
805 Las Cimas Parkway #350
Austin, TX 78746
Ph: 328-8866
Fx: 328-7988

Engineer
Loomis Austin
Andy Hollon, P.E.
3103 Bee Caves Road #225
Austin, TX 78746
Ph: 327-1180
Fx: 327-4062

SUBJECT: Steiner Ranch Phase 1 Section 6C

Effective this date, street and drainage construction within this Private Street Subdivision appears to be in conformance with approved Construction Documents. All non-construction documents have been received. This subdivision will not be Accepted for Maintenance by Travis County, but will be turned over to the homeowners association for maintenance.

OTHER REMARKS:

BY: Patricia M. Moreno
Patricia Moreno, TNR Construction Inspector

Stacey Scheffel
Stacey Scheffel, CFM, Floodplain Manager

Darla Vasterling
Darla Vasterling, TNR Engineering Specialist - Fiscal

1102 Fiscal File
1105 Subdivision File



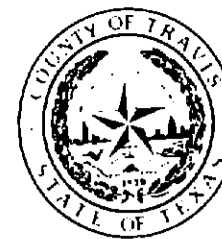
TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building, 11th Floor
P.O. Box 1748
Austin, Texas 78767
(512) 854-9383
FAX (512) 854-4697

Steiner Ranch Phase 1 Section 6C
**REQUIREMENTS FOR APPROVAL OF CONSTRUCTION
PRIVATE STREET SUBDIVISIONS PER STANDARDS FOR CONSTRUCTION OF
STREETS AND DRAINAGE IN SUBDIVISIONS - AUGUST 28, 1997**

- 6/28/04 1. Professional Engineer's certification of quantities of work completed (Engineer's Concurrence Letter) § 82.401(c)(1)(A) § 82.604(c)(2)
 - 6/28/04 2. Construction Summary Report § 82.604(c)(1)
 - 3/17/04 3. Contractor's invoice or receipt of payment for work completed § 82.401(c)(1)(B)
 - have 4. Reproducible Plans, certified as "Record Drawings", by the Owner's Consulting Engineer § 82.604(c)(3)
 - 8/28/03 5. If applicable, a copy of the Conditional Letter of Map Amendment or Revision from FEMA and the completed application for a Letter of Map Amendment or Revision § 82.604(c)(5)
 - 2/6/04 6. A TNR inspection report, indicating the completion of that portion of the work condt. represented by the reduction of fiscal (streets and drainage, including detention ponds and common area sidewalks and traffic control devices shown on the approved traffic control plan) § 82.401(c)(1)(C)
 - 6/28/04 7. Approval of other agencies - cities, if in their ETJ; Municipal or other Utility Districts
 - 11/19/04 *8. The Certificate of Incorporation of the Homeowners Association filed with the Texas Secretary of State
 - 11/19/04 *9. The Declaration of Covenants, Conditions, and Restrictions, showing the responsibility of the homeowners association to maintain the streets and drainage, recorded in the Real Property Records of Travis County
- * These two items are in lieu of warranty bond , sidewalk fiscal posting and ADA statement.



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESSELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building
PO Box 1748
Austin, Texas 78767
(512) 854-9383
FAX (512) 854-4649

CONSTRUCTION ACCEPTANCE AND RECOMMENDATION
FOR FISCAL RELEASE -PRIVATE STREET SUBDIVISION

DATE: 10/15/08

TO: Developer
TWC/Steiner Ranch, L.L.C.
James D. Plasek, Vice President
805 Las Cimas Parkway #350
Austin, TX 78746
Ph: 328-8866
Fx: 328-7988

Engineer
Loomis Austin
Andy Hollon, P.E.
3103 Bee Caves Road #100
Austin, TX 78746
Ph: 327-1180
Fx: 327-4062

SUBJECT: River Dance Phase 2

Effective this date, street and drainage construction within this Private Street Subdivision appears to be in conformance with approved Construction Documents. All non-construction documents have been received. This subdivision will not be Accepted for Maintenance by Travis County, but will be turned over to the homeowners association for maintenance.

OTHER REMARKS:

BY: Patricia M. Moreno
Patricia Moreno, TNR Construction Inspector

Stacey Scheffel
Stacey Scheffel, CFM, Floodplain Manager

Darla Vasterling
Darla Vasterling, TNR Engineering Specialist - Fiscal

1102 Fiscal File
1105 Subdivision File



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GISETMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building
PO Box 1748
Austin, Texas 78767
(512) 854-9383
FAX (512) 854-4649

River Dance Phase 2-Construction Phase A **REQUIREMENTS FOR APPROVAL OF CONSTRUCTION PRIVATE STREET SUBDIVISIONS PER STANDARDS FOR CONSTRUCTION OF STREETS AND DRAINAGE IN SUBDIVISIONS - AUGUST 28, 1997**

- 4/3/07 1. Professional Engineer's certification of quantities of work completed (Engineer's Concurrence Letter). § 82.401(c)(1)(A) § 82.604(c)(2)

- 4/3/07 2. Construction Summary Report, **signed** by COA inspector. § 82.604(c)(1)

- 5/13/06 3. Contractor's (signed) invoice or receipt of payment for work completed. §82.401(a)(1)(B) (not 100%)

- 11/9/06 4. Reproducible Plans, certified as "Record Drawings", by the Owner's Consulting Engineer [§ 82.604(c)(3)] including a Signage and Striping Plan [§82.303] and accompanying Stop Sign Warrant sheet for each sign.

- NA 5. If applicable, a copy of the Conditional Letter of Map Amendment or Revision from FEMA to begin Performance Period and the completed Letter of Map Revision (LOMR) to accept streets for maintenance. § 82.604(c)(5)

- 5/07/04 6. A TNR inspection report, indicating the completion of that portion of the work represented by the reduction of fiscal (streets and drainage, including detention ponds and common area sidewalks and traffic control devices shown on the approved traffic control plan). § 82.401(c)(1)(C)

- 4/3/07 7. Approval of other agencies - cities, if in their ETJ; Municipal or other Utility Districts

- 11/19/04 *8. The Certificate of Incorporation of the Homeowners Association filed with the Texas Secretary of State

- 7/14/05 *9. A recorded copy of the Declaration of Covenants, Conditions, and Restrictions, showing the responsibility of the homeowners association to maintain the streets and drainage, recorded in the Real Property Records of Travis County

* These two items are in lieu of warranty bond , sidewalk fiscal posting and ADA statement.



TRANSPORTATION AND NATURAL RESOURCES

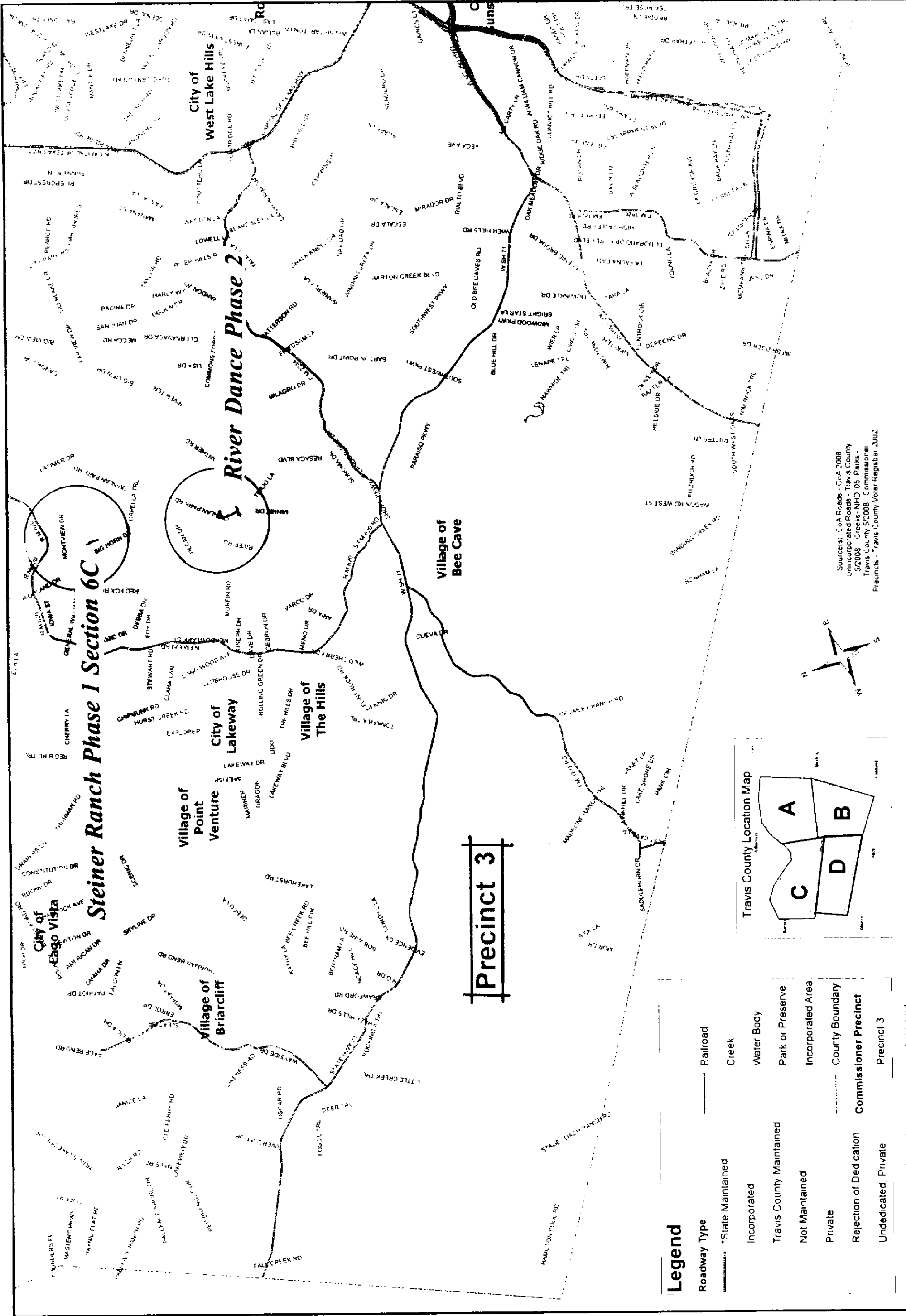
JOSEPH P. GIESHEMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building
PO Box 1748
Austin, Texas 78767
(512) 854-9383
FAX (512) 854-4649

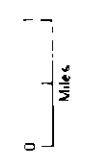
River Dance Phase 2-Construction Phase B
REQUIREMENTS FOR APPROVAL OF CONSTRUCTION
PRIVATE STREET SUBDIVISIONS PER STANDARDS FOR CONSTRUCTION OF
STREETS AND DRAINAGE IN SUBDIVISIONS - AUGUST 28, 1997

- 6/03/08 1. Professional Engineer's certification of quantities of work completed (Engineer's Concurrence Letter). § 82.401(c)(1)(A) § 82.604(c)(2)
- 10/14/08 2. Construction Summary Report, **signed** by COA inspector. § 82.604(c)(1)
- 6/03/08 3. Contractor's (signed) invoice or receipt of payment for work completed.
§82.401(a)(1)(B) (not 100%)
- 6/03/08 4. Reproducible Plans, certified as "Record Drawings", by the Owner's Consulting Engineer [§ 82.604(c)(3)] including a Signage and Striping Plan [§82.303] and accompanying Stop Sign Warrant sheet for each sign.
- NA 5. If applicable, a copy of the Conditional Letter of Map Amendment or Revision from FEMA to begin Performance Period and the completed Letter of Map Revision (LOMR) to accept streets for maintenance. § 82.604(c)(5)
- 7/28/08 6. A TNR inspection report, indicating the completion of that portion of the work represented by the reduction of fiscal (streets and drainage, including detention ponds and common area sidewalks and traffic control devices shown on the approved traffic control plan). § 82.401(c)(1)(C)
- 10/14/08 7. Approval of other agencies - cities, if in their ETJ; Municipal or other Utility Districts
- 7/25/08 *8. The Certificate of Incorporation of the Homeowners Association filed with the Texas Secretary of State
- 7/25/08 *9. A recorded copy of the Declaration of Covenants, Conditions, and Restrictions, showing the responsibility of the homeowners association to maintain the streets and drainage, recorded in the Real Property Records of Travis County

* These two items are in lieu of warranty bond , sidewalk fiscal posting and ADA statement.

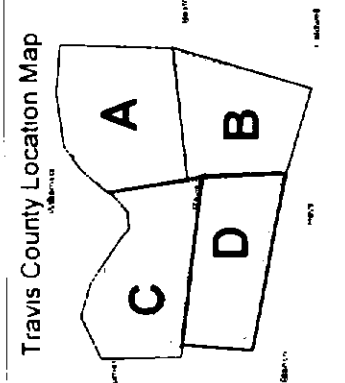
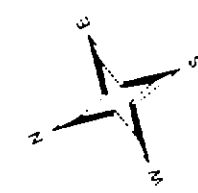


Map Prepared by Travis County
 Dept. of Transportation & Natural
 Resources Date: 10-24-08
 http://www.traviscountytexas.gov



Travis County Roadways, Map D

Sources: CoA Roads - CoA 2008
 Unincorporated Roads - Travis County
 5/2008 Creeks - NHD 05 Paris -
 Travis County SC2008 - Commissioner
 Precincts - Travis County Voter Registrar 2002

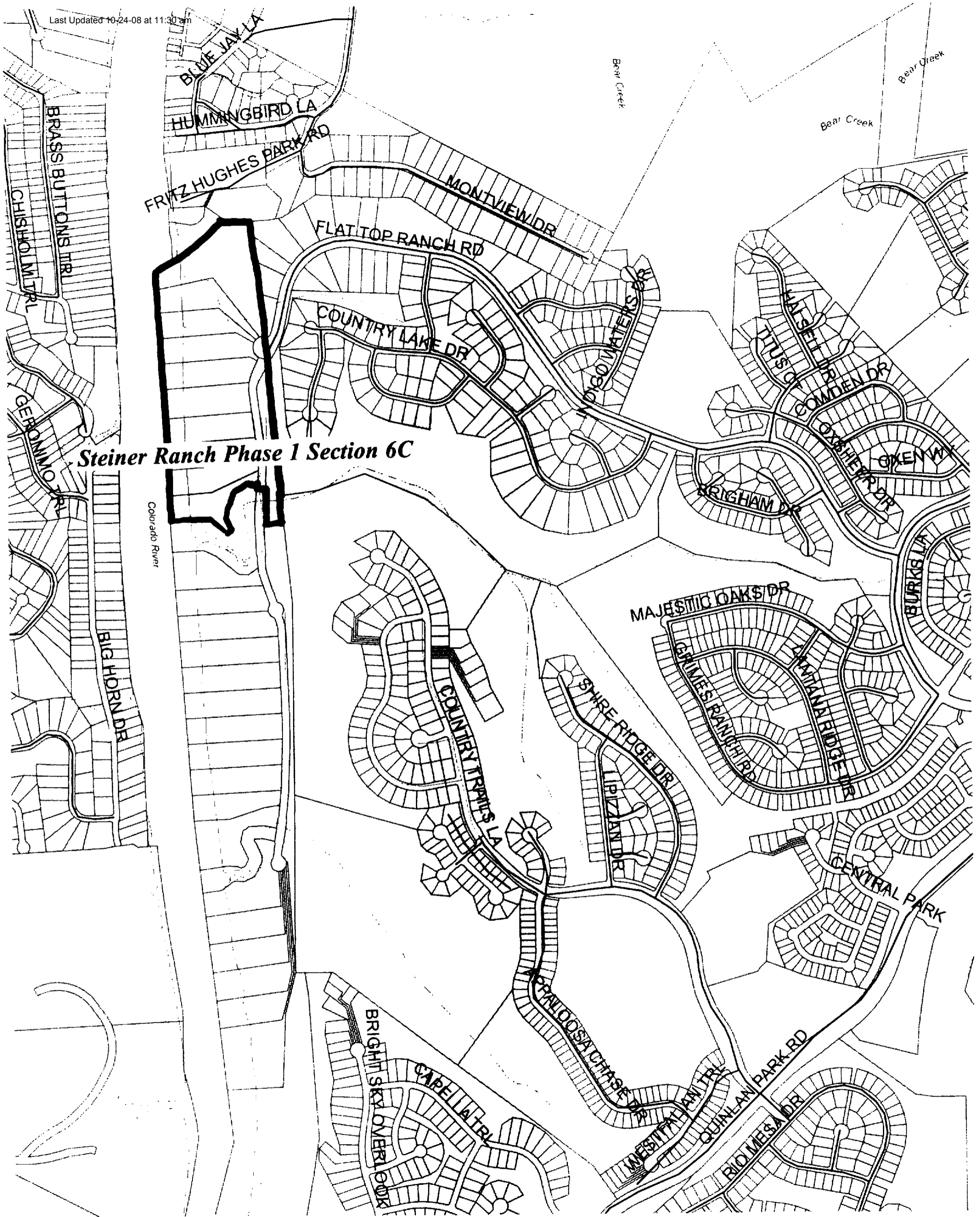


Legend	
	Roadway Type
	*State Maintained
	Incorporated
	Travis County Maintained
	Not Maintained
	Private
	Rejection of Dedication
	Undedicated, Private
	Commissioner Precinct
	Precinct 3
	Railroad
	Creek
	Water Body
	Park or Preserve
	Incorporated Area
	County Boundary

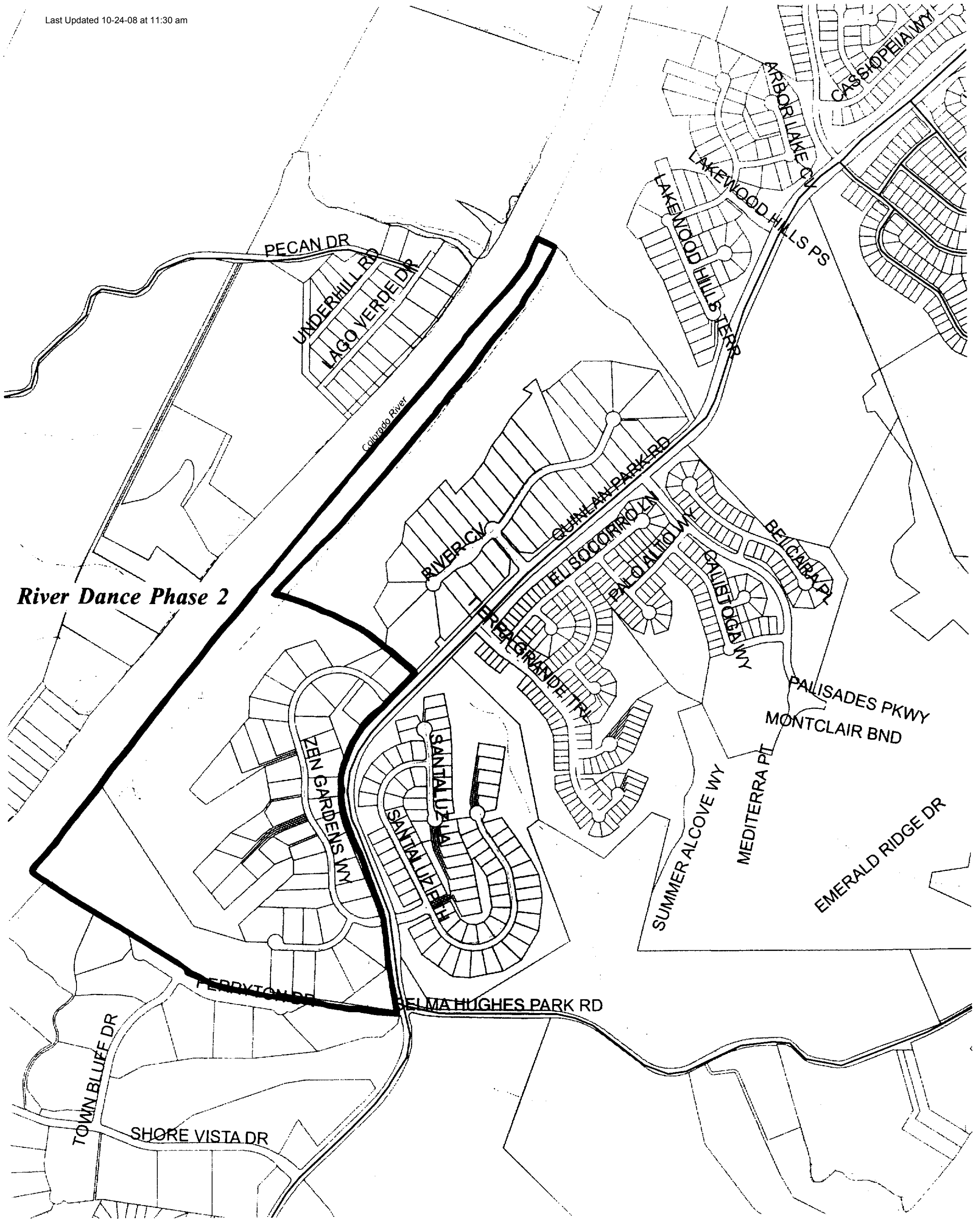
Note: For legibility purposes, not all State Maintained roadways are shown in red.

Map Disclaimer: This map was created for the Travis County Sign List for identifying Travis County's maintained roadways. The data is provided as is with no warranty of any kind. For questions, contact the Travis County GIS Coordinator at (512) 854-9181.

Text Scale:
 1 inch equals 1,000 feet
 1 inch equals 5,280 feet



Steiner Ranch Phase 1 Section 6C



River Dance Phase 2

33

Travis County Commissioners Court Agenda Request

Voting Session 10/28/08
(Date)

Work Session _____
(Date)

RECEIVED
COUNTY CLERK'S OFFICE
08 OCT 21 PM 3:20

I. A. Request made by: Joseph P. Gieselman Phone # 854-9383
Signature of Elected Official/Appointed Official/Executive Manager/County Attorney

B. Requested Text:

Consider and take appropriate action on:

A. **Avalon Revised Preliminary Plan in Precinct Two (Revised Preliminary Plan - 1,470 Total lots: 1,423 Single Family lots, 25 Open Space/Drainage Easement lots, 3 Amenity lots, 16 Landscape lots, 2 ROW Reserve lots, 1 Commercial lot, and 1 School Site lot - 548.74 acres - Kelly Lane - No Fiscal Required for the Preliminary Plan - Sewage service to be provided by Kelly Lane WCID No. 1 & 2 - City of Pflugerville ETJ).**

B. Approved by:

Commissioner Sarah Eckhardt, Precinct Two

II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request (original and eight (8) copies of agenda request and backup).

B. Please list all of the agencies or officials names and telephone numbers that might be affected or be involved with the request. Send a copy of the Agenda Request and backup to them:

Michael Hettenhausen: 854-7563 Dennis Wilson: 854-4217
Anna Bowlin: 854-7561

III. Required Authorizations: Please check if applicable:

Planning and Budget Office (854-9106)

- ___ Additional funding for any department or for any purpose
- ___ Transfer of existing funds within or between any line item budget
- ___ Grant

Human Resources Department (854-9165)

- ___ A change in your department's personnel (reclassifications, etc.)

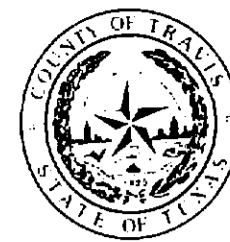
Purchasing Office (854-9700)

- ___ Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9415)

- ___ Contract, Agreement, Policy & Procedure

AGENDA REQUEST DEADLINE: This Agenda Request complete with backup memorandum and exhibits **MUST** be submitted to the County Judge's Office no later than 5:00 p.m. on Tuesday for the following week's meeting. Late or incomplete requests will be deferred.



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building
PO Box 1748
Austin, Texas 78767
(512) 854-9383

BACK UP MEMORANDUM

October 17, 2008

TO: Members of the Commissioners' Court

THROUGH: Joseph P. Gieselman, Executive Manager

FROM: ~~W~~ Anna Bowlin, Director, Development Services

SUBJECT: Avalon Revised Preliminary Plan, Precinct Two

PROPOSED MOTION:

Consider and take appropriate action on:

- A. Avalon Revised Preliminary Plan in Precinct Two (Revised Preliminary Plan – 1,470 Total lots: 1,423 Single Family lots, 25 Open Space/Drainage Easement lots, 3 Amenity lots, 16 Landscape lots, 2 ROW Reserve lots, 1 Commercial lot, and 1 School Site lot – 548.74 acres – Kelly Lane – No Fiscal Required for the Preliminary Plan – Sewage service to be provided by Kelly Lane WCID No. 1 & 2 – City of Pflugerville ETJ).**

SUMMARY AND STAFF RECOMMENDATION:

This revised preliminary plan consists 1,470 total lots (1,423 Single Family lots, 25 Open Space/Drainage Easement lots, 3 Amenity lots, 16 Landscape lots, 2 ROW Reserve lots, 1 Commercial lot, and 1 School Site lot) on 548.74 acres. There are 71,069.17 linear feet of proposed public streets associated with this revised preliminary plan. Fiscal is not required for this revised preliminary plan. Parkland requirements will be satisfied with the City of Pflugerville as each phase is platted.

The revision to the approved preliminary plan is necessary to accommodate the site selection by Pflugerville ISD for a new elementary school. The inclusion of the 13.45 acre school site resulted in 236 lots being revised from the approved preliminary plan, and only the phases impacted by the proposed school site (phases 7A, 7B, 9B, 9C, 11A, and 11B) are included in the revision.

As this revised preliminary plan application meets all Travis County standards and has been approved by the City of Pflugerville on October 14, 2008, TNR staff recommends approval of the revised preliminary plan.

ISSUES:

This revised preliminary plan proposes to modify phases of the previously City of Pflugerville and Commissioners' Court - approved Avalon preliminary plan. At this time, staff has not received any inquiries from adjacent property owners. Should the case manager receive any inquiries prior to Court, an addendum to this memorandum will be presented to the Court.

BUDGETARY AND FISCAL IMPACT:

None.

REQUIRED AUTHORIZATIONS:

None.

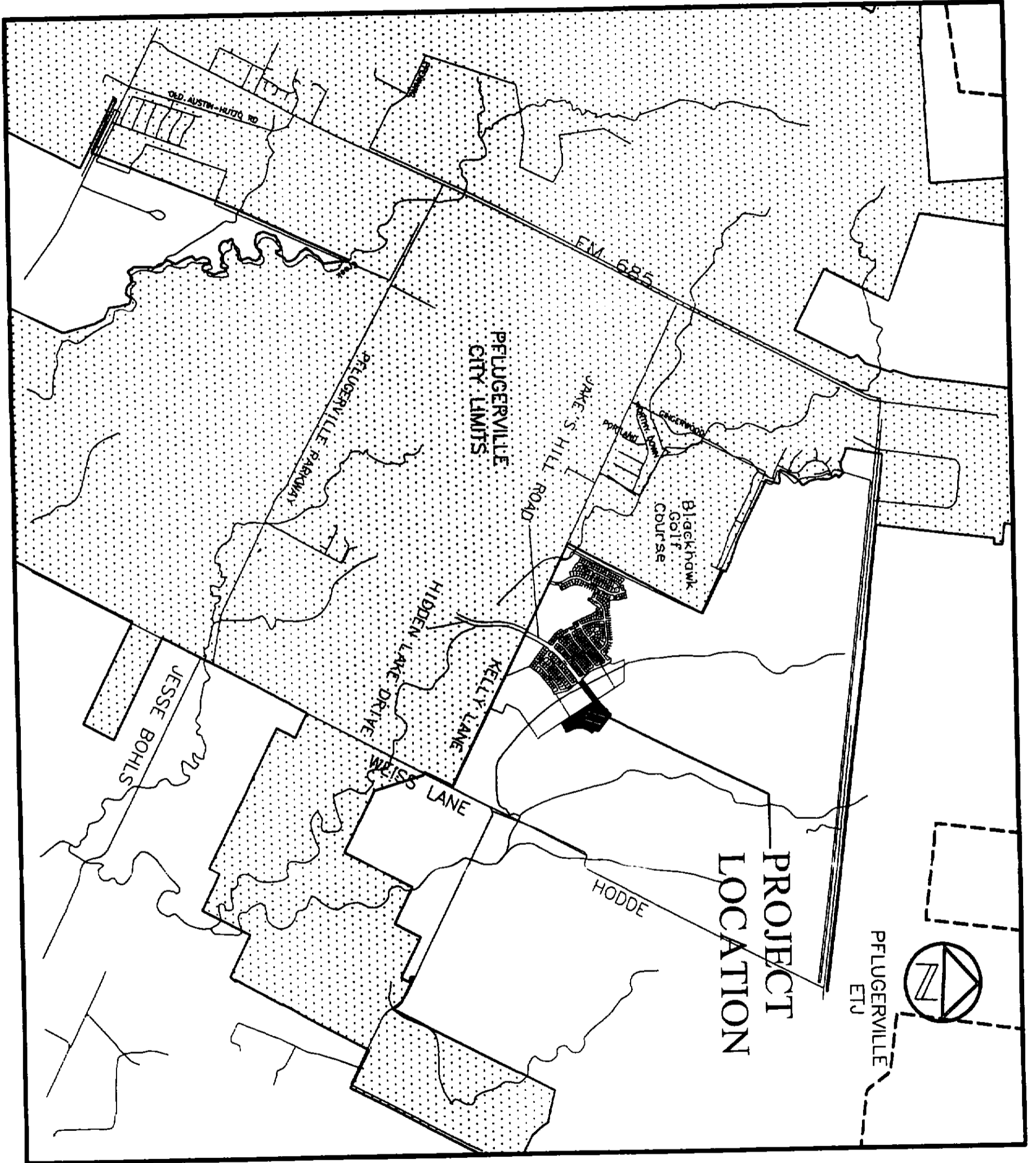
EXHIBITS:

Location map

Precinct map

Proposed Revised Preliminary Plan

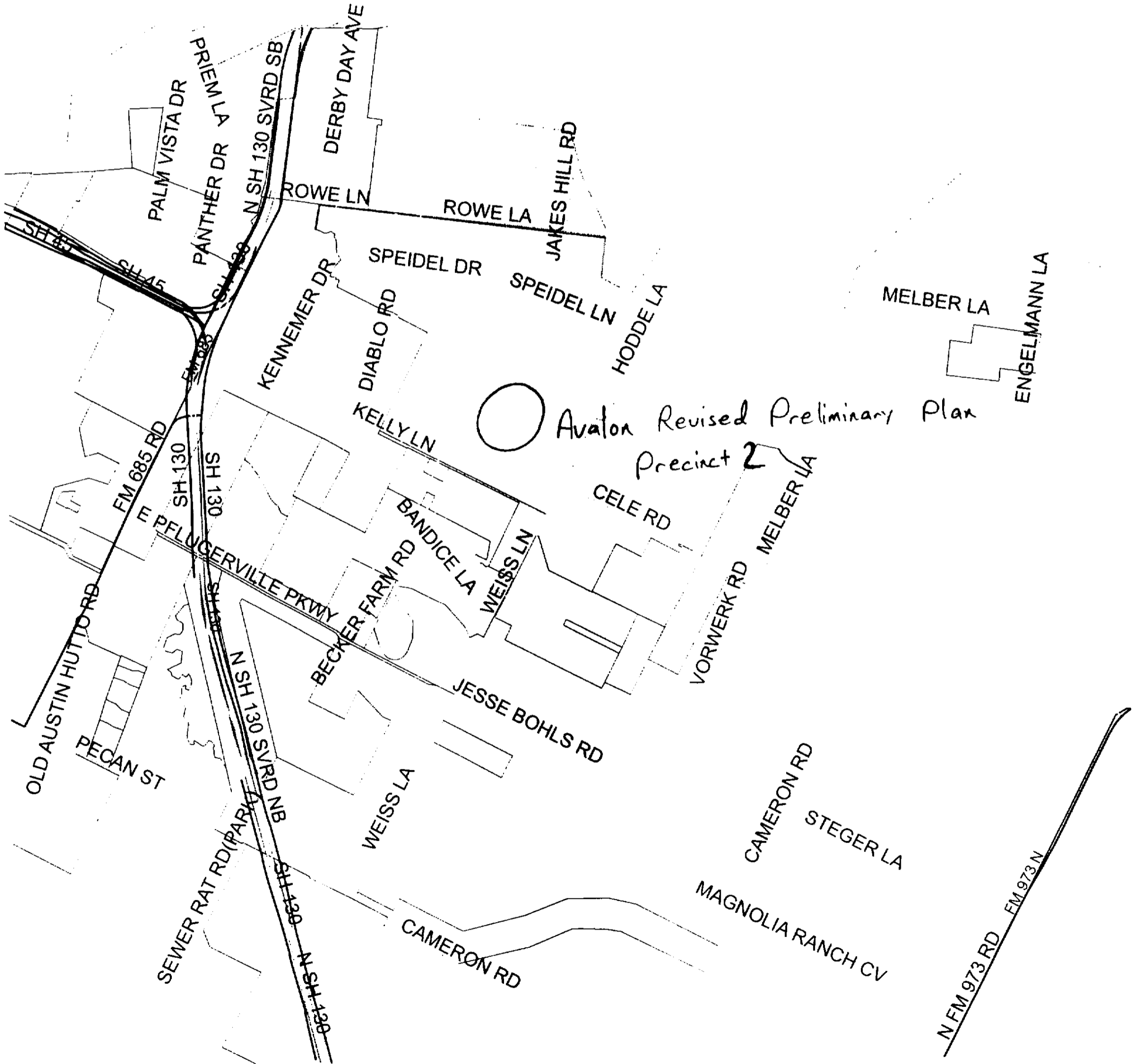
AMB: mph 1105



VICINITY MAP

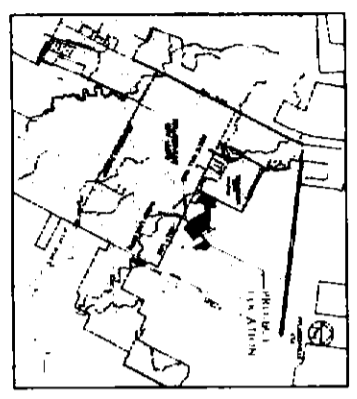
NOT TO SCALE

Williamson



NO.	DATE	DESCRIPTION
1	10/24/08	REVISION
2	10/24/08	REVISION
3	10/24/08	REVISION
4	10/24/08	REVISION
5	10/24/08	REVISION
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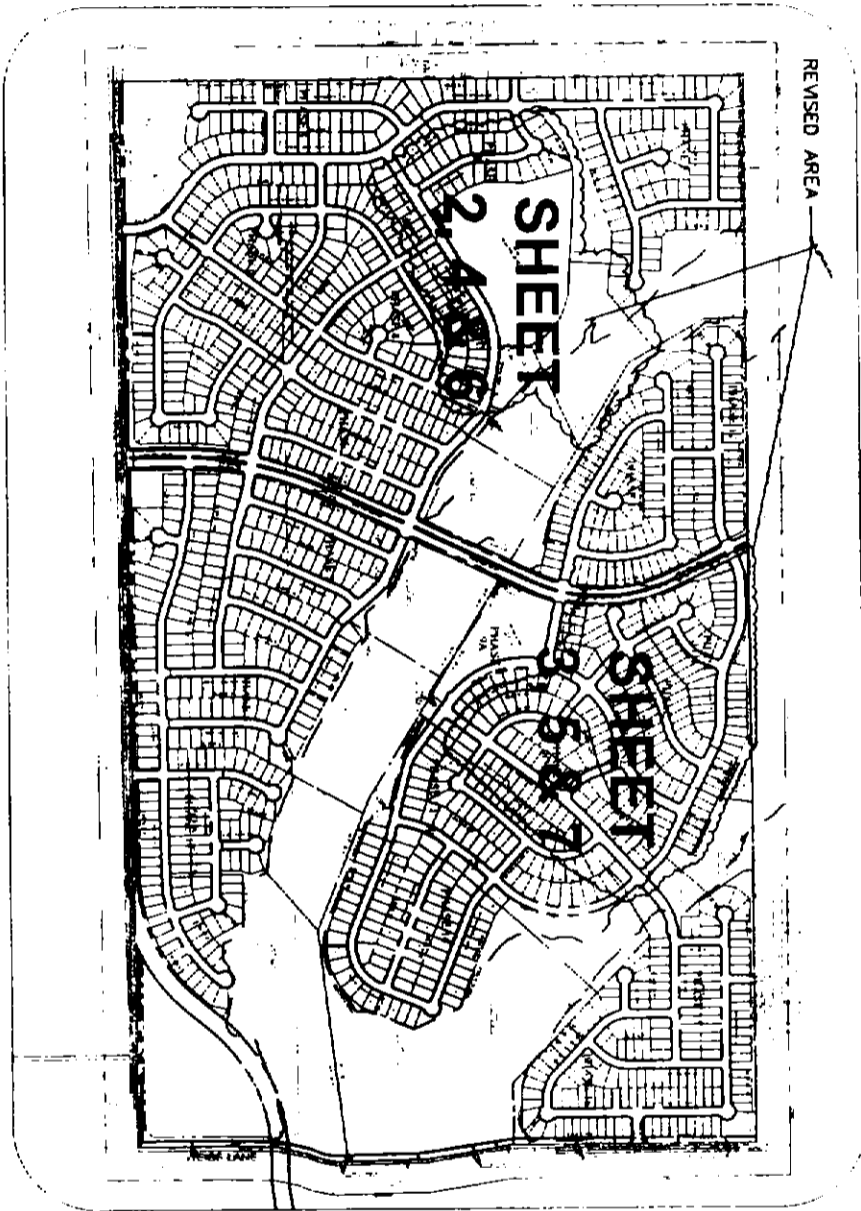
PFLUGERVILLE



VICINITY MAP

AVALLON

REVISED PRELIMINARY PLAN ONLY - NOT FOR
 RECORDATION COVER SHEET
 INITIAL SUBMITTAL DATE JANUARY 31, 2005
 DATE MARCH 2008



PROPERTY LOT

NO.	ACRES	OWNER	REMARKS
1	0.12	...	...
2	0.12	...	...
3	0.12	...	...
4	0.12	...	...
5	0.12	...	...
6	0.12	...	...
7	0.12	...	...
8	0.12	...	...
9	0.12	...	...
10	0.12	...	...

STREET NAME	STREET CLASS	STREET WIDTH	STREET CENTERLINE	STREET RIGHT-OF-WAY	STREET EASEMENT	STREET DEDICATION
...

SHEET INDEX

1. COVER SHEET
2. SHEET 1
3. SHEET 2
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NOTES:

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Not to Scale

OWNERS, DEVELOPER/SUBDIVIDER
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INCINER.
PATE ENGINEERS
 ...
SUBMITTED BY
 ...
SURVEYOR
 ...



PATE ENGINEERS
P.L.L.C.
1000 W. 10th St., Suite 100
Oklahoma City, Oklahoma 73106
Tel: 405.521.1111
Fax: 405.521.1112
www.pateengineers.com

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VOL. 11835 PG. 171

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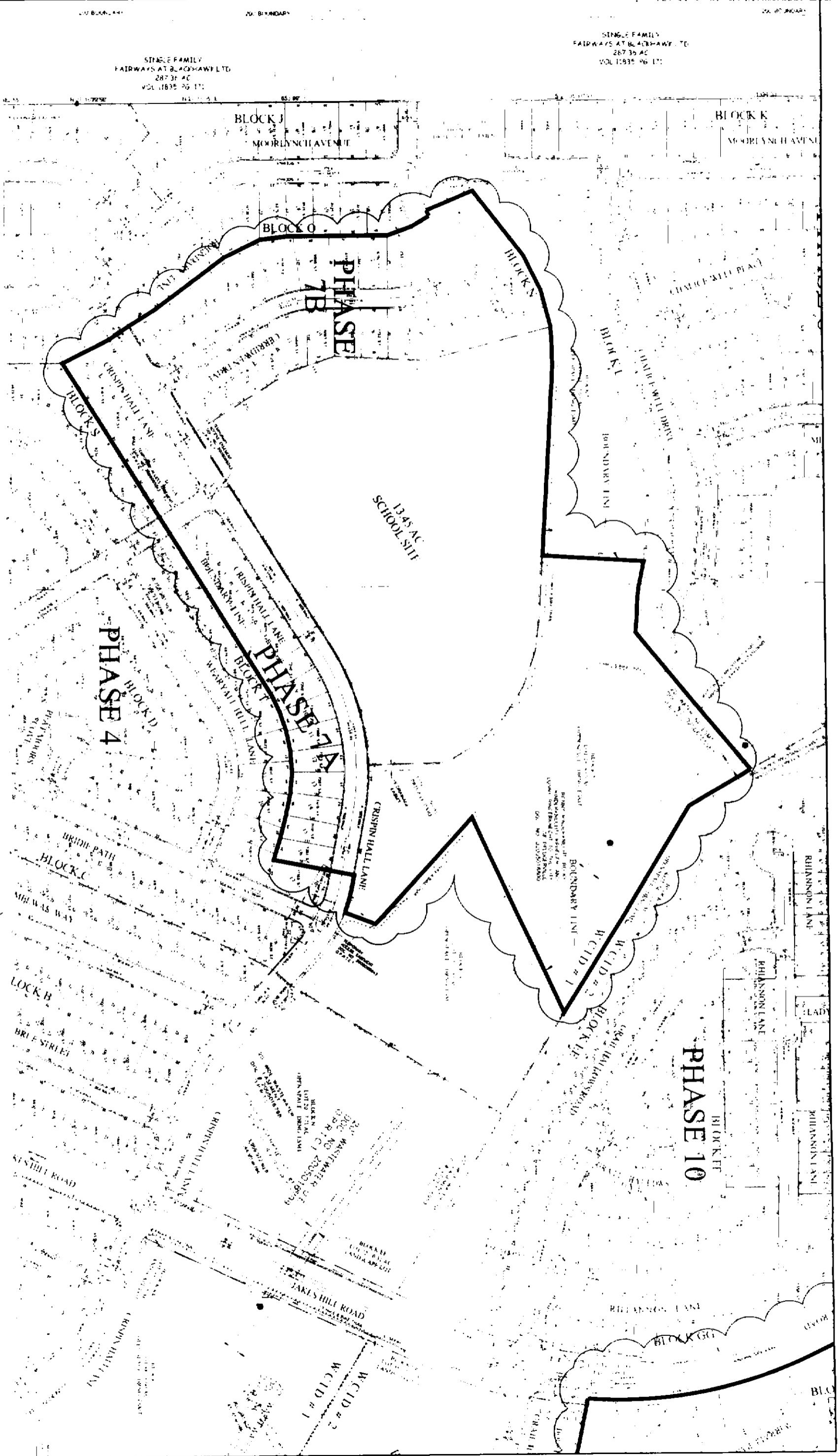
LEGEND
PHASE BOUNDARY
BLOCK BOUNDARY
PROPERTY BOUNDARY
EXISTING ROAD
EXISTING UTILITY
EXISTING LOT
EXISTING CURB
EXISTING DRIVE

PRELIMINARY PLAN ONLY - NOT FOR RECORDATION

AVAILON

SCALE: 1" = 100'

DIMENSIONS AND PHASING PLAN
SHEET 2 OF 7



34

Travis County Commissioners Court Agenda Request

Voting Session 10/28/08
(Date)

Work Session _____
(Date)

08 OCT 21 PM 3:22

RECEIVED
COUNTY CLERK'S OFFICE

I. A. Request made by: Joseph P. Gieselman Phone # 854-9383
Signature of Elected Official/Appointed Official/Executive Manager/County Attorney

B. Requested Text:

A. Consider and take appropriate action on a Final Plat in Precinct 3: Slaughter Creek Acres, Resubdivision of Lot 1, Block D (Total Number of Lots 2: (2 Single Family Residence lots) – 5.008 acres – Slaughter Creek Drive @ Chappell Lane – No Fiscal is required from Travis County with this final plat – Sewage service to be provided by a private onsite system – City of Austin ETJ).

C. Approved by:

Commissioner Gerald Daugherty, Precinct 3

II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request (original and eight (8) copies of agenda request and backup).

B. Please list all of the agencies or officials names and telephone numbers that might be affected or be involved with the request. Send a copy of the Agenda Request and backup to them:

Joe Arriaga: 854-7562 Dennis Wilson, 854-4217
Anna Bowlin: 854-7561

III. Required Authorizations: Please check if applicable:

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- ___ Additional funding for any department or for any purpose
- ___ Transfer of existing funds within or between any line item budget
- ___ Grant

Human Resources Department (854-9165)

- ___ A change in your department's personnel (reclassifications, etc.)

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- ___ Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9415)

____ Contract, Agreement, Policy & Procedure

AGENDA REQUEST DEADLINE: This Agenda Request complete with backup memorandum and exhibits MUST be submitted to the County Judge's Office no later than 5:00 p.m. on Tuesday for the following week's meeting. Late or incomplete requests will be deferred.



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building
PO Box 1748
Austin, Texas 78767

MEMORANDUM

October 14, 2008

TO: Members of the Commissioners Court

THROUGH: Joseph P. Gieselman, Executive Manager

FROM:  Anna Bowlin, Director of Development Services

SUBJECT: Slaughter Creek Acres, Resubdivision of Lot 1, Block D

PROPOSED MOTION:

- A. Consider and take appropriate action on a Final Plat in Precinct 3: Slaughter Creek Acres, Resubdivision of Lot 1, Block D (Total Number of Lots 2: (2 Single Family Residence Lots) – 5.008 acres – Slaughter Creek Drive @ Chappell Lane – No Fiscal is required from Travis County with this final plat – Sewage service to be provided by a private onsite system – City of Austin ETJ).

SUMMARY AND STAFF RECOMMENDATION:

This final plat subdivision consists of 2 total lots for single family residences. There are no linear feet of public streets being proposed with this plat. The applicant is proposing to develop this subdivision with single family residence uses on 5.007 acres. This subdivision is exempt from parkland requirements. On October 7th, 2008, the Court approved a variance to no provide sidewalks with this resubdivision for both Slaughter Creek Drive and Chappell Lane.

As this replat application meets all Travis County standards and has been approved by the City of Austin, TNR staff recommends approval of the plat.

ISSUES:

Staff has not received any inquiries from any adjacent property owners or from anyone else.

BUDGETARY AND FISCAL IMPACT:

None.

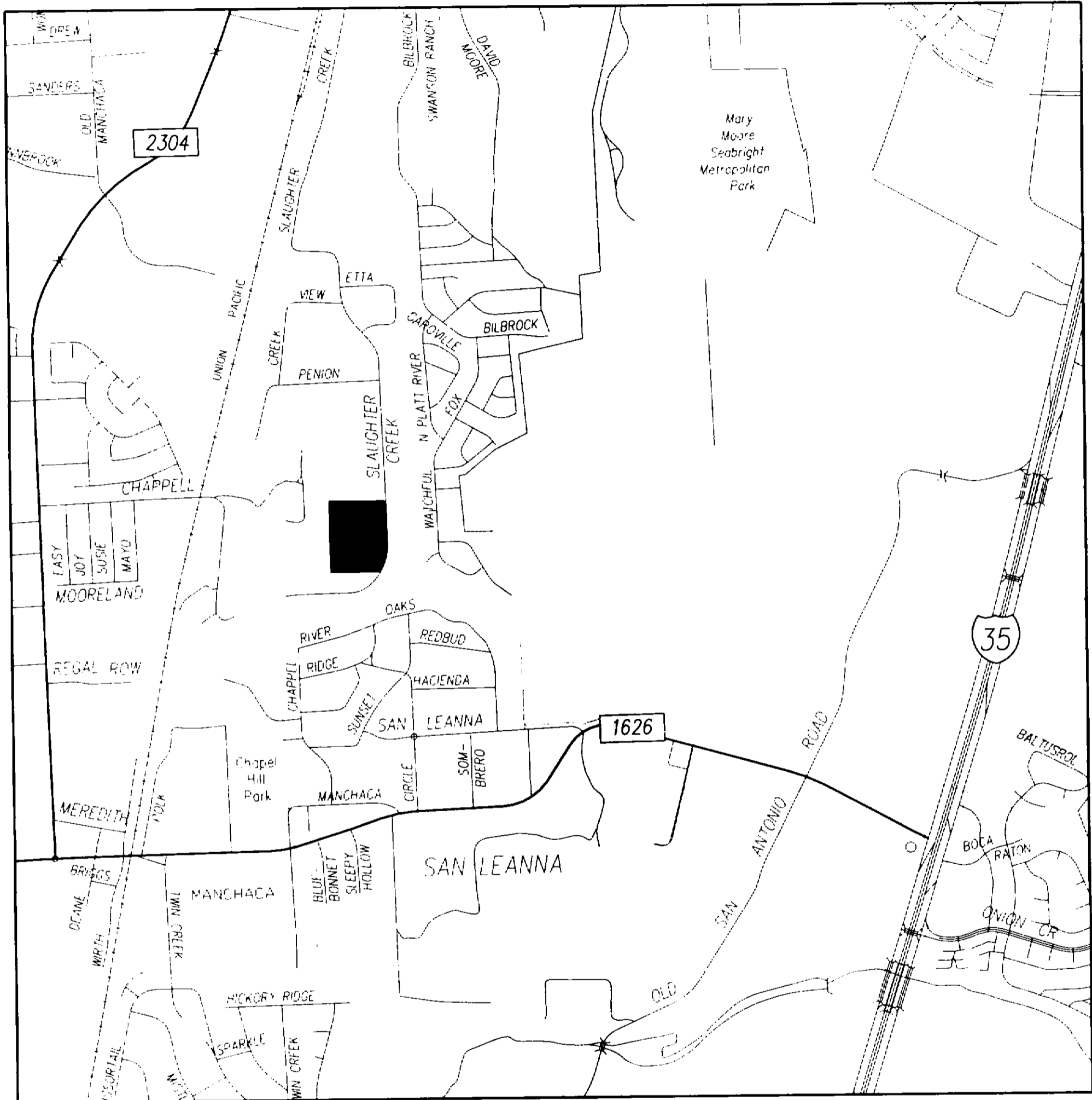
REQUIRED AUTHORIZATIONS:

None.

EXHIBITS:

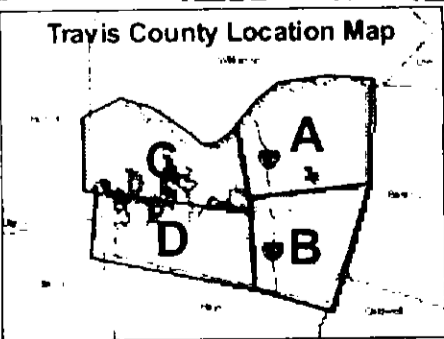
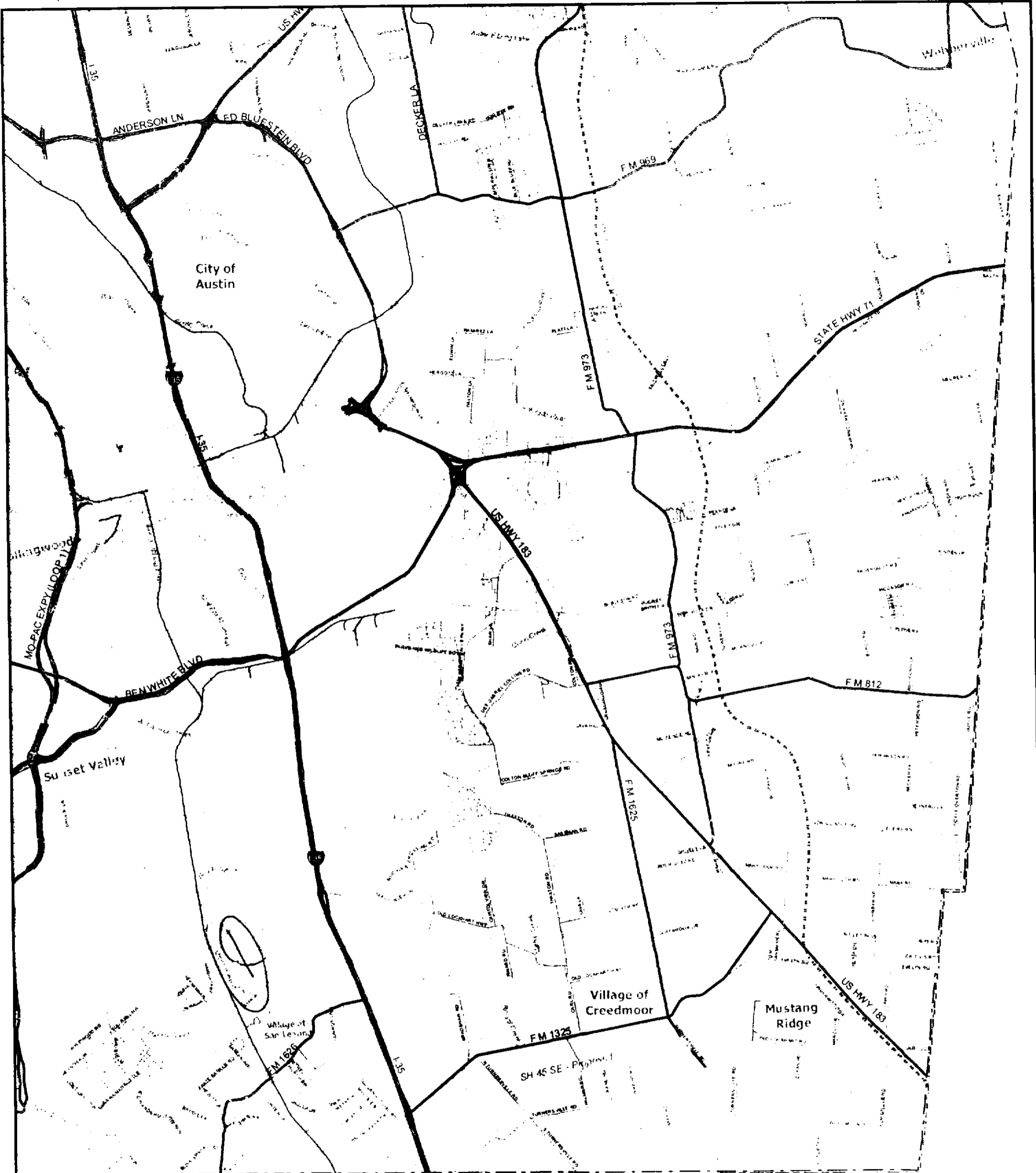
Location map and plat

AMB: ja 1008



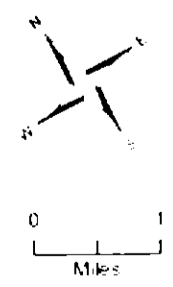
LOCATION MAP

NOT TO SCALE



Precinct #3

Sources: CoA Roads - CoA 11/05, Unincorporated Roads - Travis County 11/05, Proposed Roads - various sources, Creeks - NHD 05, Parks - Travis County 04, CoA Parks - CoA 12/05, Commissioner Precincts - Travis County, Voter Registrar 2002



Legend		Commissioner Precinct
Roadway Type	Proposed In Progress Roadway	Precinct 1
State Maintained	Railroad	Precinct 2
Incorporated	County Boundary	Precinct 3
Travis County Maintained	Creek	Precinct 4
Not Maintained	Water Body	
Private	Park	
Repetition of Elevation	Incorporated Area	
Undesignated Private		

Note: For legibility purposes not all State Maintained roadways are shown in red

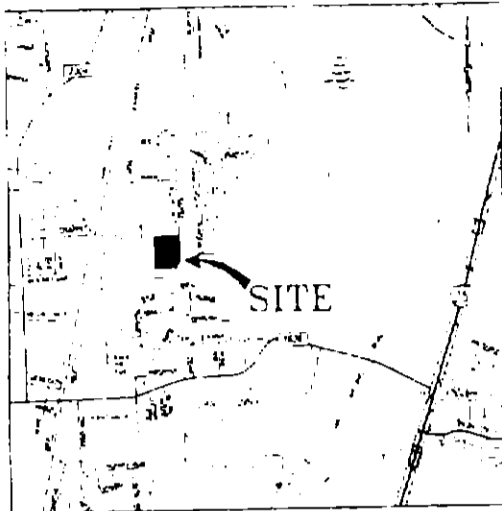
Map Disclaimer: This map was created by the Travis County Sign Crew to identify Travis County maintained roadways. The data is provided "as is" with no warranties of any kind. Please contact the Travis County GIS Coordinator at 854.9333 for questions.

Travis County Roadways, Map B



Map Prepared by: Travis County Dept. of Transportation & Natural Resources Date: 01/03/2006 <http://www.co.travis.tx.us/maps>

RESUBDIVISION OF LOT 1, BLOCK D, SLAUGHTER CREEK ACRES



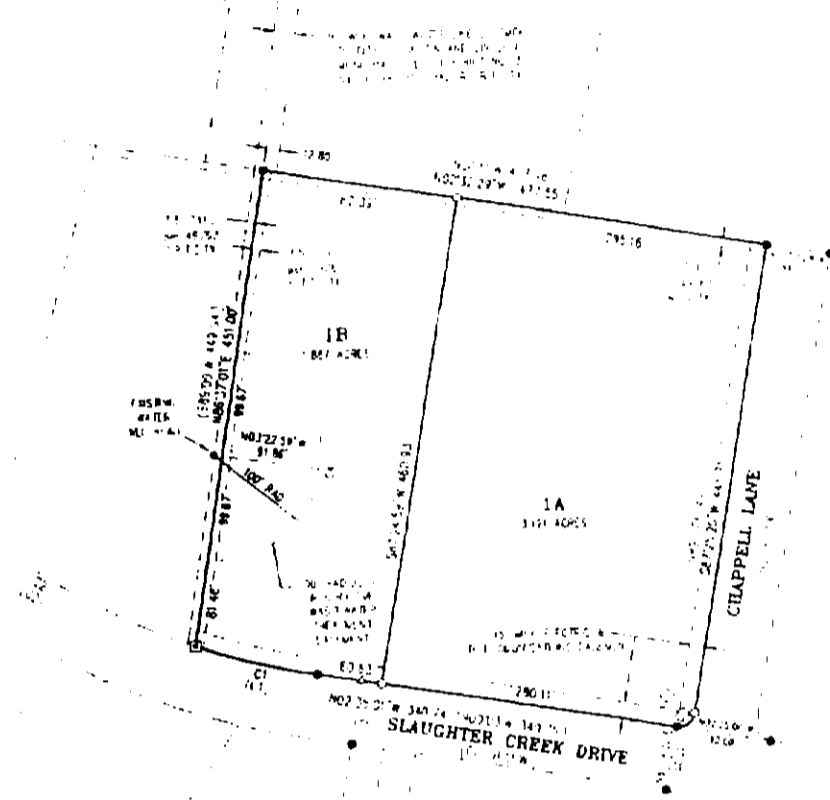
LOCATION MAP
NOT TO SCALE

CHORD	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BEARING
1	116.25	663.82	1000.22	38.17	115.92	S22.1421°E
2	15.24	663.82			4.91	S74.74°E
3	15.24	663.82			248.85	S74.74°W
4	116.25	663.82	1000.22	38.17	115.92	S22.1421°W

LINE	LENGTH	BEARING
1	116.25	S22.1421°E
2	15.24	S74.74°E
3	15.24	S74.74°W
4	116.25	S22.1421°W



- LEGEND**
- = 1/2" IRON ROD FOUND (HIT) - UNLESS NOTED OTHERWISE
 - = 1/2" IRON ROD SET WITH A PLASTIC CAP MARKED WITH SURVEYMAN'S
 - ⊙ = 1/2" IRON ROD SET IN A CONCRETE MONUMENT
 - △ = CALCULATED POINT
 - = PUBLIC UTILITY ENCASMENT
 - ▭ = BUILDING CORNER
 - DR 1010 TX = DEED RECORDS OF TRAVIS COUNTY, TEXAS
 - PL 1010 TX = PLAT RECORDS OF TRAVIS COUNTY, TEXAS
 - OP 1010 TX = OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
 - RP 1010 TX = REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS
- (MISSED DATA SHOWN IN PARENTHESES)



SUBJECT TO RESTRICTIONS RECORDED IN VOL. 3955, PG. 1944 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS

MEASUREMENT BASIS IS NAD83, TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE 3

STATE OF TEXAS
COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS THAT CLARA AQUINO CALDERON, HUSBAND, THE OWNER OF LOT 1, BLOCK D, SLAUGHTER CREEK ACRES, A SUBDIVISION RECORDED IN BOOK 44, PAGE 113 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AS CONVEYED TO HER BY WARRANTY DEED RECORDED IN DOCUMENT NO. 200802850 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID LOT 1, CONTAINING 5.008 ACRES OF LAND AND HAVING BEEN APPROVED FOR RESUBDIVISION PURSUANT TO THE PUBLIC NOTICE AND HEARING PROVISIONS OF SECTION 212.019 OF THE TEXAS LOCAL GOVERNMENT CODE, DOES HEREBY RESUBDIVIDE SAID 5.008 ACRES OF LAND IN ACCORDANCE WITH THIS PLAN TO BE KNOWN AS RESUBDIVISION OF LOT 1, BLOCK D, SLAUGHTER CREEK ACRES, SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HEREOFORER GRANTED AND NOT VACATED OR RELEASED, AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF ALL STREETS AND EASEMENTS SHOWN HEREON.

WITNESS MY HAND THIS 04 DAY OF _____ 2008 A.D.

CLARA AQUINO CALDERON
11200 SLAUGHTER CREEK DRIVE
AUSTIN, TEXAS 78748

STATE OF TEXAS
COUNTY OF TRAVIS

BEFORE ME THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED CLARA AQUINO CALDERON KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____

NOTARY PUBLIC STATE OF TEXAS
BY COMMISSION EXPIRES _____

FLOOD PLAN NOTE

NO PORTION OF THIS TRACT IS WITHIN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AS SHOWN ON THE FLOOD INSURANCE RATE MAP NO. 48353C0004 TRAVIS COUNTY, TEXAS, DATED SEPTEMBER 28, 2009.

I, JOHN W. TOON, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THIS PLAN COMPLETES WITH THE SURVEY RELATED PORTIONS OF TITLE 30 OF THE AUSTIN CITY CODE OF 1986 AS AMENDED IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE ON THE GROUND UNDER MY SUPERVISION.

JOHN W. TOON
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4422
1000 GUERNAWAKA DRIVE
AUSTIN, TEXAS 78733

I, EDWARD C. MOORE, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF ENGINEERING, AND DO HEREBY CERTIFY THAT THIS PLAN IS FEASIBLE FROM AN ENGINEERING STANDPOINT AND COMPLETES WITH THE ENGINEERING RELATED PORTIONS OF TITLE 30 OF THE AUSTIN CITY CODE OF 1986 AS AMENDED, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

EDWARD C. MOORE
REGISTERED PROFESSIONAL ENGINEER NO. 27129
1000 GUERNAWAKA DRIVE
AUSTIN, TEXAS 78733



ATX Land Surveying and Mapping
200 GUERNAWAKA DRIVE, AUSTIN, TEXAS 78733
TEL: 512-221-1111 FAX: 512-221-1112
081-2008-0062 CA

Original Subdivision "Slaughter Creek Acres"

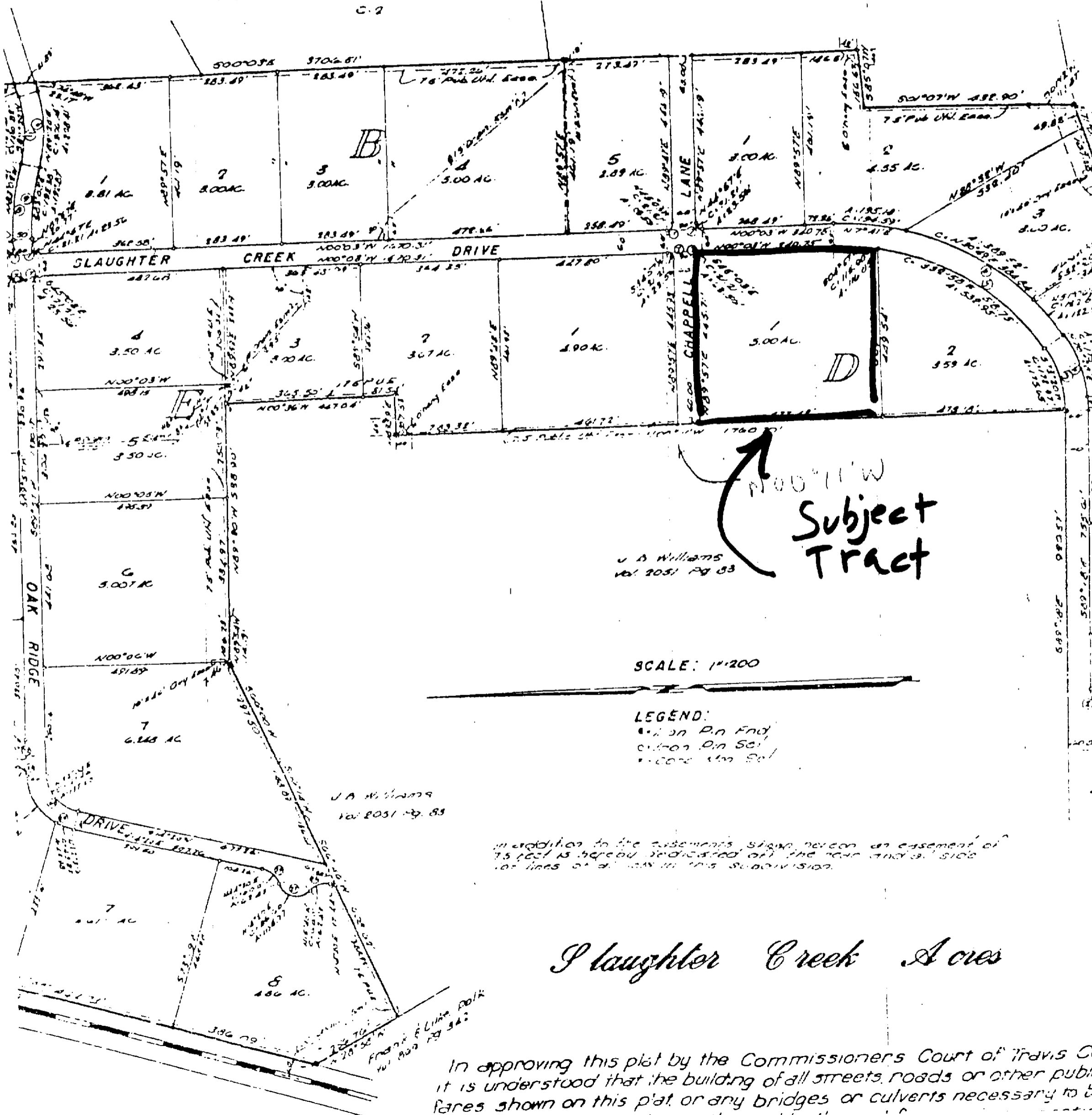
418 8750

ON OF THE ETTA CHAPPEL ESTATE FARM TRACT

Plat Book 8 Pg. 66

C. 2

C. 3



Subject Tract

SCALE: 1"=200

LEGEND:
 • on P.n. End
 ○ on P.n. Sd
 * on S.p. Sd

In addition to the easements shown hereon an easement of 75 feet is hereby dedicated on the north and south sides of lines of all lots in this subdivision.

Slaughter Creek Acres

In approving this plat by the Commissioners Court of Travis Co. it is understood that the building of all streets, roads or other public places shown on this plat, or any bridges or culverts necessary to be

35

Travis County Commissioners Court Agenda Request

Voting Session 10/28/08
(Date)

Work Session _____
(Date)

I. A. Request made by: Joseph P. Gieselman Phone # 854-9383
Executive Manager, TNR

B. Requested Text:

Approve the acceptance of dedication of street and drainage facilities for Ross Road from Heine Farm Road to Stoney Ridge Phase B, Section One; the streets and drainage for the Stoney Ridge Phase B, Section One subdivision; and for Ross Road from the Stoney Ridge Phase B, Section One subdivision to its intersection with the old location of Elroy Road – all being within Precinct Four.

C. Approved by: _____
Commissioner Margaret Gomez, Precinct Four

II. A. Is backup material attached*? Yes X No _____
*Any backup material to be presented to the court must be submitted with this Agenda Request (original and 8 copies).

B. Have the agencies affected by this request been invited to attend the Work Session?
Yes X No _____

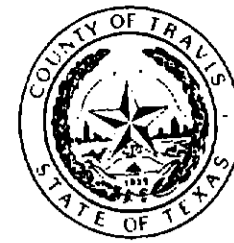
Please list those contacted and their phone numbers:

<i>AB</i> Anna Bowlin	- 854-9383	Don Ward <i>aww</i>	- 854-9383
Jamie Mancillas	- 854-9383	Scott Lambert	- 854-9383
Gayla Dembkowski	- 854-9383	Howard Herrin	- 854-9383

III. Required Authorizations: Please check if applicable:

- Planning and Budget Office (473-9106)
- Additional funding for any department or for any purpose
- Transfer of existing funds within or between any line item budget
- Grant
- Human Resources Department (473-9165)
- A change in your department's personnel (reclassifications, etc.)
- Purchasing Office (473-9700)
- Bid, Purchase Contract, Request for Proposal, Procurement
- County Attorney's Office (473-9415)
- Contract, Agreement, Policy & Procedure

AGENDA REQUEST DEADLINE: This Agenda Request complete with backup memorandum and exhibits should be submitted to the County Judge's Office no later than 5:00 PM on Tuesday for the following week's meeting. Late or incomplete requests may be deferred to the next subsequent meeting.



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building
PO Box 1748
Austin, Texas 78767
(512) 473-9383
FAX (512) 708-4649

MEMORANDUM

DATE: October 17, 2008

TO: Members of the Commissioners' Court

THROUGH: Joseph P. Gieselman, TNR Executive Manager

FROM: Donald W. Ward, P.E., Division Director – Road Maintenance and Fleet Services

SUBJECT: Approve the acceptance of dedication of street and drainage facilities for Ross Road from Heine Farm Road to Stoney Ridge Phase B, Section One; the streets and drainage for the Stoney Ridge Phase B, Section One subdivision; and for Ross Road from the Stoney Ridge Phase B, Section One subdivision to its intersection with the old location of Elroy Road – all being within Precinct Four.

Summary and TNR Staff Recommendation

Stoney Ridge, Phase B Section One was recorded on April 7, 2005 at Document #200500089. This subdivision has been inspected for conformance with approved plans and specifications as listed. This subdivision will be accepted under the regulations of the Standards for Construction of Streets and Drainage in Subdivisions approved by Commissioners Court August 28, 1997, in which the subdivision is accepted before the one-year Performance Period has ended.

The completed sidewalks within this subdivision have been inspected by a Registered Accessibility Specialist and found to be in substantial compliance with the Texas Architectural Barriers Act. The stop signs are in the process of being approved under Chapter 251 of the Texas Transportation Code.

Stoney Ridge Phase B, Section One is accessed from the north by a portion of Ross Road that was dedicated by two separate instrument right of way (ROW) dedications. These two dedications are actually STREET DEEDS deeded to the City of Austin and are recorded at Volume 13346, Page 202 (70' wide) and Document #2004122797 (35' wide). This section of Ross Road is not yet accepted for maintenance by Travis County. Its acceptance is considered as part of this Court action.

With that said, this action is recommending the acceptance of the east 35' wide portion of Volume 13346, Page 202 and all of the 35' wide portion represented by Document #2004122797, for a total width of 70'. This section starts at its intersection with Heine Farm Road and moves south to the northern boundary of the Stoney Ridge Phase B, Section One subdivision. Document #2004122797 does not continue past this point.

October 17, 2008

Page 2

Once inside the boundaries of the subject subdivision, this action continues recommending for approval the full 70' wide ROW dedicated per Volume 13346, Page 202 as Ross Road. This section of Ross Road starts at the Stoney Ridge Phase B, Section One's northern boundary continuing south to the subdivision's southern boundary. Along this section of Ross Road are two strips of ROW that are also to be included for approval. The two strips of ROW were dedicated per the subject plat. One strip is a variable width section of ROW located adjacent to the eastern ROW line of the 70' wide separate instrument ROW dedication of Ross Road. The other strip is a 15' wide section of ROW located adjacent to the western ROW line of the separate instrument dedication of Ross Road.

Finally, moving to the south of the subject subdivision, this action continues to recommend for approval another section of the 70' wide ROW dedication. This 70' wide portion of Ross Road starts at the southern boundary of the subject subdivision and moves south to its intersection with the old location of Elroy Road.

In summary, all the streets dedicated per the Stoney Ridge Phase B, Section One plat are being recommended for Court approval. Also being recommended for approval are sections of two separate instrument ROW dedications. The dedications are dedicated as portions of Ross Road and are located starting at Ross Road's intersection with Heine Farm Road, moving south through the subject subdivision, and ending with its intersection with the old location of Elroy Road. This overall section of Ross Road has a variable width with a minimum of 70'. Heine Farm Road is maintained by Travis County. This action will add a total of 1.58 miles to the Travis County road system. TNR staff recommends approval of the proposed motion.

Budgetary and Fiscal Impacts:

None.

Issues and Opportunities:

Popham Boulevard, as part of the original Stoney Ridge Phase B, Section One plat, was renamed Ross Road on October 18, 2005. The road that was named Ross Road at the time was then changed to Heine Farm Road on the same date. Heine Farm Road is not a part of this subdivision, but is the link to the Travis County's road maintenance system.

Required Authorizations:

Road Maintenance and Fleet Services Department.

October 17, 2008

Page 3

Exhibits:

TNR Approval Letter

RAS Inspection Approval

City of Austin Approval Letter

List of streets (1)

Requirements for Approval

Maps

PS:DW:ps

1105 Stoney Ridge Phase B, Section One



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street

Executive Office Building

P.O. Box 1748

Austin, Texas 78767

tel 512-854-9383

fax 512-854-4649

APPROVAL OF CONSTRUCTION

DATE: September 24, 2008

DEVELOPER:

SR Development, Inc.

503 West 17th Street, #200

Austin, TX 78701

ENGINEER:

Austin Civil Engineering, Inc.

c/o Hunter Shadburne, PE

2708 S. Lamar Blvd, Suite #200A

Austin, TX 78704

SUBJECT: **Stoney Ridge Phase B, Section 1**

Effective this date, street and drainage construction within this project appears to be in conformance with the approved Construction Documents. This construction has entered into a one (1) year Performance Period. Prior to the end of this Period, Travis County will inspect the streets and/or drainage construction to determine if the subdivision appears to be in a condition substantially equal to that at the beginning of the Performance Period. If not, the developer/owner shall take corrective actions, which are acceptable to the County.

The Developer is required to maintain Performance Period fiscal of 10% of the actual street and drainage cost, until the end of the Performance Period, plus 100% of the un-constructed residential sidewalks until all of the sidewalks are constructed to Travis County Standards.

All items have been received

BY: *Roy Wright*
TNR Construction Inspector – Roy Wright

Paul Scoggins
TNR Engineering Specialist – Paul Scoggins

Scott Lambert, P.E.
TNR Road Maintenance – Scott Lambert

1102 fiscal file

1105 Subdivision File



ADA Assistance

107 Meadow Woods, Kyle TX 78640 (512) 787-3687 Fax (512) 268-5964
Email: robert@adaassistance.com Internet: www.adaassistance.com

DATE: October 17, 2006

TO: William Gurasich
SR Development
503 W 17th Street #200
Austin TX 78705
(512) 474-5421

FROM: Robert Ronson, RAS

PROJECT: Stoney Ridge Phase B Section 1
Ross Rd & Elroy Rd
Austin TX

AB Number: EABPRJA5835119

Inspection performed: 10/14/2006

SUBJECT: INSPECTION - APPROVED

We are pleased to inform you that the referenced facility has been inspected and found to be in substantial compliance with the provisions of the Architectural Barriers Act, Article 9102, Texas Civil Statutes, therefore, this project is approved.

Please note, this determination does not address the requirements of the Americans with Disabilities Act (ADA), (P.L. 101-336), or any other state or federal requirements. For information on the ADA, contact the United States Department of Justice, Civil rights Division at (202)514-0301.

NOTE: The review of documents as contract documents and field inspections by this accessibility specialist for the Texas Department of Licensing and Regulation (TDLR) is based on a best efforts endeavor following instruction and certification by TDLR. This review and inspection in no way warrants complete compliance with the Texas Accessibility Standards. The business, the professional, his employees, engineers, and client for whom the review or inspection is made agrees to hold harmless and indemnify this accessibility specialist from and against any liability arising from performance of the work.



City of Austin

Founded by Congress, Republic of Texas, 1839
Watershed Protection and Development Review Department
P.O. Box 1088, Austin, Texas 78767

November 5, 2005

SR Development, Inc.
c/o William Guarasich
503 West 17th Street, Suite 200
Austin, Texas 78735

RE: FINAL AFTER CONDITIONAL ACCEPTANCE
Project Name: Stoney Ridge Phase B Section 1
Subdivision Development Number: C8J-03-0161.1B Job ID No.: C-2004-0757

To Whom It May Concern:

Effective October 28, 2005, all conditional items described in the City of Austin Conditional Acceptance letter June 15, 2005 have been completed except for the one (1) year warranty period. The contractor is warranting their workmanship and materials against defects for one (1) year from June 9, 2005.

The water and wastewater improvements will be owned, operated and maintained by the City of Austin.

The Watershed Protection and Development Review Department has no record of fiscal posting for this project. If you have any questions, regarding fiscal, please contact the fiscal officer, Carol Barnes at 974-2771.

Sincerely,

Chee C. Lin
Chee Lin, P.E., Construction Engineer
CIP Inspection Division
Department of Public Works

CL:nh

pc: Sam Angoori, P.E., Public Works
Henry Casas, P.E. WPDR
Frank Kopic, WPDR
Mark Mauldin, WPDR
Charles Capel, Financial Services Dept.
Rodman Construction Company
Kent Carothers, P.E., Doucet & Assoc.
Federal Insurance Company
Bond No. 8196-76-35
Richard Kroger, P.E., PW
Project Files

Sam West, Street & Bridge, PW
James Judge, APD
Christine Thies, AFD
Cathy Winfrey, CTM
Dan Garcia, WPDR
Carol Barnes, WPDR
Bill Booth, WPDR
Mario Garcia, WPDR
Jamison Smith, WPDR
Mary Cruz, Public Works

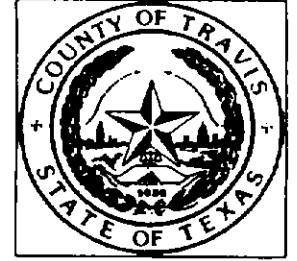
Stoney Ridge Ph B Sec. 1 (fac)

63241488,63241489,03241488,03241489

*The City of Austin is committed to compliance with the Americans with Disabilities Act.
Reasonable modifications and equal access to communications will be provided upon request*

LOE

ACCEPTANCE OF DEDICATION OF STREETS AND DRAINAGE



SUBDIVISION
Mapsco No. 677Y

Stoney Ridge Phase B, Section One &
sections of two Ross Road ROW dedications

Pct.# 4
Atlas No. E-10

PHASE B, SECTION ONE IS RECORDED AT DOC #200500089 IN THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY - 4/07/05
ROSS ROAD DEDICATION IS RECORDED AT VOL 13346, PG 202 IN THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY - 1/11/99
ROSS ROAD DEDICATION IS RECORDED AT DOC #2004122797 IN THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY - 6/28/04

THIS SUBDIVISION, INCLUDING THE SEPARATE INSTRUMENT DEDICATIONS, CONTAINS 8 STREETS AS LISTED BELOW:

#	STREET NAME	FROM - TO	L.F.	MILES	ROW	TYPE OF WIDTH OF		CURB & GUTTER
						PVMNT	PVMNT	
1	Campina Crossing	Stoney Meadow Dr northerly to Plains Valley Dr	987	0.19	56'	HMAC	36' F-F	YES
2	Chambers Peak Cove	Savanna Canyon Dr westerly to cul de sac	371	0.07	56'	HMAC	36' F-F	YES
3	Panda Royle Drive	Stoney Meadow Dr northerly to Plains Valley Dr	871	0.16	56'	HMAC	36' F-F	YES
4	Plains Valley Drive	Ross Road westerly to cul de sac	1134	0.21	56'	HMAC	36' F-F	YES
5	Ross Road	Heine Farm Rd south to north boundary of SR, B-1	662	0.13	minimum - 70	HMAC	48' F-F	YES
	Ross Road	North boundary of SR, B-1 to its south boundary	1080	0.20	minimum - 70	HMAC	48' F-F	YES
	Ross Road	South boundary of SR, B-1 to old location of Elroy Road	740	0.14	minimum - 70	HMAC	48' F-F	YES
6	Savanna Canyon Court	Savanna Canyon Dr westerly to cul de sac	322	0.06	56'	HMAC	36' F-F	YES
7	Savanna Canyon Drive	Stoney Meadow Dr northerly to NE corner of Lot 1, Blk E	1248	0.24	56'	HMAC	36' F-F	YES
8	Stoney Meadow Drive	Ross Road westerly to NW corner of Lot 18, Blk A	939	0.18	56'	HMAC	36' F-F	YES
Total Footage/Mileage			8354	1.58				

THE TOTAL NUMBER OF LOTS IN THIS SUBDIVISION - 178

N/A ADDITIONAL LOTS SOLD FOR DEVELOPMENT

CONSTRUCTION OF STREETS AND DRAINAGE EXCEEDS MINIMUM COUNTY STANDARD FOR STREETS NUMBERED 1-8

IT IS RECOMMENDED THAT MAINTENANCE OF STREETS NUMBERED 1-8 TOTALING 1.58 MILES BE ACCEPTED BY THE TRAVIS COUNTY COMMISSIONERS' COURT IN PRECINCT 4.

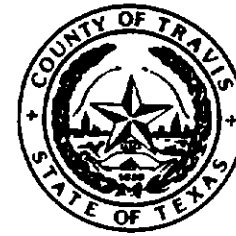
28-Oct-08

DATE

DP = DOUBLE PENETRATION
HMAC = HOT MIX ASPHALT
C = CONCRETE
UPP = UNPAVED, PIT RUN
UPS = UNPAVED, SELECT

Don Ward, PE
Division Director
Road Maintenance & Fleet Services

DATE APPROVED BY COMMISSIONERS' COURT



TRANSPORTATION AND NATURAL RESOURCES

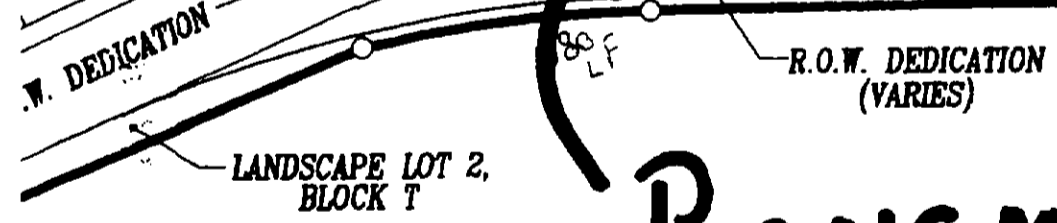
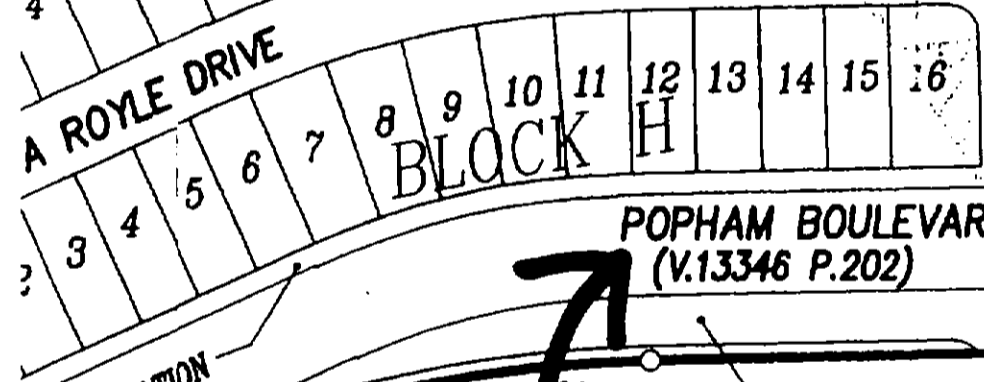
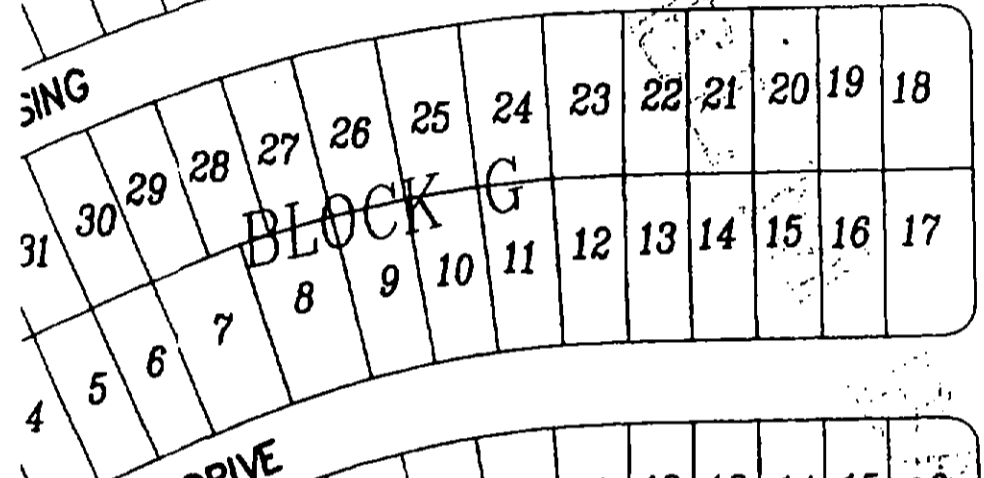
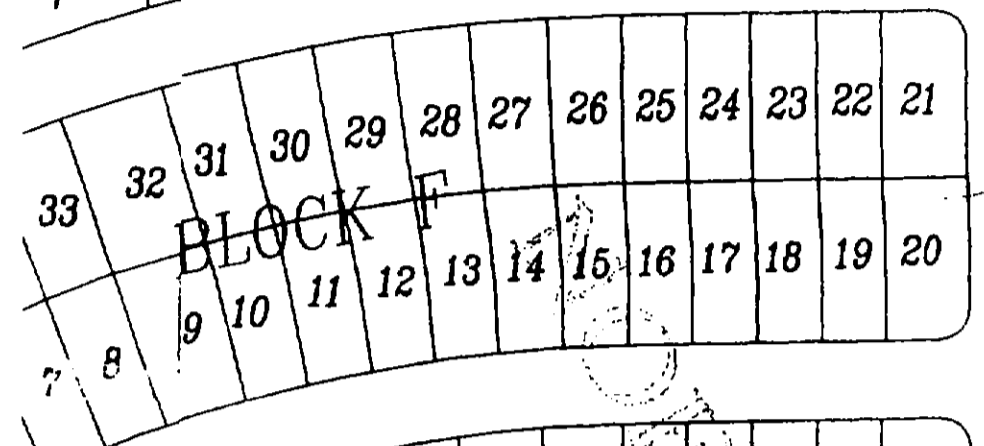
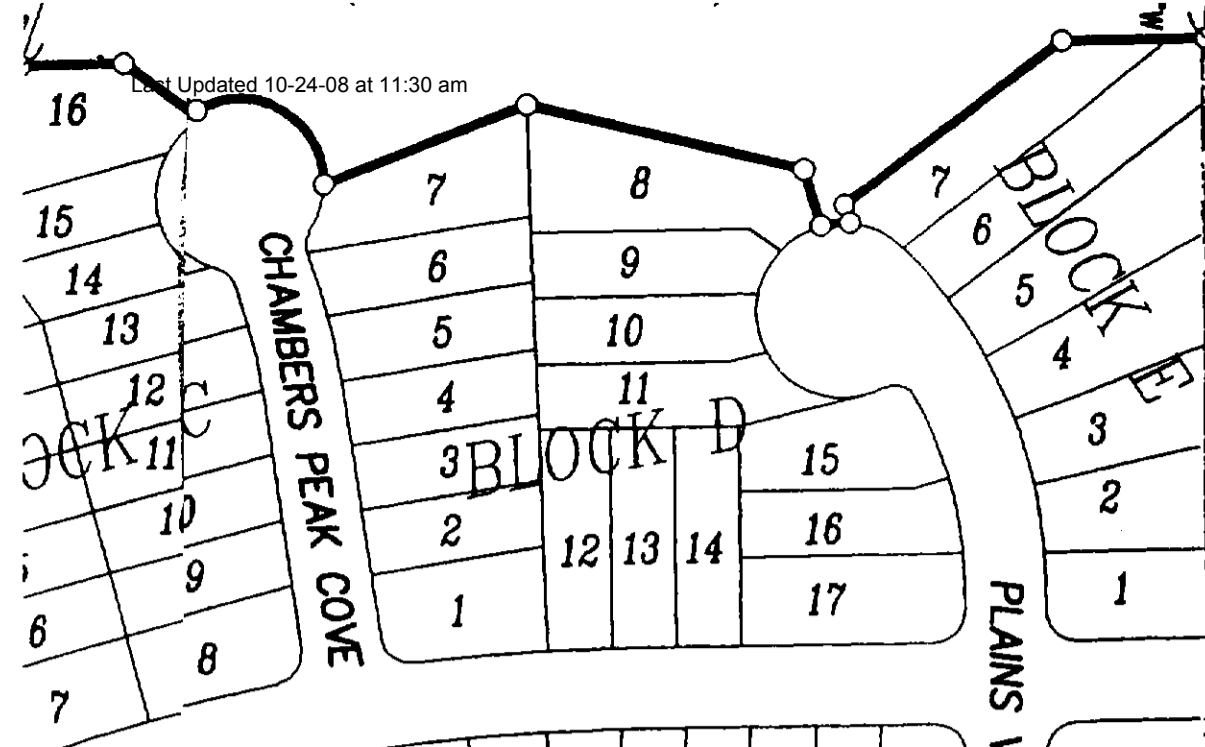
JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
 Executive Office Building, 11th Floor
 P.O. Box 1748
 Austin, Texas 78767
 (512) 854-9383
 FAX (512) 854-4697

**STONEY RIDGE PHASE B SECTION 1
 REQUIREMENTS FOR APPROVAL OF CONSTRUCTION
 PUBLIC STREET SUBDIVISIONS PER STANDARDS FOR CONSTRUCTION OF
 STREETS AND DRAINAGE IN SUBDIVISIONS - AUGUST 28, 1997**

- 6/01/05 1. Professional Engineer’s certification of quantities of work completed (**Engineer’s Concurrence Letter**). § 82.401(c)(1)(A) § 82.604(c)(2)
- 6/15/05 2. Construction Summary Report, signed by COA inspector. § 82.604(c)(1)
- 6/9/05 3. Contractor’s (signed) invoice or receipt of payment for work completed. §82.401 {c}(1)(B)
- 06/01/05 4. Reproducible Plans, certified as “**Record Drawings**”, by the Owner’s Consulting Engineer [§ 82.604(c)(3)] including a Signage and Striping Plan [§82.303 {c}] and accompanying Stop Sign Warrant sheet for each sign.
- Reduced
6/29/05 5. Performance Period Fiscal for 10% of the actual construction cost of street and drainage construction plus fiscal for residential sidewalks, if applicable. If bond, it must be in a form acceptable to Travis County and dated near the time of the TNR inspection report. Must be posted by owner/developer. § 82.604(c)(4), § 82.401(8)
- NA 6. **If applicable**, a copy of the Conditional Letter of Map Amendment or revision from FEMA to begin Performance Period and the completed Letter of Map Revision (LOMR) to accept streets for maintenance. § 82.604(c)(5)
- 3/6/07 7. A letter from Texas Department of Licensing and Regulation (**or Registered Accessibility Specialist**) approving subdivision construction (when sidewalks are required per plat and when the total construction costs of sidewalks exceed \$50,000.00 or when a variance is required). Plan approval required at time of Approval of Construction. Substantial compliance (inspection approval), including residential sidewalks, required at time of street acceptance for maintenance. § 82.202(q)(2), § 82.301 (13)
- 9/24/08 8. A TNR inspection report, indicating the completion of that portion of the work represented by the reduction of fiscal (streets and drainage, including detention ponds and common area sidewalks and traffic control devices shown on the approved traffic control plan). § 82.401(c)(1)(C)
- 11/05/05 9. Approval of other agencies - cities, **if in their ETJ**; Municipal or other Utility Districts.
- NA 10. License Agreement (If there are any private improvements in Public ROW)

Last Updated 10-24-08 at 11:30 am



CAPE LOCK T

M.C. Joint Venture
Vol. 11921, Pg. 585
Tract I
(Called 100.794 Ac.)

Match line
Page 2

Arthur Peterson
Subdivision
Bk. 79, Pg. 270

Lot 2

Lot 1

Anthony R. Bert
Vol. 11742
79.25

Travis County
(R.O.W. Dedication)
Doc. No. 2004074779
0.49 Ac.

SR Development, Ltd.
Doc. No. 2004074779
(Remainder of 0.65 Ac.)
503 W. 17th Street, Ste. 200
Austin, Texas 78701

(35' wide
V. 13346, P. 202)
(35' wide
Doc # 2004122797)
3/8" ROD END
IN CONCRETE

1/2" ROD END

MOORE'S CROSSING M.U.D.

Renamed
Ross Rd

Renamed
Heine Farm Rd

C.O.A. LIMITED PURPOSE
MOORE'S CROSSING M.U.D.

ROSS ROAD

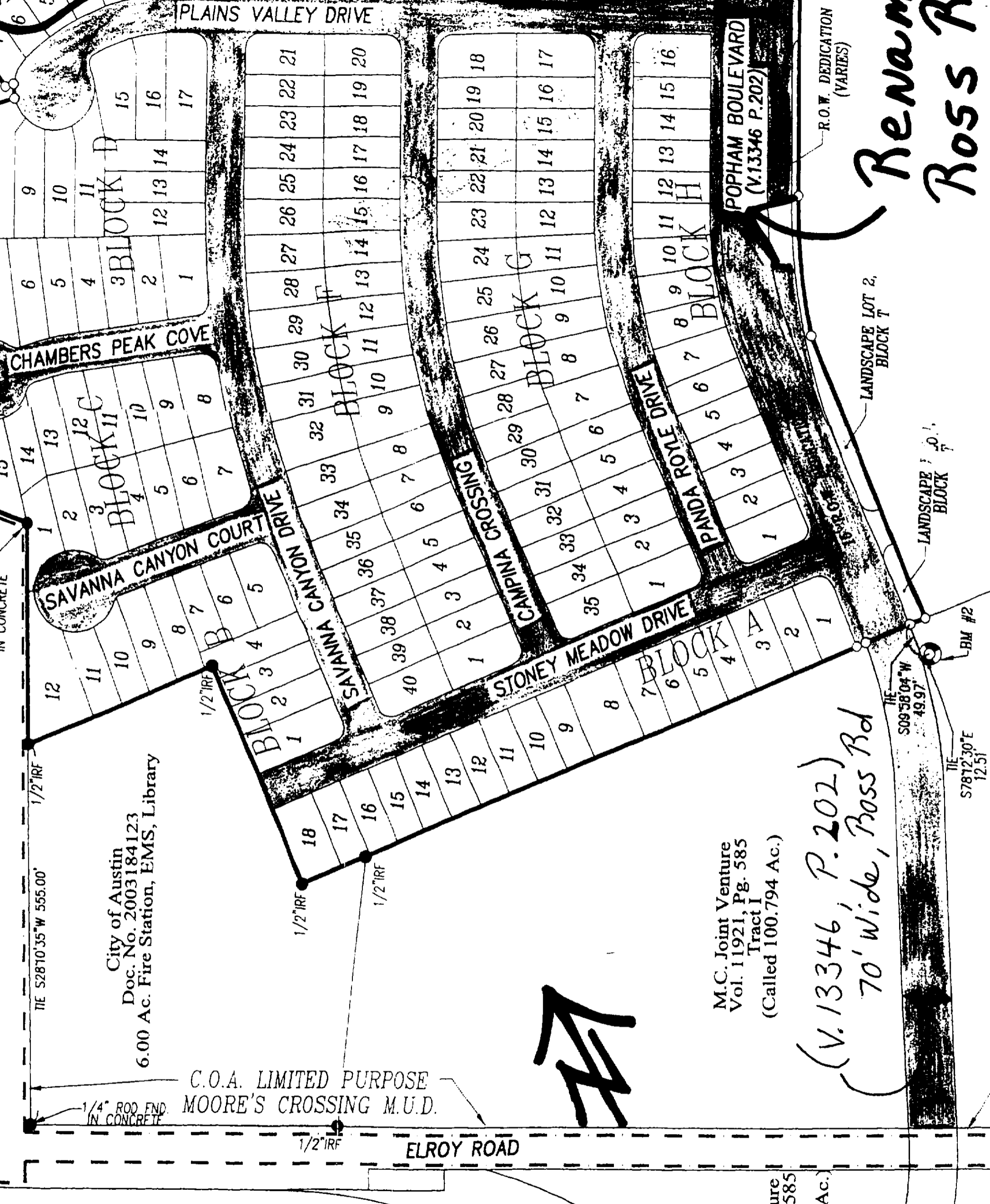
ROSS ROAD

FULL

25,980 Ac.

Da
Vol. 9

Last updated 10/24/08 at 11:39 am



City of Austin
 Doc. No. 2003184123
 6.00 Ac. Fire Station, EMS, Library

C.O.A. LIMITED PURPOSE
 MOORE'S CROSSING M.U.D.

M.C. Joint Venture
 Vol. 11921, Pg. 585
 Tract I
 (Called 100.794 Ac.)

M.C. Joint Venture
 Vol. 11921, Pg. 585
 Tract III
 (Called 406.804 Ac.)

Del Valle I.S.D.
 Vol. 13103, Pg. 31
 15.000 Ac.

Pg 2

Joint Venture
 11921, Pg. 585

Renamed
 Ross Rd.

R.O.W. DEDICATION
 (VARIES)

POPHAM BOULEVARD
 (V.13346 P.202)

LANDSCAPE LOT 2,
 BLOCK T

LANDSCAPE
 BLOCK

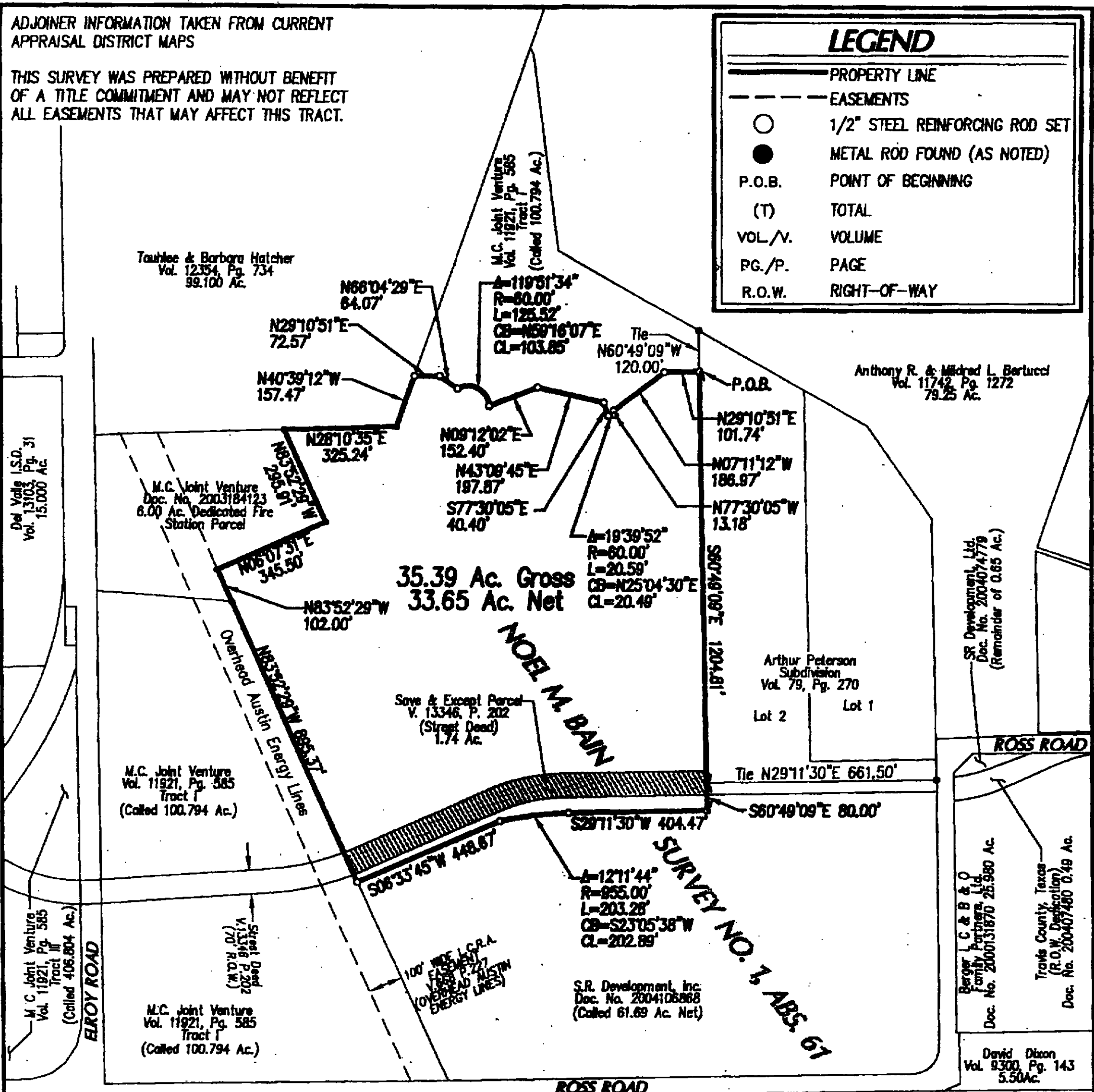
BM #2



ADJOINER INFORMATION TAKEN FROM CURRENT APPRAISAL DISTRICT MAPS

THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE COMMITMENT AND MAY NOT REFLECT ALL EASEMENTS THAT MAY AFFECT THIS TRACT.

LEGEND	
	PROPERTY LINE
	EASEMENTS
	1/2" STEEL REINFORCING ROD SET
	METAL ROD FOUND (AS NOTED)
P.O.B.	POINT OF BEGINNING
(T)	TOTAL
VOL./V.	VOLUME
PG./P.	PAGE
R.O.W.	RIGHT-OF-WAY



**35.39 Ac. Gross
33.65 Ac. Net**

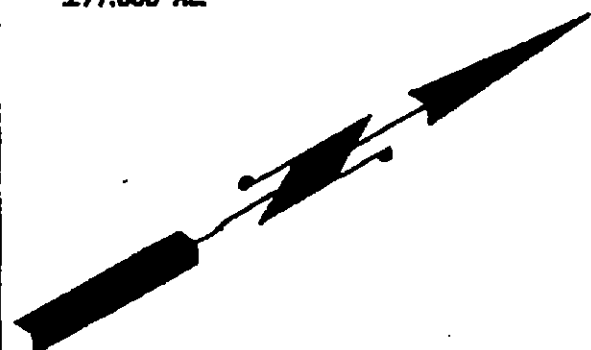
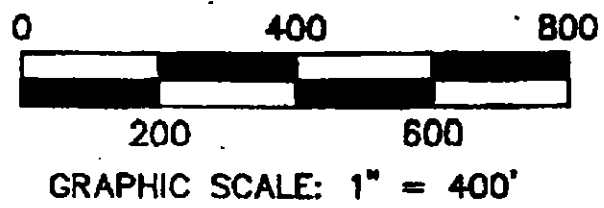
NOEL M. BAIN

SURVEY NO. 3, ABS. 61

THOMAS & WESTBROOK SURVEY NO. 5, ABSTRACT 797

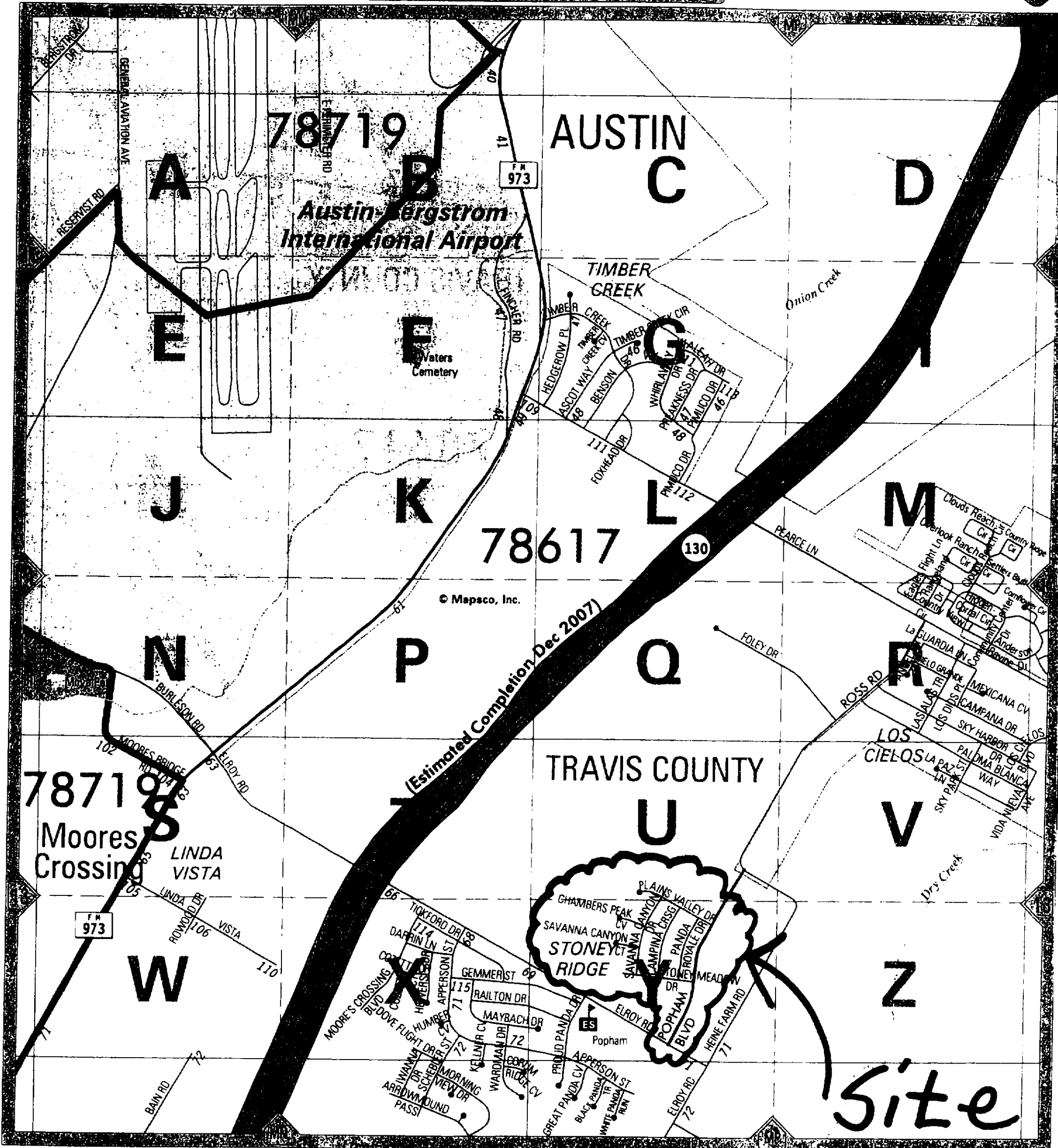
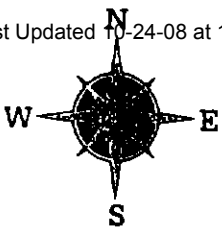
**STONEY RIDGE
PHASE B, SECTION 1
AUSTIN, TRAVIS COUNTY, TEXAS**

Date: 6/4/04	Project No.: 535-001
Scale: 1"=400'	Sheet: 1 OF 1



STONEY RIDGE SUBDIVISION, PHASE B, SECTION ONE

Last Updated 10-24-08 at 11:30 am



© Mapsco, Inc.

(Estimated Completion Dec 2007)

Site



SCALE IN MILES

0 1/4 1/2 3/4 1

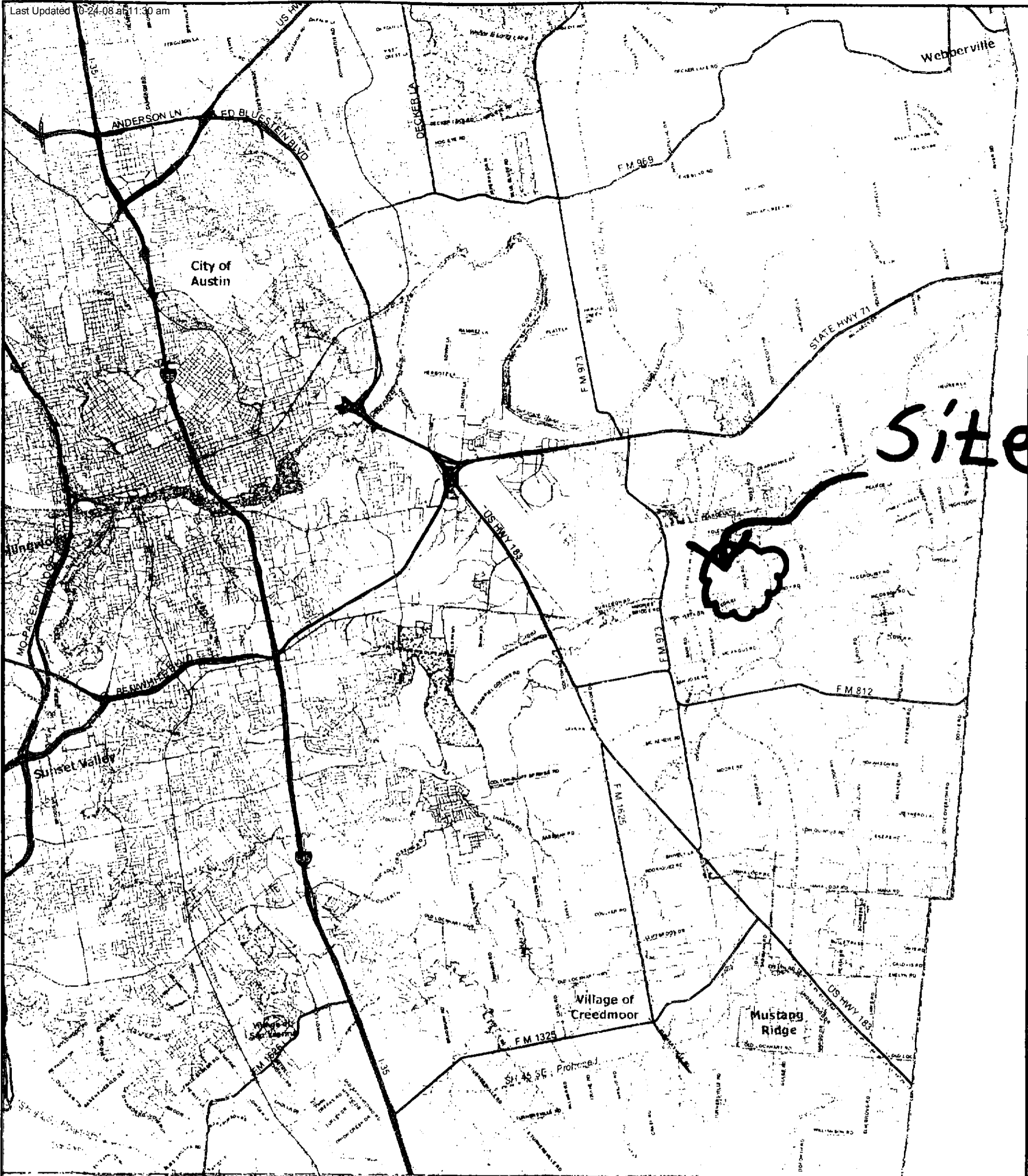
COPYRIGHT 1993, 2006 by MAPSCO INC. - ALL RIGHTS RESERVED



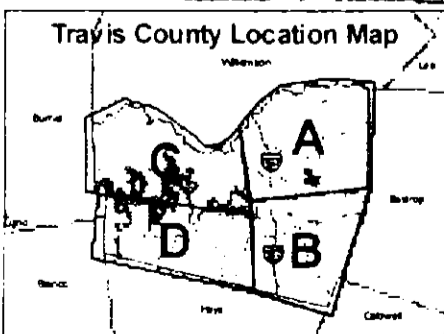
SCALE IN FEET

0 1000 2000 3000

Last Updated 10-24-08 at 11:30 am



Site



Source(s) CoA Roads CoA 11/05, Unincorporated Roads Travis County 11/05, Proposed Roads various sources, Creeks-NHD 05, Parks-Travis County 04, CoA Parks CoA 12/05, Commissioner Precincts-Travis County Voter Registrar 2002



Roadway Type	
— State Maintained	Proposed/In Progress Roadway, Commissioner Precinct
— Incorporated	Railroad
— Travis County Maintained	County Boundary
— Not Maintained	Creek
— Private	Water Body
— Reaction of Dedication	Park
— Undedicated Private	Incorporated Area

*Note: For legibility purposes, not all State Maintained roadways are shown in red.

Map Disclaimer: This map was created for the Travis County Sign Crew to identify Travis County maintained roadways. The data is provided as is with no warranties of any kind. Please contact the Travis County GIS Coordinator at 854-9383 for questions.

Travis County Roadways, Map B



Map Prepared by Travis County Dept. of Transportation & Natural Resources Date 01/03/2006 <http://www.co.travis.tx.us/maps>

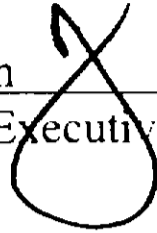
36

Travis County Commissioners Court Agenda Request

Voting Session 10/28/08
(Date)

Work Session _____
(Date)

I. A. Request made by: Joseph P. Gieselman Phone # 854-9383
Signature of Elected Official/Appointed Official/Executive Manager/County Attorney



B. Requested Text:

Consider and take appropriate action on:

Amendment to the Advanced Funding Agreement for Voluntary Transportation Improvement Projects with the State of Texas and Travis County for the permanent traffic improvements on SH 71 at Falconhead West, in Precinct 3.

C. Approved by:

Commissioner Gerald Daugherty, Precinct Three

II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request (original and eight (8) copies of agenda request and backup).

B. Please list all of the agencies or officials names and telephone numbers that might be affected or be involved with the request. Send a copy of the Agenda Request and backup to them:

Anna Bowlin: 854-7561

III. Required Authorizations: Please check if applicable:

Planning and Budget Office (854-9106)

- Additional funding for any department or for any purpose
- Transfer of existing funds within or between any line item budget
- Grant

Human Resources Department (854-9165)

- A change in your department's personnel (reclassifications, etc.)

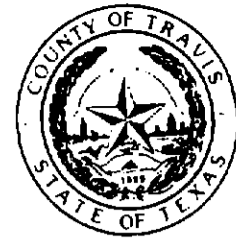
Purchasing Office (854-9700)

- Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9415)

- Contract, Agreement, Policy & Procedure

AGENDA REQUEST DEADLINE: This Agenda Request complete with backup memorandum and exhibits **MUST** be submitted to the County Judge's Office no later than 5:00 p.m. on Tuesday for the following week's meeting. Late or incomplete requests will be deferred.



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building
PO Box 1748
Austin, Texas 78767
(512) 854-9383
FAX (512) 854-4649

MEMORANDUM

October 17, 2008

TO: Members of the Commissioners Court

THROUGH: Joseph P. Gieselman, Executive Manager

FROM: Anna Bowlin, A.I.C.P.
Program Manager, Development Services

SUBJECT: Amendment to the Falconhead West Advanced Funding Agreement

SUMMARY AND STAFF RECOMMENDATION:

Travis County approved the original Advanced Funding Agreement (AFA) for improvements on SH71 related to the Falconhead West subdivision on February 6, 2007. The developer built the improvements through Texas Department of Transportation's (TxDOT) driveway permitting process instead of the AFA process. The purpose the amendment is to terminate the AFA because the project has been completed.

TNR staff recommends this motion.

BUDGETARY AND FISCAL IMPACT:

None.

REQUIRED AUTHORIZATIONS:

None.

EXHIBITS:

Amendment to Advanced Funding Agreement

AMB:ab
1105

STATE OF TEXAS §
COUNTY OF TRAVIS §



**ADVANCE FUNDING AGREEMENT
AMENDMENT #1**

THIS AMENDMENT IS MADE BY AND BETWEEN the State of Texas, acting through the Texas Department of Transportation, hereinafter called the State, and Travis County, acting by and through its duly authorized officials, hereinafter called the Local Government.

WITNESSETH

WHEREAS, the State and the Local Government executed a contract on February 21, 2007, to effectuate their agreement to construct turn lane and shoulders east of Bee Creek; and,

WHEREAS, the Local Government opted to pursue the turn lane and shoulders through the driveway permit process;

WHEREAS, as a result of the lack of a roadway project, the Local Government has requested to terminate the Agreement;

NOW THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, the State and the Local Government do agree as follows:

AGREEMENT

Article 1. Description of Amended Items

In accordance with Article 11 of the original contract, the contract will terminate effective when signed by the last party whose signing makes this amendment fully executed and after an audit of the project costs is completed and funds are paid by the owing party.

Article 2. Signatory Warranty

The signatories to this amendment warrant that each has the authority to enter into this agreement on behalf of the organization they represent.

IN WITNESS WHEREOF, THE STATE AND THE LOCAL GOVERNMENT have executed duplicate counterparts to effectuate this agreement.

THE LOCAL GOVERNMENT

Travis County
Name of Local Government

By: _____
Signature

Printed Name

Title

Date

THE STATE OF TEXAS

Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By: _____
Robert B. Daigh, PE

District Engineer
Title

Date

STATE OF TEXAS §
COUNTY OF TRAVIS §



**ADVANCE FUNDING AGREEMENT
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Travis County
Name of Local Government

By: _____
Signature

Printed Name

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By: _____
Robert B. Daigh, PE

District Engineer
Title

Date

STATE OF TEXAS §
COUNTY OF TRAVIS §



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THE LOCAL GOVERNMENT

Travis County
Name of Local Government

By: _____
Signature

Printed Name

Title

Date

THE STATE OF TEXAS

Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By: _____
Robert B. Daigh, PE

District Engineer
Title

Date

37

Travis County Commissioners Court Agenda Request

Voting Session 10/28/08
(Date)

Work Session _____
(Date)

I. A. Request made by: Joseph P. Gieselman Phone # 854-9383
Executive Manager, TNR

B. Requested Text: **Consider and take appropriate action on the approval of acceptance of dedication of street and drainage facilities for Ranch at Deer Creek Roadway Dedication Section 1, Ranch at Deer Creek Phase 1 Sections 1 and 2, Ranch at Deer Creek Phase 2 Sections 1 and 2, and a License Agreement with the Deer Creek Ranch Homeowners Association, Inc., in Precinct 3.**

C. Approved by: _____
Commissioner Gerald Daugherty, Precinct Three

II. A. Is backup material attached*: Yes X No _____
*Any backup material to be presented to the court must be submitted with this Agenda Request (original and 8 copies).

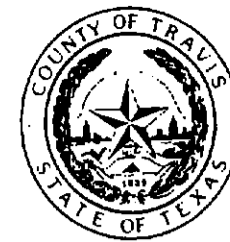
B. Have the agencies affected by this request been invited to attend the Work Session?
Yes X No _____ Please list those contacted and their phone numbers:

Donald W. Ward - 854-9383	Anna Bowlin - 854-9383
David Greear - 854-9383	Scott Lambert - 854-9383
Howard Herrin - 854-9383	Lucious Henderson -266-3314

III. Required Authorizations: Please check if applicable:

- Planning and Budget Office (854-9106)
- Additional funding for any department or for any purpose
- Transfer of existing funds within or between any line item budget
- Grant
- Human Resources Department (854-9165)
- A change in your department's personnel (reclassifications, etc.)
- Purchasing Office (854-9700)
- Bid, Purchase Contract, Request for Proposal, Procurement
- County Attorney's Office (854-9415)
- Contract, Agreement, Policy & Procedure

AGENDA REQUEST DEADLINE: This Agenda Request complete with backup memorandum and exhibits should be submitted to the County Judge's Office no later than 5:00 PM on Tuesday for the following week's meeting. Late or incomplete requests may be deferred to the next subsequent meeting.



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building
PO Box 1748
Austin, Texas 78767
(512) 473-9383
FAX (512) 708-4649

MEMORANDUM

DATE: October 17, 2008

TO: Members of the Commissioners' Court

THROUGH: Joseph P. Gieselman, TNR Executive Manager

FROM: Donald W. Ward, P.E., ^{oww} Director, Road Maintenance, Bridge and Fleet

SUBJECT: **Acceptance of dedication of streets and drainage in the Ranch at Deer Creek Roadway Dedication Section 1, Ranch at Deer Creek Phase 1 Section 1 and Section 2, Ranch at Deer Creek Phase 2 Section 1 and Section 2, and, and the approval of a License Agreement with the Deer Creek Homeowners Association, Inc.**

Summary and TNR Staff Recommendation:

These subdivisions were recorded October 4, 2000, August 28, 2001, January 8, 2001, and October 8, 2001, respectively. These subdivisions have been inspected for conformance with approved plans and specifications as listed. There are no items on the punch lists to be corrected. The stop signs, for Phase 1 Section 2 and Phase 2 Section 2 will be approved under Chapter 251 of the Texas Transportation Code.

All four sections are accessed from the Ranch at Deer Creek Roadway Dedication Section 1 (Anderson Mill Road), to be with this action. Anderson Mill Road on both the north and south of this section is accepted for maintenance. This action will add 4.02 miles to the Travis County road system. TNR staff recommends approval of the proposed motion.

The Deer Creek Ranch Homeowners, Inc. requests to enter into a license agreement, which will cover improvements in the right-of-way of Cypress Creek Road, Anderson Mill Road, from Cypress Creek Road to Lime Creek Road, except for the portion of Anderson Mill Road in Williamson County, as well as landscaping in the entrance to the abutting subdivisions. The covered improvements do not reduce sight distance conditions or place unacceptable hazards in the clear recovery zone. TNR staff recommends approval of the proposed motion.

Budgetary and Fiscal Impacts:

There are no budgetary impacts. All fiscal posted for all five subdivisions will be released, except for any un-constructed residential sidewalks.

A check in the amount of \$17,800.00 has been submitted as the Security Deposit for the licensed property that is described in the attached License Agreement.

October 17, 2008

Page 2

Issues and Opportunities:

Not all of the sidewalks in these subdivisions were constructed to Texas Accessibility Standards (TAS) so the developer choose to utilize our Sidewalk Remediation Policy. The developer has paid Travis County remediation for the four subdivisions as shown below:

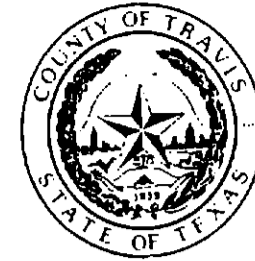
Ranch at Deer Creek Phase 1 Section 1	\$20,000
Ranch at Deer Creek Phase 1 Section 2	\$ 5,000
Ranch at Deer Creek Phase 2 Section 1	\$15,000
Ranch at Deer Creek Phase 2 Section 2	\$10,000

Exhibits:

- Approval of Construction
- List of streets
- Requirements
- Inspection Report
- Registered Accessibility letter
- License Agreement
- Attached maps

DV:DWW:dv

- 1105 Ranch at Deer Creek Roadway Dedication Sec 1
- 1105 Ranch at Deer Creek Ph 1 Sec 1
- 1105 Ranch at Deer Creed Ph 1 Sec 2
- 1105 Ranch at Deer Creed Ph 2 Sec 1
- 1105 Ranch at Deer Creed Ph 2 Sec 2



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building
P.O. Box 1748
Austin, Texas 78767
tel 512-854-9383
fax 512-854-4649

APPROVAL OF CONSTRUCTION

DATE: October 1, 2008

TO:	Developer	Engineer
	Leanna Einhaus Standard-Morrison No. 2 L.L.C. 805 Las Cimas Parkway #350 Austin, TX 78746 Fx: 328-7988	Carlson, Brigance & Doering, Inc. Danny Doering, P.E. 3401 Slaughter Lane West Austin, TX 78748 Fx: 280-5165

SUBJECT: Ranch at Deer Creek Roadway Dedication Section 1

Effective this date, street and drainage construction within this subdivision appear to be in conformance with the Permitted Construction Documents. All Performance Period maintenance punchlist items have been completed and/or corrected. The subdivision will be recommended for Accepted for Dedication in Travis County Commissioners Court. Sidewalk fiscal will be released as the sidewalks are deemed complete.

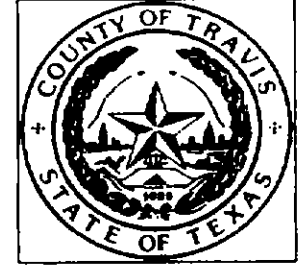
OTHER REMARKS:

None

BY: *Darla Vasterling*
TNR Engineering Specialist – Darla Vasterling

Donald W. Ward
TNR Division Director, Road and Bridge – Donald W. Ward

ACCEPTANCE OF DEDICATION OF STREETS AND DRAINAGE



SUBDIVISION
Mapsco No. 402Y

Ranch at Deer Creek Roadway Dedication Section 1

Pct.# 3
Atlas No. O-06

RECORDED AT DOC#200000311 IN THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY 10/04/2000

SUBDIVISION CONTAINS 2 STREETS AS LISTED BELOW:

#	STREET NAME	FROM - TO	L.F.	MILES	ROW	PVMNT	WIDTH OF PVMNT	CURB & GUTTER
1	Cypress Creek Road	Anderson Mill Road to Williamson County Line	544'	0.10	90'	HMAC	65'F-F	Yes
		Cypress Creek Road to 405' north of					2-15' + turn	
2	Anderson Mill Road	Grandfalls Drive	3621'	0.69	120'	HMAC	lanes	Yes
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
			4165					


THE TOTAL NUMBER OF LOTS IN THIS SUBDIVISION - **1** N/A ADDITIONAL LOTS SOLD FOR DEVELOPMENT

CONSTRUCTION OF STREETS AND DRAINAGE EXCEEDS MINIMUM COUNTY STANDARD FOR STREETS NUMBERED **1-2**

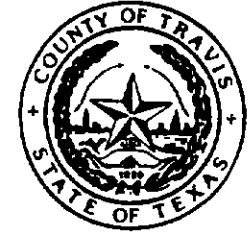
IT IS RECOMMENDED THAT MAINTENANCE OF STREETS NUMBERED 1-2 TOT. **0.79** MILES BE ACCEPTED BY THE TRAVIS COUNTY COMMISSIONERS' COURT IN PRECINCT **3**.

28-Oct-08
 DATE

- DP = DOUBLE PENETRATION
- HMAC = HOT MIX ASPHALT
- C = CONCRETE
- UPP = UNPAVED, PIT RUN
- UPS = UNPAVED, SELECT


 Donald W. Ward, P. E.
 Division Director, Road, Bridge, and Fleet
 TRANSPORTATION AND ENGINEERING SERVICES

APPROVED BY COMMISSIONERS' COURT DATE



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building, 11th Floor
P.O. Box 1748
Austin, Texas 78767
(512) 854-9383
FAX (512) 854-4697

Ranch at Deer Creek Roadway Dedication

REQUIREMENTS FOR APPROVAL OF CONSTRUCTION PUBLIC STREET SUBDIVISIONS PER STANDARDS FOR CONSTRUCTION OF STREETS AND DRAINAGE IN SUBDIVISIONS - AUGUST 28, 1997

- 1/02/03 1. Professional Engineer's certification of quantities of work completed (Engineer's Concurrence Letter). § 82.401(c)(1)(A) § 82.604(c)(2)
- NA 2. Construction Summary Report. § 82.604(c)(1)
- 1/02/03 3. Contractor's (signed) invoice or receipt of payment for work completed. §82.401(a)(1)(B)
- 1/02/03 4. Reproducible Plans, certified as "Record Drawings", by the Owner's Consulting Engineer [§ 82.604(c)(3)] including a Signage and Striping Plan [§82.303] and accompanying Stop Sign Warrants and Speed Zone Investigation sheets for each sign.
- Will rel 5. Performance Period Fiscal for 10% of the actual construction cost of street and drainage construction plus fiscal for residential sidewalks, if applicable. If bond, it must be in a form acceptable to Travis County and dated near the time of the TNR inspection report. Must be posted by owner/developer. § 82.604(c)(4)
- NA 6. If applicable, a copy of the Conditional Letter of Map Amendment or Revision from FEMA and the completed application for a Letter of Map Amendment or Revision. § 82.604(c)(5)
- 1/22/03 7. A letter from Texas Board of Licensing and Regulation approving subdivision construction (when sidewalks are required per plat and when the total construction costs of sidewalks exceed \$50,000.00). Plan approval required at time of Approval of Construction. Substantial completion (inspection) required at time of street acceptance for maintenance. § 82.202(q)(2)
- 11/19/07 8. A TNR inspection report, indicating the completion of that portion of the work represented by the reduction of fiscal (streets and drainage, including detention ponds and common area sidewalks and traffic control devices shown on the approved traffic control plan). § 82.401(c)(1)(C)
- 1/04/02 9. Approval of other agencies - cities, if in their ETJ; Municipal or other Utility Districts.
- 10/14/08 10. License Agreement

**TRAVIS COUNTY
TRANSPORTATION AND NATURAL RESOURCES
REPORT OF SUBDIVISION INSPECTION**

PROJECT: Ranch @ Deer Creek road dedication: Anderson Mill RD.
DATE: 11/19/2007
OWNER: Standard/Morrison CONTRACTOR: ? PERSONNEL PRESENT: NONE

ITEMS REQUIRING COMPLETION/CORRECTION:

Pavement/surface treatment defects and repairs.

~~Crack seal all pavement cracks.~~

Concrete [curb, valley gutter, drainage outfalls, sidewalk etc.] defects and repairs.

~~Epoxy grout seal all cracks in curb and gutter~~

~~Backfills of: ADA Ramp Located at Grand Falls @ Anderson Mill.~~

~~Removal of temporary environmental controls.~~

Installation and/or completion of:

~~Re-stripe~~

ALL PUNCHLIST ITEMS COMPLETE

The following non-construction items must be furnished prior to final construction acceptance/approval:

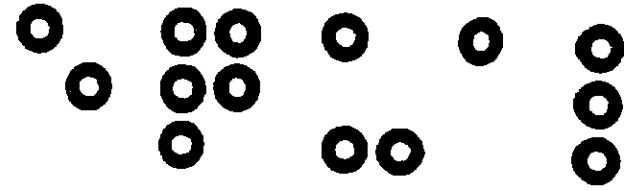
HMAC reports

Public Street Subdivision Construction Approval Requirements.

Patricia M. Moreno

Travis County T.N.R
Project Inspector

Cc: Darla Vasterling EAI-Fiscal
Subdivision File



Inspection Approved

We are pleased to inform you that the referenced facility has been inspected and found to be in substantial compliance with the provisions of the Texas Architectural Barriers Act, Article 9102, Texas Civil Statutes.

Please note, this determination does not address the applicability of the Americans with Disabilities Act (ADA), (P.L. 101-336), or any other state, local or federal requirements. For information on the ADA, call the ADA Hotline, 800/ 949.4232 or the U.S. Department of Justice at 202/ 514.0301.

Please call with any questions,


John Rife Torkelson, RAS

18 December 2002

Project Number: A 02191

EABPRJ#: A3825289

Project:

Anderson Mill Road Phase 1

Anderson Mill Rd @ Cypress Creek

Cedar Park, Texas 78613

Plans Dated: 20 November 2002

To:

Perry Blanton

Standard-Morrison # 2, L.L.C.

3215 Steck Ave.

Austin, Texas 78757

Inspection Performed by:

George Grimes

10 December 2002

Project Scope

Site Development/ Subdivision Improvements,
Water, Wastewater, Streets, Drainage & Erosion
Controls.

Distribution:

Texas Department of Licensing and Regulation
File

Charles R. Bngance- Carlson, Bngance & Doering, Inc.
U.S. Mail- w/ attachments

the ACCESS partnership, l.p.

915 keith lane suite 103

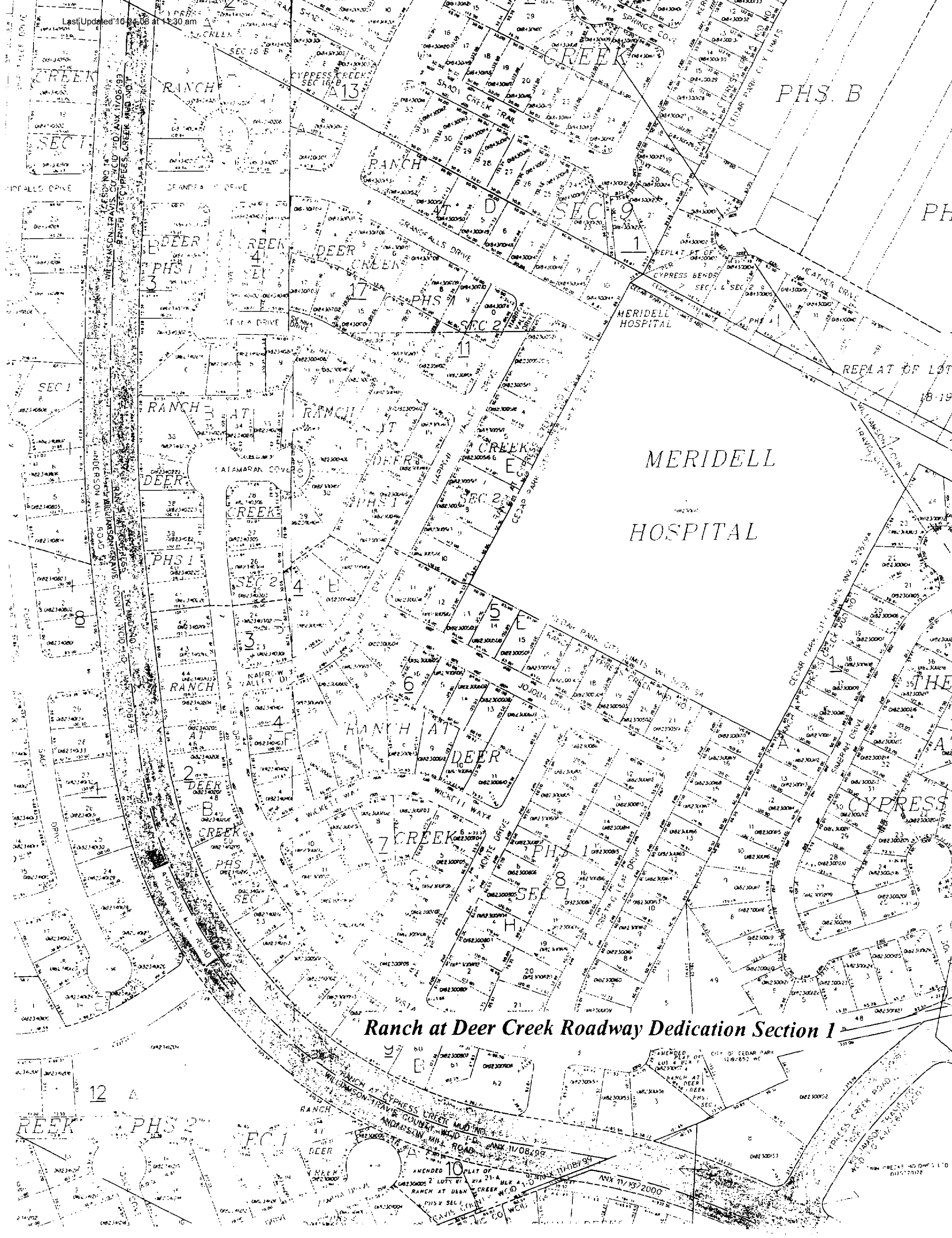
austin texas 78705

512/ 476.8675 v

512/ 476.5646 f

800/ 987.8675

www.the-ACCESS-partnership.com



Ranch at Deer Creek Roadway Dedication Section 1

12 A

PHS 2

SEC 1

RANCH AT DEER CREEK

PHS 1

SEC 1

PHS 1

SEC 1

PHS 1

SEC 1

PHS 1

SEC 1

PHS 1

DEER CREEK

PHS 2

SEC 1

RANCH AT DEER CREEK

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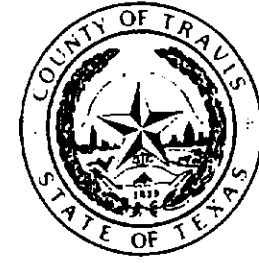
SEC 1

PHS 1

SEC 1

PHS 1

SEC 1



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building
P.O. Box 1748
Austin, Texas 78767
tel 512-854-9383
fax 512-854-4649

APPROVAL OF CONSTRUCTION

DATE: October 1, 2008

TO:	Developer Leanna Einhaus Standard-Morrison No. 2 L.L.C. 805 Las Cimas Parkway #350 Austin, TX 78746 Fx: 328-7988	Engineer Carlson, Brigance & Doering, Inc. Danny Doering, P.E. 3401 Slaughter Lane West Austin, TX 78748 Fx: 280-5165
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SUBJECT: Ranch at Deer Creek Phase 1 Section 1

Effective this date, street and drainage construction within this subdivision appear to be in conformance with the Permitted Construction Documents. All Performance Period maintenance punchlist items have been completed and/or corrected. The subdivision will be recommended for Accepted for Dedication in Travis County Commissioners Court. Sidewalk fiscal will be released as the sidewalks are deemed complete.

OTHER REMARKS:

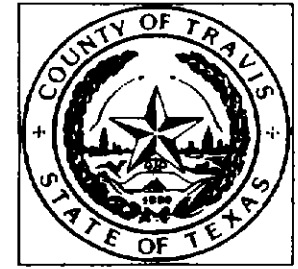
None

BY:

TNR Engineering Specialist – Darla Vasterling

TNR Division Director, Road and Bridge – Donald W. Ward

ACCEPTANCE OF DEDICATION OF STREETS AND DRAINAGE



SUBDIVISION
Mapsco No. 402Y

Ranch at Deer Creek Phase 1 Section 1

Pct.# 3
Atlas No. O-06

RECORDED AT DOC#200000312 IN THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY 10/04/2000

SUBDIVISION CONTAINS 6 STREETS AS LISTED BELOW:

#	STREET NAME	FROM - TO	L.F.	MILES	ROW	TYPE OF WIDTH OF CURB & GUTTER		
						PVMNT	PVMNT	GUTTER
1	Drifting Leaf Drive	Anderson Mill Road to Sta. 2+75	310	0.06	70'	HMAC	50'F-F	Yes
	Drifting Leaf Drive	Sta. 2+75 to NW cor Lot 21 BIKE	705	0.13	50'	HMAC	30'F-F	Yes
2	Jojoba Drive	Drifting Leaf Drive to Narrow Valley Drive	747	0.14	50'	HMAC	30'F-F	Yes
3	Narrow Valley Drive	NW cor Lot 11 Blk E to Chula Vista Drive	493	0.09	50'	HMAC	30'F-F	Yes
4	Chula Vista Drive	NE cor Lot 42 Blk B to end of 50' R cul-de-sac	1528	0.29	50'	HMAC	30'F-F	Yes
5	Wickett Way	Chula Vista Drive to Alta Monte Drive	550	0.10	50'	HMAC	30'F-F	Yes
6	Alta Monte Drive	Chula Vista Drive to Jojoba Drive	706	0.13	50'	HMAC	30'F-F	Yes
7								
8								
9								
10								
11								
12								
			4334					

THE TOTAL NUMBER OF LOTS IN THIS SUBDIVISION - **110**

N/A ADDITIONAL LOTS SOLD FOR DEVELOPMENT

CONSTRUCTION OF STREETS AND DRAINAGE EXCEEDS MINIMUM COUNTY STANDARD FOR STREETS NUMBERED **1-6**

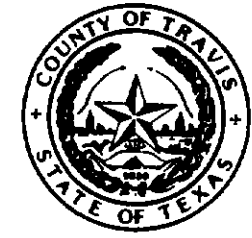
IT IS RECOMMENDED THAT MAINTENANCE OF STREETS NUMBERED 1-7 TOTALI **0.82** MILES BE ACCEPTED BY THE TRAVIS COUNTY COMMISSIONERS' COURT IN PRECINCT **3**.

28-Oct-08
 DATE

DP = DOUBLE PENETRATION
 HMAC = HOT MIX ASPHALT
 C = CONCRETE
 UPP = UNPAVED, PIT RUN
 UPS = UNPAVED, SELECT

Donald W. Ward, P. E.
 Division Director, Road, Bridge, and Fleet
 TRANSPORTATION AND ENGINEERING SERVICES

APPROVED BY COMMISSIONERS' COURT DATE



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building, 11th Floor
P.O. Box 1748
Austin, Texas 78767
(512) 854-9383
FAX (512) 854-4697

Ranch at Deer Creek Phase One Section One

REQUIREMENTS FOR APPROVAL OF CONSTRUCTION PUBLIC STREET SUBDIVISIONS PER STANDARDS FOR CONSTRUCTION OF STREETS AND DRAINAGE IN SUBDIVISIONS - AUGUST 28, 1997

- 1/02/03 1. Professional Engineer's certification of quantities of work completed (Engineer's Concurrence Letter). § 82.401(c)(1)(A) § 82.604(c)(2)
- NA 2. Construction Summary Report. § 82.604(c)(1)
- 1/02/03 3. Contractor's (signed) invoice or receipt of payment for work completed. § 82.401(a)(1)(B)
- 1/02/03 4. Reproducible Plans, certified as "Record Drawings", by the Owner's Consulting Engineer [§ 82.604(c)(3)] including a Signage and Striping Plan [§ 82.303] and accompanying Stop Sign Warrants and Speed Zone Investigation sheets for each sign.
- Will rel 5. Performance Period Fiscal for 10% of the actual construction cost of street and drainage construction plus fiscal for residential sidewalks, if applicable. If bond, it must be in a form acceptable to Travis County and dated near the time of the TNR inspection report. Must be posted by owner/developer. § 82.604(c)(4)
- NA 6. If applicable, a copy of the Conditional Letter of Map Amendment or Revision from FEMA and the completed application for a Letter of Map Amendment or Revision. § 82.604(c)(5)
- 8/27/08 7. A letter from Texas Board of Licensing and Regulation approving subdivision construction (when sidewalks are required per plat and when the total construction costs of sidewalks exceed \$50,000.00). Plan approval required at time of Approval of Construction. Substantial completion (inspection) required at time of street acceptance for maintenance. § 82.202(q)(2)
- 11/19/07 8. A TNR inspection report, indicating the completion of that portion of the work represented by the reduction of fiscal (streets and drainage, including detention ponds and common area sidewalks and traffic control devices shown on the approved traffic control plan). § 82.401(c)(1)(C)
- 1/25/02 9. Approval of other agencies - cities, if in their ETJ; Municipal or other Utility Districts.

TRAVIS COUNTY
TRANSPORTATION AND NATURAL RESOURCES
REPORT OF SUBDIVISION INSPECTION

PROJECT: Ranch @ Deer Creek Ph 1 Sec 1 DATE: 11/19/2007

OWNER: Standard /Morrison CONTRACTOR: ? PERSONNEL PRESENT: NONE

ITEMS REQUIRING COMPLETION/CORRECTION:

Pavement/surface treatment defects and repairs.

- ~~Crack seal all cracks in pavement surface.~~
- ~~Repair pothole @ 2408 Alta Monte~~

Concrete [curb, valley gutter, drainage outfalls, sidewalk etc.] defects and repairs.

- ~~Epoxy grout seal all cracks in curb and gutter.~~
- ~~Seal all cracks in sidewalk~~

Installation and/or completion of:

Standard street signage:

- ~~Stop sign missing @ Alta Monte and Wickett~~

Roadside protection devices: guardrails, object markers

- ~~Install fire hydrant buttons~~
- ~~Re-stripe stop bars too narrow~~

ALL ITEMS COMPLETE

The following non-construction items must be furnished prior to final construction acceptance/approval:

HMAC reports

Public Street Subdivision Construction Approval Requirements.

Patricia M. Moreno

Travis County T.N.R.
Project Inspector

Cc: Darla Vasterling EAI-Fiscal
Subdivision File



ADA Assistance

Robert Ronson, 107 Meadow Woods, Kyle TX 78640 (512) 787-3687 Fax (512) 268-5964
Email: robert@adaassistance.com Internet: www.adaassistance.com

TO: Leanna Einhaus
Blake Magee Co
1011 N Lamar
Austin TX 78703

DATE: August 27, 2008

FROM: Robert Ronson, RAS

PROJECT: Ranch at Deer Creek Phase 1 Section 1
Ember Glen Dr off Anderson Mill
Cedar Park TX
Re-inspection performed: 8/27/2008

SUBJECT: RE-INSPECTION – VIOLATIONS PENDING

The referenced project has been re-inspected to verify completion of corrective modifications; however, some items are still not in compliance with requirements of the Texas Architectural Barriers Act, Chapter 469, Texas Civil Statutes. Specifically inspected were pedestrian elements within the referenced section that was constructed at the time of the inspection.

Please correct the remaining non-complying items noted on the enclosed report and submit verification of completed corrections in writing to this office to obtain approval.

Please note, this determination does not address the requirements of the Americans with Disabilities Act (ADA), (P.L. 101-336), or any other state, local, or federal requirement. For information on the ADA, please contact the United States Department of Justice, Civil Rights Division at (202)514-0301.



enc.

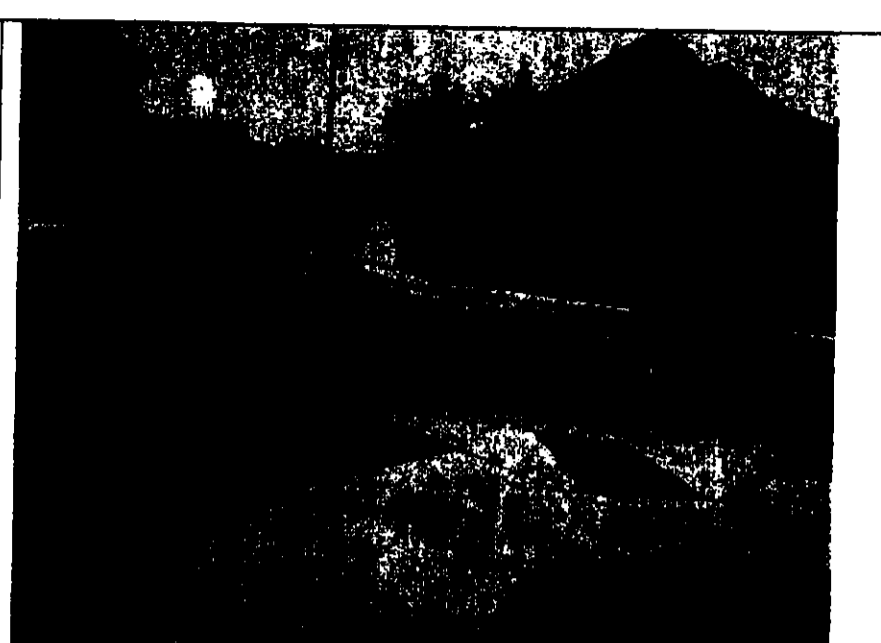

NOTE: The review of documents as contract documents and field inspections by this accessibility specialist for the Texas Department of Licensing and Regulation (TDLR) is based on a best efforts endeavor following instruction and certification by TDLR. Plan review and inspection in no way warrants complete compliance with the Texas Accessibility Standards. The business, the professional, his employees, engineers, and client for whom the review or inspection is made agrees to hold harmless and indemnify this accessibility specialist from and against any liability arising from performance of the work.

Project:	<u>Ranch at Deer Creek Phase 1 Section 1, Cedar Park</u>
TDLR Project No:	_____
Owner:	<u>Standard Pacific Homes</u>
[] PLAN REVIEW [✓] INSPECTION BY: <u>Robert Ronson - RAS #16</u> DATE: <u>8/27/2008</u>	
Project Description: single family residential subdivision	

4.3.7 Slope

An accessible route with a running slope greater than 1:20 is a ramp and shall comply with 4.8. Nowhere shall the cross slope of an accessible route exceed 1:50.

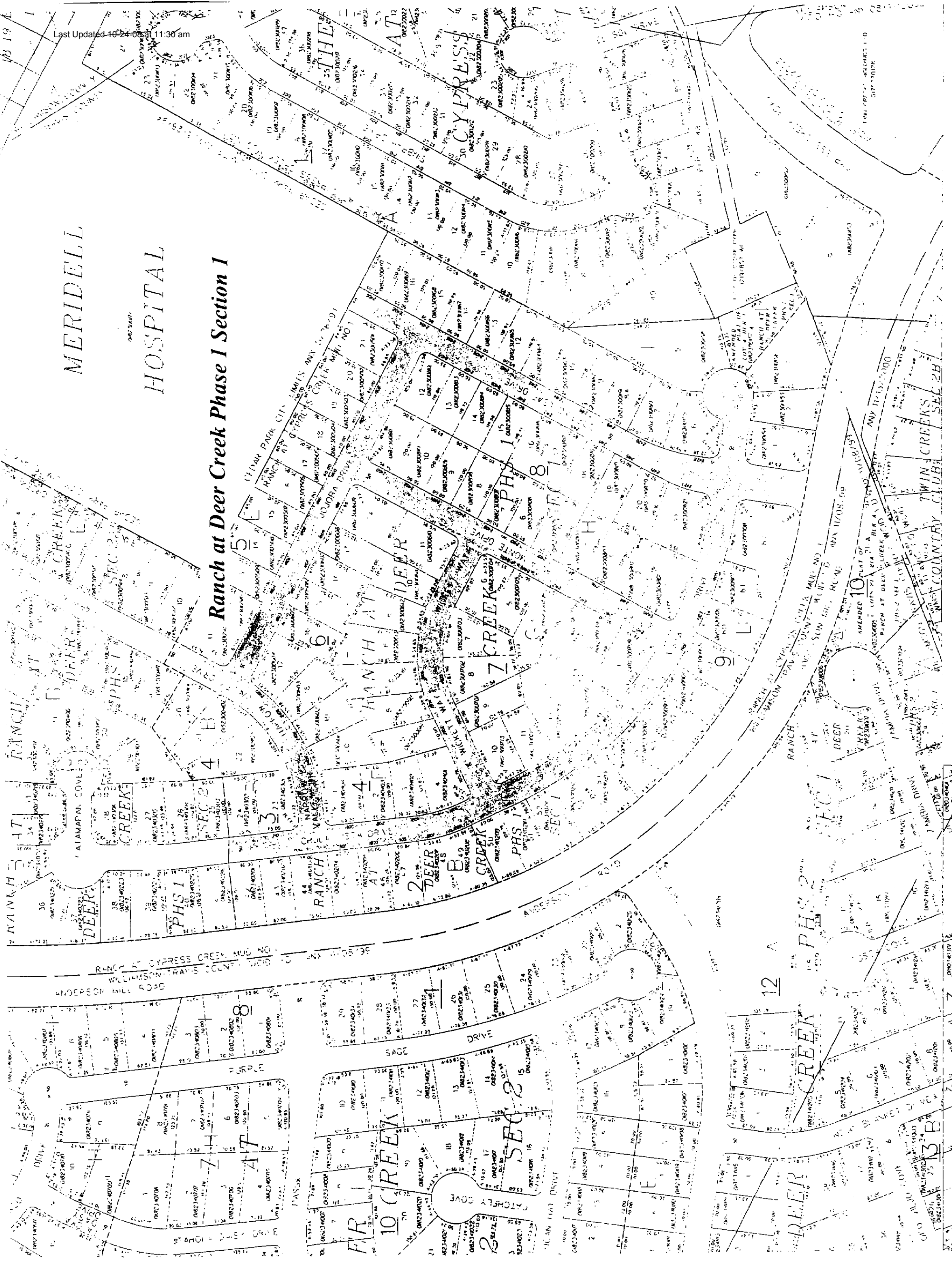
<p>Chula Vista @ Ember Glen Route between curb ramps cross slope is 6.8%</p>	
<p>Jojoba @ Narrow Valley Dr Cross slope is 4.5%</p>	

<p>Alta Monte Dr @ Jojoba Cross slope is 6.9%</p>	
<p>Wickett Way @ Chula Vista Dr Cross slope is 5.3%</p>	

Note: Broken Brook has been changed to Jojoba

MERIDELL HOSPITAL

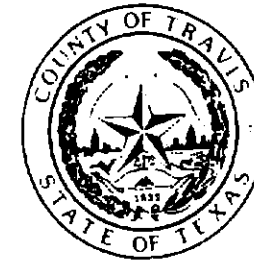
Ranch at Deer Creek Phase 1 Section 1



MS 19 A
RANCH AT DEER CREEK SEC 2B
RANCH AT DEER CREEK SEC 2A
RANCH AT DEER CREEK SEC 2C
RANCH AT DEER CREEK SEC 2D
RANCH AT DEER CREEK SEC 2E
RANCH AT DEER CREEK SEC 2F
RANCH AT DEER CREEK SEC 2G
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RANCH AT DEER CREEK SEC 2W
RANCH AT DEER CREEK SEC 2X
RANCH AT DEER CREEK SEC 2Y
RANCH AT DEER CREEK SEC 2Z

ATLANTIC
CYPRESS
DEER
CREEK
MOUNTAIN VIEW DRIVE
CYPRESS CREEK MUD NO. 1
WILLIAMSON TRAIL
ROCKY HILL ROAD
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TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building
P.O. Box 1748
Austin, Texas 78767
tel 512-854-9383
fax 512-854-4649

APPROVAL OF CONSTRUCTION

DATE: October 1, 2008

TO:	Developer	Engineer
	Leanna Einhaus	Carlson, Brigance & Doering, Inc.
	Standard-Morrison No. 2 L.L.C.	Danny Doering, P.E.
	805 Las Cimas Parkway #350	3401 Slaughter Lane West
	Austin, TX 78746	Austin, TX 78748
	Fx: 328-7988	Fx: 280-5165

SUBJECT: Ranch at Deer Creek Phase 1 Section 2

Effective this date, street and drainage construction within this subdivision appear to be in conformance with the Permitted Construction Documents. All Performance Period maintenance punchlist items have been completed and/or corrected. The subdivision will be recommended for Accepted for Dedication in Travis County Commissioners Court. Sidewalk fiscal will be released as the sidewalks are deemed complete.

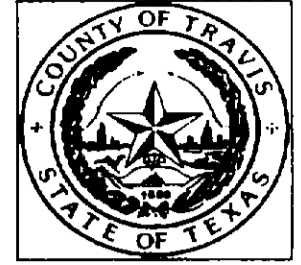
OTHER REMARKS:

None

BY: *Darla Vasterling*
TNR Engineering Specialist - Darla Vasterling

Donald W. Ward
TNR Division Director, Road and Bridge - Donald W. Ward

ACCEPTANCE OF DEDICATION OF STREETS AND DRAINAGE



SUBDIVISION
Mapsco No. 402Y

Ranch at Deer Creek Phase 1 Section 2

Pct.# 3
Atlas No. O-06

RECORDED AT DOC#200100246 IN THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY 8/28/01

SUBDIVISION CONTAINS 8 STREETS AS LISTED BELOW:

#	STREET NAME	FROM - TO	L.F.	MILES	ROW	TYPE OF PVMNT	WIDTH OF PVMNT	CURB & GUTTER
1	Grandfalls Drive	Anderson Mill Road to Sta 2+88	228	0.04	70'	HMAC	2-20'F-F	Yes
	Grandfalls Drive	Sta 2+88 to NE cor Lot 1 Blk E	902	0.17	60'	HMAC	40'F-F	Yes
2	Kimra Lane	Grandfalls Drive to NW cor Lot 1 Blk D	133	0.03	64'	HMAC	44'F-F	Yes
3	Texan Drive	Grandfalls Drive to end of 50'R cul-de-sac	136	0.03	50'	HMAC	30'F-F	Yes
4	Texan Cove	Grandfalls Drive to Sienna Drive	272	0.05	50'	HMAC	30'F-F	Yes
5	Sienna Drive	Texan Cove to Narrow Valley Drive	609	0.12	50'	HMAC	30'F-F	Yes
6	Narrow Valley Drive	Grandfalls Drive to SE cor Lot 10 Blk E	620	0.12	50'	HMAC	30'F-F	Yes
7	Catamaram Cove	Chula Vista Drive to end of 50'R cul-de-sac	228	0.04	50'	HMAC	30'F-F	Yes
8	Chula Vista Drive	SE cor Lot 25 Blk B to Catamaran Cove	304	0.06	50'	HMAC	30'F-F	Yes
8								
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				3432				

THE TOTAL NUMBER OF LOTS IN THIS SUBDIVISION - **83**

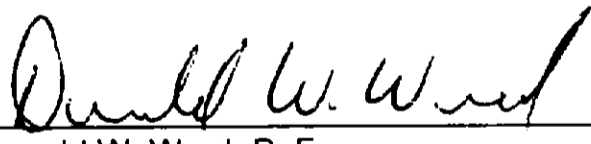
N/A ADDITIONAL LOTS SOLD FOR DEVELOPMENT

CONSTRUCTION OF STREETS AND DRAINAGE EXCEEDS MINIMUM COUNTY STANDARD FOR STREETS NUMBERED **1-8**

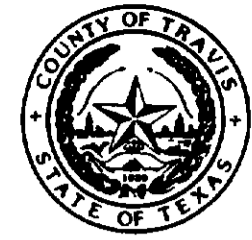
IT IS RECOMMENDED THAT MAINTENANCE OF STREETS NUMBERED 1-8 TOTALIN **0.43** MILES BE ACCEPTED BY THE TRAVIS COUNTY COMMISSIONERS' COURT IN PRECINCT **3**.

28-Oct-08
 DATE

- DP = DOUBLE PENETRATION
- HMAC = HOT MIX ASPHALT
- C = CONCRETE
- UPP = UNPAVED, PIT RUN
- UPS = UNPAVED, SELECT


 Donald W. Ward, P. E.
 Division Director, Road, Bridge, and Fleet
 TRANSPORTATION AND ENGINEERING SERVICES

APPROVED BY COMMISSIONERS' COURT DATE



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building, 11th Floor
P.O. Box 1748
Austin, Texas 78767
(512) 854-9383
FAX (512) 854-4697

Ranch at Deer Creek Phase One Section Two

**REQUIREMENTS FOR APPROVAL OF CONSTRUCTION
PUBLIC STREET SUBDIVISIONS PER STANDARDS FOR CONSTRUCTION OF
STREETS AND DRAINAGE IN SUBDIVISIONS - AUGUST 28, 1997**

- 1/02/03 1. Professional Engineer's certification of quantities of work completed (Engineer's Concurrence Letter). § 82.401(c)(1)(A) § 82.604(c)(2)
- NA 2. Construction Summary Report. § 82.604(c)(1)
- 1/02/03 3. Contractor's (signed) invoice or receipt of payment for work completed. §82.401(a)(1)(B)
- 1/02/03 4. Reproducible Plans, certified as "Record Drawings", by the Owner's Consulting Engineer [§ 82.604(c)(3)] including a Signage and Striping Plan [§82.303] and accompanying Stop Sign Warrants and Speed Zone Investigation sheets for each sign.
have
- Wil rel 5. Performance Period Fiscal for 10% of the actual construction cost of street and drainage construction plus fiscal for residential sidewalks, if applicable. If bond, it must be in a form acceptable to Travis County and dated near the time of the TNR inspection report. Must be posted by owner/developer. § 82.604(c)(4)
- NA 6. If applicable, a copy of the Conditional Letter of Map Amendment or Revision from FEMA and the completed application for a Letter of Map Amendment or Revision. § 82.604(c)(5)
- 3/05/08 7. A letter from Texas Board of Licensing and Regulation approving subdivision construction (when sidewalks are required per plat and when the total construction costs of sidewalks exceed \$50,000.00). Plan approval required at time of Approval of Construction. Substantial completion (inspection) required at time of street acceptance for maintenance. § 82.202(q)(2)
- 11/19/07 8. A TNR inspection report, indicating the completion of that portion of the work represented by the reduction of fiscal (streets and drainage, including detention ponds and common area sidewalks and traffic control devices shown on the approved traffic control plan). § 82.401(c)(1)(C)
- 2/26/02 9. Approval of other agencies - cities, if in their ETJ; Municipal or other Utility Districts.

TRAVIS COUNTY
TRANSPORTATION AND NATURAL RESOURCES
REPORT OF SUBDIVISION INSPECTION

PROJECT: Ranch @ Deer Creek Ph 1 Sec 2

DATE: 11/19/2007

OWNER: Standard/Morrison

CONTRACTOR: ?

PERSONNEL PRESENT: None

ITEMS REQUIRING COMPLETION/CORRECTION:

Pavement/surface treatment defects and repairs.

- ~~Crack seal all cracks in pavement~~
- ~~Asphalt gouge @ 2319 Narrow Valley~~
- ~~Repair potholes Grand Falls @ Texan Dr. 2405 Texan~~

Concrete [curb, valley gutter, drainage outfalls, sidewalk etc.] defects and repairs.

- ~~Epoxy grout seal all cracks in curb and gutter~~
- ~~Repair all cracks in sidewalks~~

Installation and/or completion of:

- ~~Re stripe stop bars are narrow and faded~~
- ~~Install blue fire hydrant buttons~~

ALL ITEMS COMPLETE

The following non-construction items must be furnished prior to final construction acceptance/approval:

HMAC reports

Public Street Subdivision Construction Approval Requirements.

Patricia M. Moreno

Travis County T.N.R
Project Inspector

Cc: Darla Vasterling EAI-Fiscal
Subdivision File



ADA Assistance

107 Meadow Woods, Kyle TX 78640 (512) 787-3687 Fax (512) 268-5964
Email: robert@adaassistance.com Internet: www.adaassistance.com

TO: Leanna Einhaus
Blake Magee Co
1011 N Lamar
Austin TX 78703
leanna@blakemageeco.com

DATE: March 5, 2008

FROM: Robert Ronson, RAS

PROJECT: Ranch at Deer Creek Phase 1 Section 2
Granfalls Dr off Anderson Mill
Cedar Park TX

Inspection performed: 3/4/2008

SUBJECT: INSPECTION COMPLETED – VIOLATIONS PENDING

The referenced facility has been inspected and found in non-compliance with some of the provisions of the Texas Government Code, Chapter 469.

The non-complying items noted on the enclosed inspection report must be corrected and verification of completed corrections (in writing) must be furnished to this office to obtain approval.

Please note, this determination does not address the requirements of the Americans with Disabilities Act (ADA), (P.L. 101-336), or any other state, local or federal requirements. For information on the ADA, contact the United States Department of Justice, Civil rights Division at (202)514-0301.


If you have questions concerning the results of this inspection, or the requirements of the Architectural Barriers Act, contact Robert Ronson at (512)787-3687.

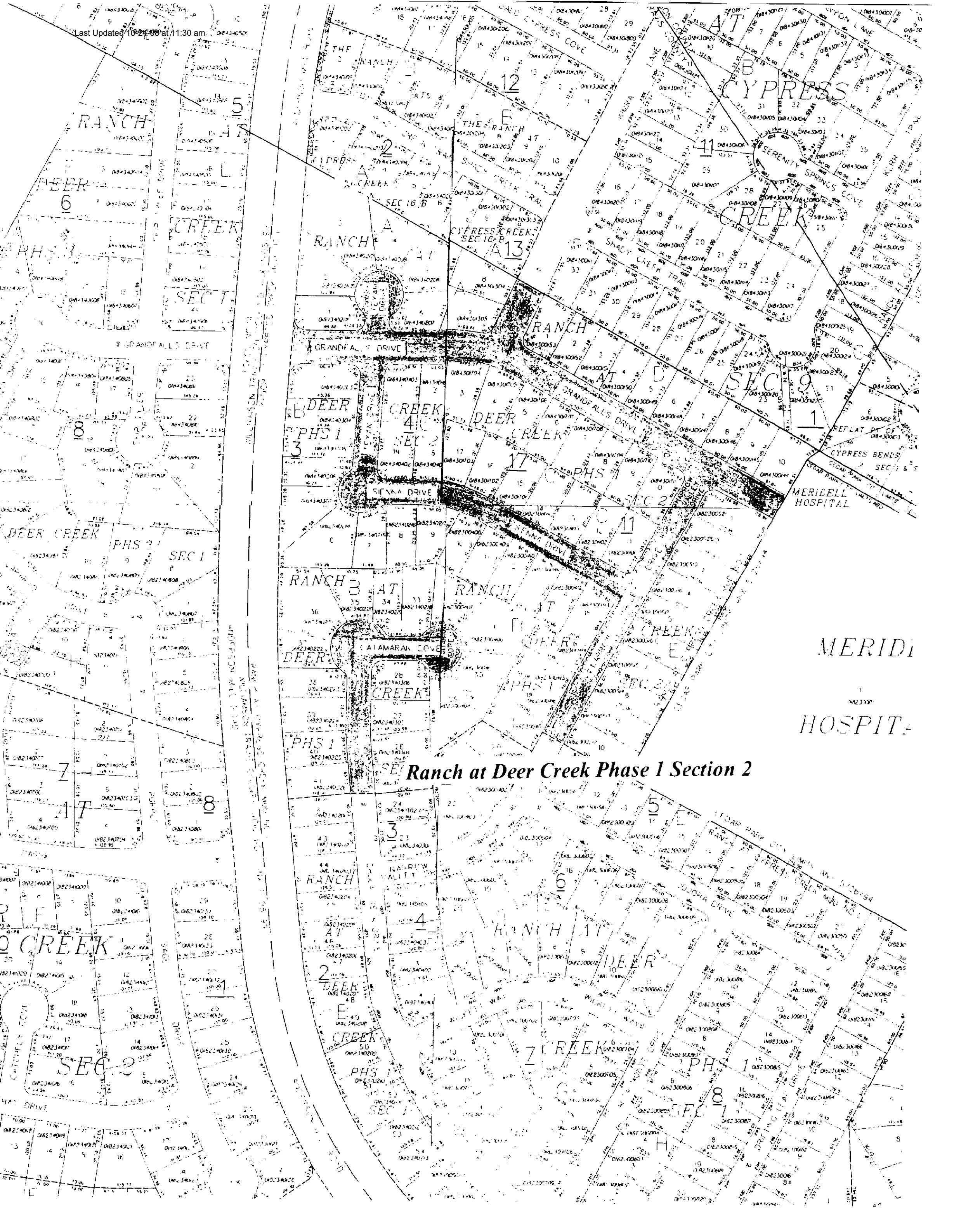
NOTE: The review of documents as contract documents and field inspections by this accessibility specialist for the Texas Department of Licensing and Regulation (TDLR) is based on a best efforts endeavor following instruction and certification by TDLR. Plan review and inspection in no way warrants complete compliance with the Texas Accessibility Standards. The business, the professional, his employees, engineers, and client for whom the review or inspection is made agrees to hold harmless and indemnify this accessibility specialist from and against any liability arising from performance of the work

Project:	<u>Ranch at Deer Creek Phase 1 Section 2, Cedar Park</u>
TDLR Project No:	_____
Owner:	<u>Standard Pacific Homes</u>
[] PLAN REVIEW [✓] INSPECTION BY : <u>Robert Ronson - RAS #16</u> DATE : <u>3/4/2008</u>	
Project Description: single family residential subdivision	

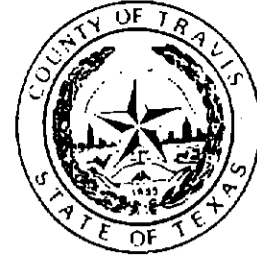
4.3.7 Slope

An accessible route with a running slope greater than 1:20 is a ramp and shall comply with 4.8. Nowhere shall the cross slope of an accessible route exceed 1:50.

<p>Narrow Valley @ Grand Falls Route between curb ramps cross slope is 4.0%</p>	
-----------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------



Ranch at Deer Creek Phase 1 Section 2



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building
P.O. Box 1748
Austin, Texas 78767
tel 512-854-9383
fax 512-854-4649

APPROVAL OF CONSTRUCTION

DATE: July 9, 2008

TO: Developer
Leanna Einhaus
Standard-Morrison No. 2 L.L.C.
805 Las Cimas Parkway #350
Austin, TX 78746
Fx: 328-7988

Engineer
Carlson, Brigance & Doering, Inc.
Danny Doering, P.E.
3401 Slaughter Lane West
Austin, TX 78748
Fx: 280-5165

SUBJECT: Ranch at Deer Creek Phase 2 Section 1

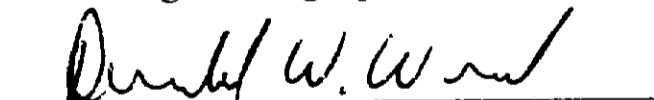
Effective this date, street and drainage construction within this subdivision appear to be in conformance with the Permitted Construction Documents. All Performance Period maintenance punchlist items have been completed and/or corrected. The subdivision will be recommended for Accepted for Dedication in Travis County Commissioners Court. Sidewalk fiscal will be released as the sidewalks are deemed complete.

OTHER REMARKS:

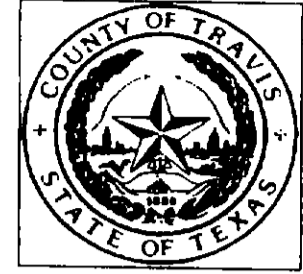
None

BY:


TNR Engineering Specialist – Darla Vasterling


TNR Division Director, Road and Bridge – Donald W. Ward

ACCEPTANCE OF DEDICATION OF STREETS AND DRAINAGE



SUBDIVISION
Mapsco No. 402Y

Ranch at Deer Creek Phase 2 Section 1

Pct.# 3
Atlas No. O-06

RECORDED AT DOC#200100005 IN THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY 1/08/01

SUBDIVISION CONTAINS 7 STREETS AS LISTED BELOW:

#	STREET NAME	FROM - TO	L.F.	MILES	ROW	TYPE OF WIDTH OF CURB &		
						PVMNT	PVMNT	GUTTER
1	Quiet Moon Trail	Anderson Mill Road to Zambia Drive	1278	0.24	70-50'	HMAC	2-20'-30' F-F	Yes
2	Indian Blanket Drive	Quiet Moon Trail to Zambia Drive	584	0.11	50'	HMAC	30'F-F	Yes
3	Oro Viejo Cove	Indian Blanket Drive to end of 60'R cul-de-sac	675	0.13	50'	HMAC	30'F-F	Yes
4	Paseo Corto Drive	Quiet Moon Trail to NE cor Lot 16 Blk D	82	0.02	50'	HMAC	30'F-F	Yes
5	Zambia Drive	NE cor Lot 29 Blk C to end of 60'R cul-de-sac	2483	0.47	50'	HMAC	30'F-F	Yes
6	Tosca Cove	Zambia Drive to end of 60'R cul-de-sac	272	0.05	50'	HMAC	30'F-F	Yes
7	Spiderwort Drive	Zambia Drive to SW cor Lot 26 Blk A	145	0.03	50'	HMAC	30'F-F	Yes
8								
9								
10								
11								
12								
			5519					

THE TOTAL NUMBER OF LOTS IN THIS SUBDIVISION - **107**

N/A ADDITIONAL LOTS SOLD FOR DEVELOPMENT

CONSTRUCTION OF STREETS AND DRAINAGE EXCEEDS MINIMUM COUNTY STANDARD FOR STREETS NUMBERED **1-7**

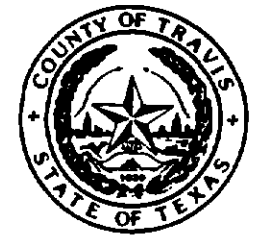
IT IS RECOMMENDED THAT MAINTENANCE OF STREETS NUMBERED 1-7 TOTALIN **1.05** MILES BE ACCEPTED BY THE TRAVIS COUNTY COMMISSIONERS' COURT IN PRECINCT 3.

28-Oct-08
 DATE

Donald W. Ward, P. E.
 Division Director, Road, Bridge, and Fleet
 TRANSPORTATION AND ENGINEERING SERVICES

DP = DOUBLE PENETRATION
 HMAC = HOT MIX ASPHALT
 C = CONCRETE
 UPP = UNPAVED, PIT RUN
 UPS = UNPAVED, SELECT

APPROVED BY COMMISSIONERS' COURT DATE



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building, 11th Floor
P.O. Box 1748
Austin, Texas 78767
(512) 854-9383
FAX (512) 854-4697

Ranch at Deer Creek Phase Two Section One

REQUIREMENTS FOR APPROVAL OF CONSTRUCTION PUBLIC STREET SUBDIVISIONS PER STANDARDS FOR CONSTRUCTION OF STREETS AND DRAINAGE IN SUBDIVISIONS - AUGUST 28, 1997

- 1/02/03 1. Professional Engineer's certification of quantities of work completed (Engineer's Concurrence Letter). § 82.401(c)(1)(A) § 82.604(c)(2)

- NA 2. Construction Summary Report. § 82.604(c)(1)

- 1/02/03 3. Contractor's (signed) invoice or receipt of payment for work completed. §82.401(a)(1)(B)

- 1/02/03 4. Reproducible Plans, certified as "Record Drawings", by the Owner's Consulting Engineer [§ 82.604(c)(3)] including a Signage and Striping Plan [§82.303] and accompanying Stop Sign Warrants and Speed Zone Investigation sheets for each sign.

- will rel 5. Performance Period Fiscal for 10% of the actual construction cost of street and drainage construction plus fiscal for residential sidewalks, if applicable. If bond, it must be in a form acceptable to Travis County and dated near the time of the TNR inspection report. Must be posted by owner/developer. § 82.604(c)(4)

- NA 6. If applicable, a copy of the Conditional Letter of Map Amendment or Revision from FEMA and the completed application for a Letter of Map Amendment or Revision. § 82.604(c)(5)

- 2/29/08 7. A letter from Texas Board of Licensing and Regulation approving subdivision construction (when sidewalks are required per plat and when the total construction costs of sidewalks exceed \$50,000.00). Plan approval required at time of Approval of Construction. Substantial completion (inspection) required at time of street acceptance for maintenance. § 82.202(q)(2)

- 11/19/07 8. A TNR inspection report, indicating the completion of that portion of the work represented by the reduction of fiscal (streets and drainage, including detention ponds and common area sidewalks and traffic control devices shown on the approved traffic control plan). § 82.401(c)(1)(C)

- 1/25/03 9. Approval of other agencies - cities, if in their ETJ; Municipal or other Utility Districts.

TRAVIS COUNTY
TRANSPORTATION AND NATURAL RESOURCES
REPORT OF SUBDIVISION INSPECTION

PROJECT: Ranch @ Deer Creek Ph 2 Sec 1 DATE: 11/19/2007

OWNER: Standard/Morrison CONTRACTOR: ?
PERSONNEL PRESENT: None

ITEMS REQUIRING COMPLETION/CORRECTION:

Pavement/surface treatment defects and repairs.

- ~~Crack seal all cracks in pavement~~
- ~~Repair pavement damage @ 2706 Quiet Moon~~
- ~~Repair pavement damage @ 2710 Oro Viejo~~
- ~~Pavement patch unacceptable @ 2715 Oro Viejo~~

Concrete [curb, valley gutter, drainage outfalls, sidewalk etc.] defects and repairs.

- ~~Epoxy grout seal all cracks in curb and gutter~~
- ~~Seal all cracks in sidewalks~~
- ~~Patch inlet @ 2705 Zambia~~
- ~~Inlet blocked by 2x4 remove~~

Installation and/or completion of:

- ~~Re-stripe stop bars too narrow~~

Roadside protection devices:

- ~~Install blue fire hydrant buttons~~

ALL PUNCHLIST ITEMS COMPLETE !!!!!!!

The following non-construction items must be furnished prior to final construction acceptance/approval:

HMAC reports

Public Street Subdivision Construction Approval Requirements.

Patricia M. Moreno

Travis County T.N.R
Project Inspector

Cc: Darla Vasterling EAI-Fiscal
Subdivision File



ADA Assistance

107 Meadow Woods, Kyle TX 78640 (512) 787-3687 Fax (512) 268-5964
Email: robert@adaassistance.com Internet: www.adaassistance.com

DATE: February 29, 2008

TO: Leanna Einhaus
Blake Magee Co
1011 N Lamar
Austin TX 78703
leanna@blakemageeco.com

FROM: Robert Ronson, RAS

PROJECT: Ranch at Deer Creek Phase 2 Section 1
Quiet Moon Trail off Anderson Mill
Cedar Park TX

Inspection performed: 2/29/2008

SUBJECT: INSPECTION COMPLETED – VIOLATIONS PENDING

The referenced facility has been inspected and found in non-compliance with some of the provisions of the Texas Government Code, Chapter 469.

The non-complying items noted on the enclosed inspection report must be corrected and verification of completed corrections (in writing) must be furnished to this office to obtain approval.

Please note, this determination does not address the requirements of the Americans with Disabilities Act (ADA), (P.L. 101-336), or any other state, local or federal requirements. For information on the ADA, contact the United States Department of Justice, Civil rights Division at (202)514-0301.



If you have questions concerning the results of this inspection, or the requirements of the Architectural Barriers Act, contact Robert Ronson at (512)787-3687.

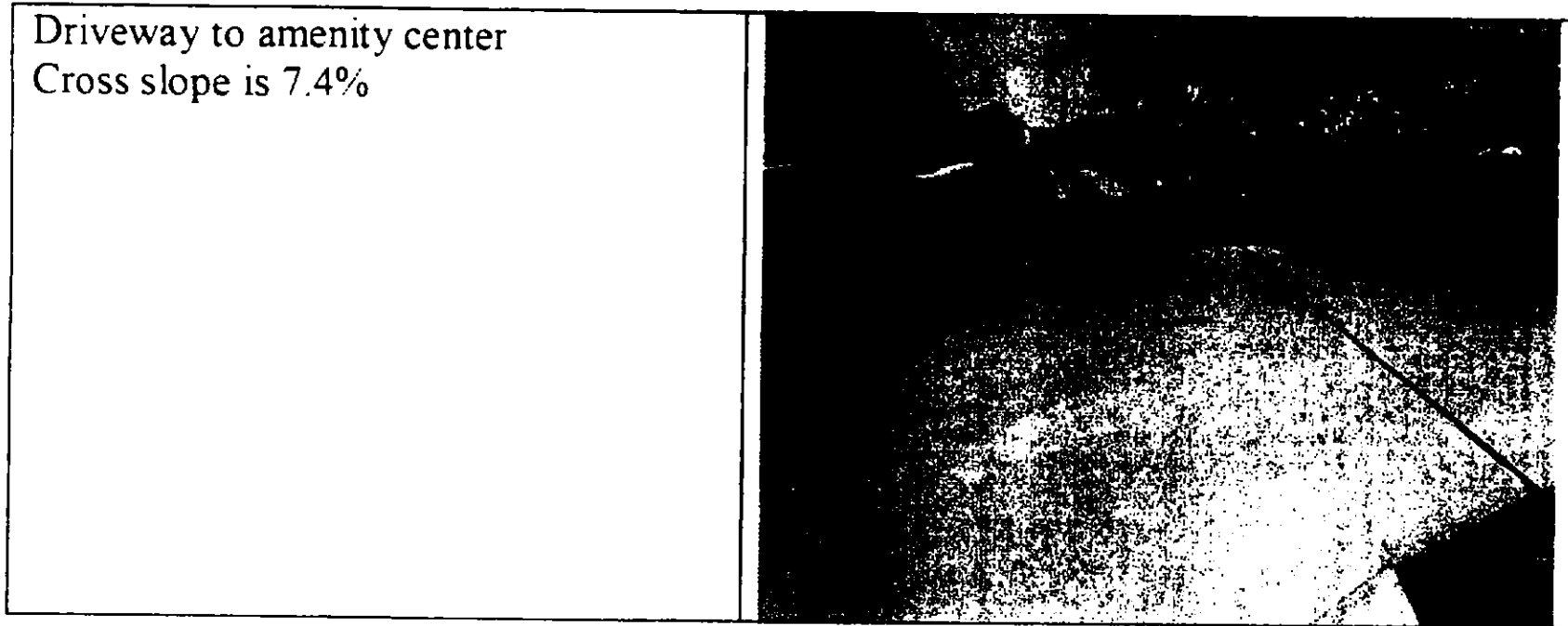
NOTE: The review of documents as contract documents and field inspections by this accessibility specialist for the Texas Department of Licensing and Regulation (TDLR) is based on a best efforts endeavor following instruction and certification by TDLR. Plan review and inspection in no way warrants complete compliance with the Texas Accessibility Standards. The business, the professional, his employees, engineers, and client for whom the review or inspection is made agrees to hold harmless and indemnify this accessibility specialist from and against any liability arising from performance of the work.

Project:	<u>Ranch at Deer Creek Phase 2 Section 1, Cedar Park</u>
TDLR Project No:	_____
Owner:	<u>Standard Pacific Homes</u>
[] PLAN REVIEW [✓] INSPECTION BY: <u>Robert Ronson - RAS #16</u> DATE: <u>2/29/2008</u>	
Project Description: single family residential subdivision	

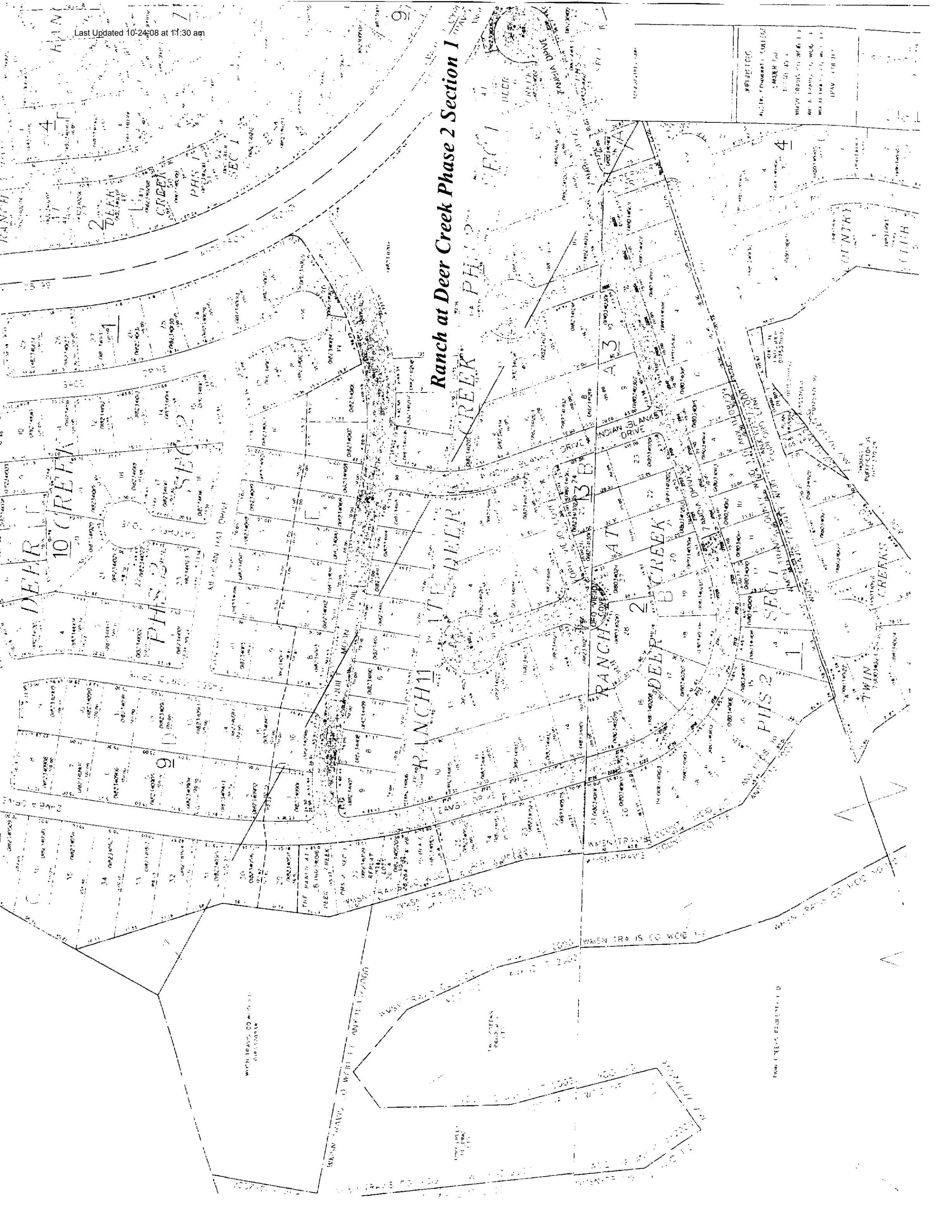
4.3.7 Slope

An accessible route with a running slope greater than 1:20 is a ramp and shall comply with 4.8. Nowhere shall the cross slope of an accessible route exceed 1:50.

<p>Tosca Cove @ Zambia Drive Route across street between curb ramps cross slope is 5.7%</p>	
<p>Quiet Moon Trail @ Zambia Drive Route across street between curb ramps cross slope is 5.8%</p>	



Ranch at Deer Creek Phase 2 Section 1



APPLICANT	AMERICAN COMMUNITY COLLEGE
AGENT	MARK L. ...
DATE	10-24-08
PROJECT	WATER RIGHTS FOR ...
FILE NO.	...
DATE OF ...	...

TOWN ENGINEER'S OFFICE

WICHITA COUNTY RECORDS

WE CAN HELP YOU WITH ANY OF YOUR

PLAT ...

WHEN TRIP IS COMPLETE



4

DEER CREEK

PHS 2

9

RANCH 11

TELLER

DEER CREEK

PHS 2

DEER CREEK

RANCH AT

DEER CREEK

PHS 2

SECTION 1

4

COUNTRY

WICHITA COUNTY

PURIFICATION

TWIN CREEKS

SECTION 1

SECTION 2

SECTION 3

SECTION 4

SECTION 5

SECTION 6

SECTION 7

SECTION 8

SECTION 9

SECTION 10

SECTION 11

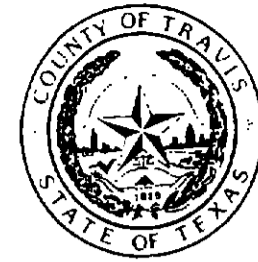
SECTION 12

SECTION 13

SECTION 14

SECTION 15

SECTION 16



TRANSPORTATION AND NATURAL RESOURCES
JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building
P.O. Box 1748
Austin, Texas 78767
tel 512-854-9383
fax 512-854-4649

APPROVAL OF CONSTRUCTION

DATE: July 9, 2008

TO:	Developer Leanna Einhaus Standard-Morrison No. 2 L.L.C. 805 Las Cimas Parkway #350 Austin, TX 78746 Fx: 328-7988	Engineer Carlson, Brigance & Doering, Inc. Danny Doering, P.E. 3401 Slaughter Lane West Austin, TX 78748 Fx: 280-5165
------------	----------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------

SUBJECT: Ranch at Deer Creek Phase 2 Section 2

Effective this date, street and drainage construction within this subdivision appear to be in conformance with the Permitted Construction Documents. All Performance Period maintenance punchlist items have been completed and/or corrected. The subdivision will be recommended for Accepted for Dedication in Travis County Commissioners Court. Sidewalk fiscal will be released as the sidewalks are deemed complete.

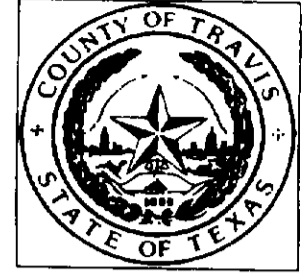
OTHER REMARKS:

None

BY: *Darla Vasterling*
TNR Engineering Specialist – Darla Vasterling

Donald W. Ward
TNR Division Director, Road and Bridge – Donald W. Ward

ACCEPTANCE OF DEDICATION OF STREETS AND DRAINAGE



SUBDIVISION
Mapsco No. 402Y

Ranch at Deer Creek Phase 2 Section 2

Pct.# 3
Atlas No. O-06

RECORDED AT DOC#200100287 IN THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY 10/08/01

SUBDIVISION CONTAINS 7 STREETS AS LISTED BELOW:

#	STREET NAME	FROM - TO	L.F.	MILES	ROW	TYPE OF WIDTH OF CURB &		
						PVMNT	PVMNT	GUTTER
1	Passionflower Pass	Anderson Mill Road to Zambia Drive	984	0.19	80-50'	HMAC	2-20'-30'F-F	Yes
2	Purple Sage Drive	NE cor Lot 8 Blk H to end of 60'R cul-de-sac	1018	0.19	50'	HMAC	30'F-F	Yes
3	Mexican Hat Drive	Purple Sage Drive to Paseo Corto Drive	638	0.12	50'	HMAC	30'F-F	Yes
4	Catchfly Cove	Mexican Hat Drive to end of 50'R cul-de-sac	216	0.04	50'	HMAC	30'F-F	Yes
5	Paseo Corto Drive	Passionflower Pass to SE cor Lot 15 Blk D	598	0.11	50'	HMAC	30'F-F	Yes
6	Tahoka Daisy Drive	Passionflower Pass to NW cor Lot 1 Blk H	336	0.06	50'	HMAC	30'F-F	Yes
7	Zambia Drive	NW cor Lot 1 Blk G to SE cor Lot 30 Blk C	1125	0.21	50'	HMAC	30'F-F	Yes
8								
9								
10								
11								
12								
			4915					

THE TOTAL NUMBER OF LOTS IN THIS SUBDIVISION - **99**

N/A ADDITIONAL LOTS SOLD FOR DEVELOPMENT

CONSTRUCTION OF STREETS AND DRAINAGE EXCEEDS MINIMUM COUNTY STANDARD FOR STREETS NUMBERED **1-7**

IT IS RECOMMENDED THAT MAINTENANCE OF STREETS NUMBERED 1-7 TOTALIN **0.93** MILES BE ACCEPTED BY THE TRAVIS COUNTY COMMISSIONERS' COURT IN PRECINCT 3

28-Oct-08
 DATE

- DP = DOUBLE PENETRATION
- HMAC = HOT MIX ASPHALT
- C = CONCRETE
- UPP = UNPAVED, PIT RUN
- UPS = UNPAVED, SELECT

Donald W. Ward, P. E.
 Division Director, Road, Bridge, and Fleet
 TRANSPORTATION AND ENGINEERING SERVICES

APPROVED BY COMMISSIONERS' COURT DATE



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building, 11th Floor
P.O. Box 1748
Austin, Texas 78767
(512) 854-9383
FAX (512) 854-4697

Ranch at Deer Creek Phase Two Section Two

REQUIREMENTS FOR APPROVAL OF CONSTRUCTION PUBLIC STREET SUBDIVISIONS PER STANDARDS FOR CONSTRUCTION OF STREETS AND DRAINAGE IN SUBDIVISIONS - AUGUST 28, 1997

- 1/02/03 1. Professional Engineer's certification of quantities of work completed (Engineer's Concurrence Letter). § 82.401(c)(1)(A) § 82.604(c)(2)

- NA 2. Construction Summary Report. § 82.604(c)(1)

- 1/02/03 3. Contractor's (signed) invoice or receipt of payment for work completed. §82.401(a)(1)(B)

- 1/02/03 4. Reproducible Plans, certified as "Record Drawings", by the Owner's Consulting Engineer [§ 82.604(c)(3)] including a Signage and Striping Plan [§82.303] and accompanying Stop Sign Warrants and Speed Zone Investigation sheets for each sign.
have

- will rel 5. Performance Period Fiscal for 10% of the actual construction cost of street and drainage construction plus fiscal for residential sidewalks, if applicable. If bond, it must be in a form acceptable to Travis County and dated near the time of the TNR inspection report. Must be posted by owner/developer. § 82.604(c)(4)

- NA 6. If applicable, a copy of the Conditional Letter of Map Amendment or Revision from FEMA and the completed application for a Letter of Map Amendment or Revision. § 82.604(c)(5)

- 2/29/08 7. A letter from Texas Board of Licensing and Regulation approving subdivision construction (when sidewalks are required per plat and when the total construction costs of sidewalks exceed \$50,000.00). Plan approval required at time of Approval of Construction. Substantial completion (inspection) required at time of street acceptance for maintenance. § 82.202(q)(2)

- 11/19/07 8. A TNR inspection report, indicating the completion of that portion of the work represented by the reduction of fiscal (streets and drainage, including detention ponds and common area sidewalks and traffic control devices shown on the approved traffic control plan). § 82.401(c)(1)(C)

- 7/10/02 9. Approval of other agencies - cities, if in their ETJ; Municipal or other Utility Districts.

TRAVIS COUNTY
TRANSPORTATION AND NATURAL RESOURCES
REPORT OF SUBDIVISION INSPECTION

PROJECT: Ranch @ Deer Creek Ph 2 Sec 2 DATE: 11/19/2007

OWNER: Standard/Morrison
PERSONNEL PRESENT: None

CONTRACTOR: ?

ITEMS REQUIRING COMPLETION/CORRECTION:

Pavement/surface treatment defects and repairs.

➤ ~~Crack seal all cracks in pavement~~

Concrete [curb, valley gutter, drainage outfalls, sidewalk etc.] defects and repairs.

➤ ~~Epoxy grout seal all cracks in curb and gutter.~~

➤ ~~Repair and seal all cracks in sidewalk.~~

Installation and/or completion of:

Regulatory signage

➤ ~~Stop sign missing @ Zambia and Passion Flower~~

Roadside protection devices:

➤ ~~Install blue fire hydrant buttons~~

ALL PUNCHLIST ITEMS COMPLETE !!!!!!!

The following non-construction items must be furnished prior to final construction acceptance/approval:

HMAC reports

Public Street Subdivision Construction Approval Requirements.

Patricia M. Moreno

Travis County T.N.R
Project Inspector

Cc: Darla Vasterling EAI-Fiscal
Subdivision File



ADA Assistance

107 Meadow Woods, Kyle TX 78640 (512) 787-3687 Fax (512) 268-5964
Email: robert@adaassistance.com Internet: www.adaassistance.com

DATE: February 29, 2008

TO: Leanna Einhaus
Blake Magee Co
1011 N Lamar
Austin TX 78703
leanna@blakemageeco.com

FROM: Robert Ronson, RAS

PROJECT: Ranch at Deer Creek Phase 2 Section 2
Passion Flower Pass off Anderson Mill
Cedar Park TX

Inspection performed: 2/29/2008

SUBJECT: INSPECTION COMPLETED – VIOLATIONS PENDING

The referenced facility has been inspected and found in non-compliance with some of the provisions of the Texas Government Code, Chapter 469.

The non-complying items noted on the enclosed inspection report must be corrected and verification of completed corrections (in writing) must be furnished to this office to obtain approval.

Please note, this determination does not address the requirements of the Americans with Disabilities Act (ADA), (P.L. 101-336), or any other state, local or federal requirements. For information on the ADA, contact the United States Department of Justice, Civil rights Division at (202)514-0301.



If you have questions concerning the results of this inspection, or the requirements of the Architectural Barriers Act, contact Robert Ronson at (512)787-3687.

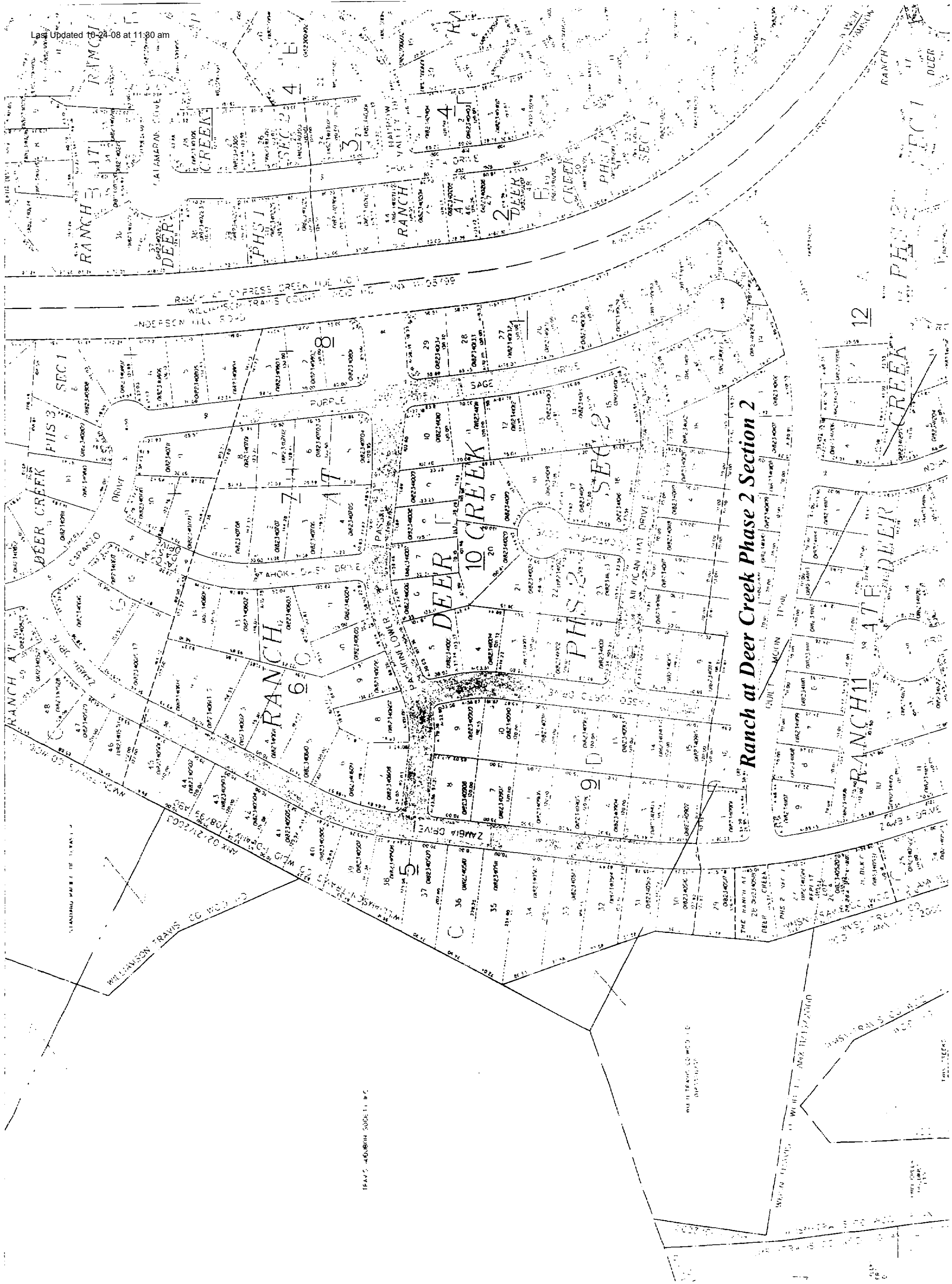
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Project:	<u>Ranch at Deer Creek Phase 2 Section 2, Cedar Park</u>
TDLR Project No:	_____
Owner:	<u>Standard Pacific Homes</u>
[] PLAN REVIEW [<input checked="" type="checkbox"/>] INSPECTION BY : <u>Robert Ronson - RAS #16</u> DATE : <u>2/29/2008</u>	
Project Description: single family residential subdivision	

4.3.7 Slope

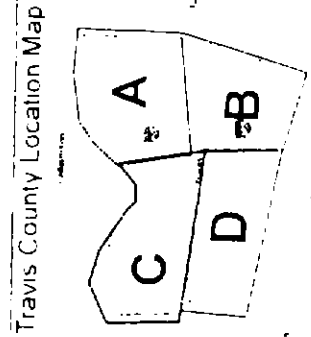
An accessible route with a running slope greater than 1:20 is a ramp and shall comply with 4.8. Nowhere shall the cross slope of an accessible route exceed 1:50.

<p>Passion Flower Pass @ Zambia Drive Route across street between curb ramps cross slope is 4.8%</p>	
<p>2901 Zambia Dr Driveway cross slope is 11.2%</p>	



Ranch at Deer Creek Phase 2 Section 2

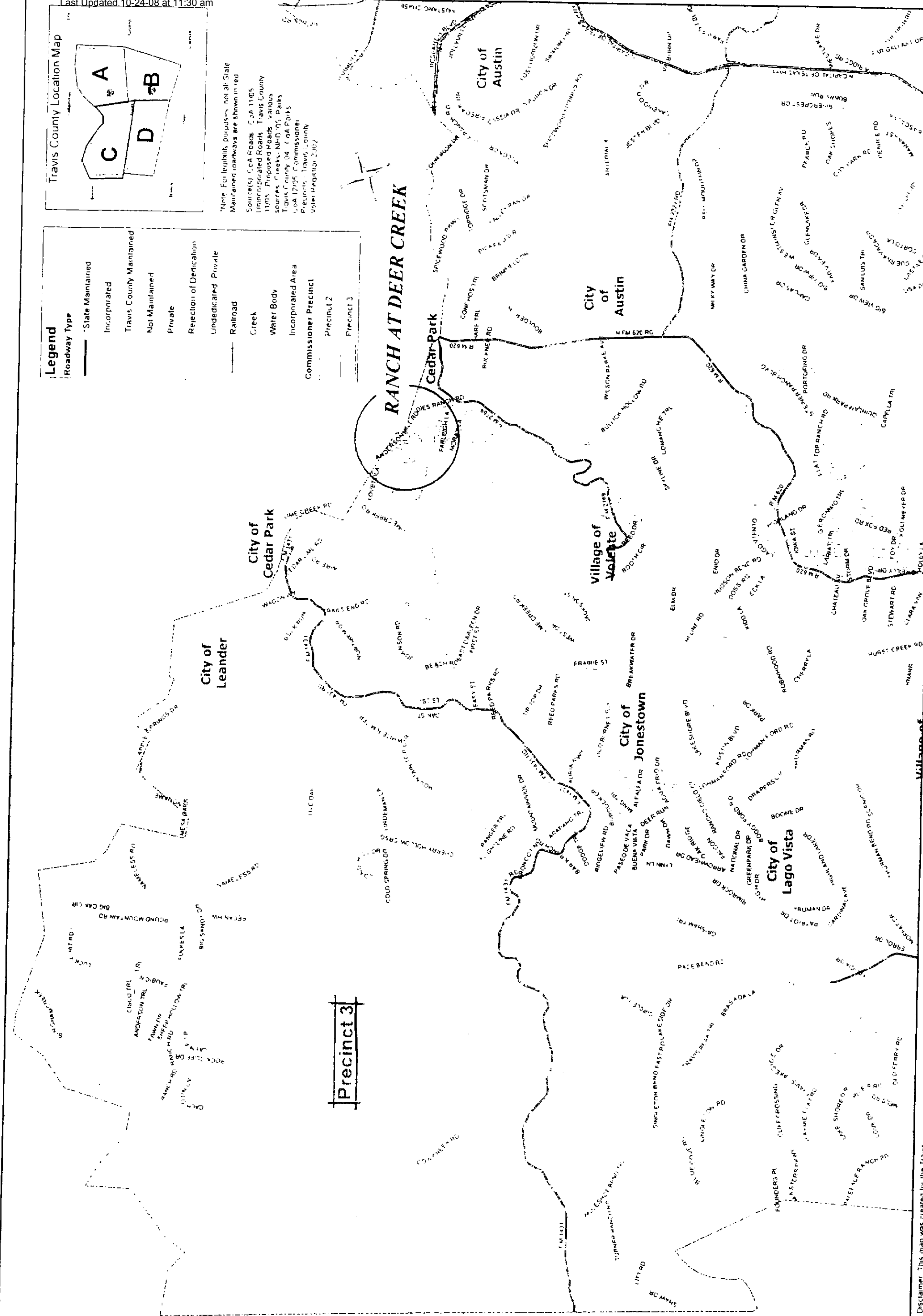
TRAVIS COUNTY SURVEY, INC.



Note: For legibility purposes, not all State Maintained roadways are shown in red.
 Sources: CoA Roads CoA 11/05
 Unincorporated Roads Travis County 11/05
 Proposed Roads Travis County Sources: Travis County various
 Travis County of Local Parks CoA 12/05
 Commissioner Precincts Travis County voter Registrar 2007

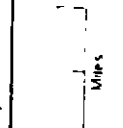
Legend	
Roadway Type	
State Maintained	(Red line)
Incorporated	(Black line)
Travis County Maintained	(Dashed line)
Not Maintained	(Dotted line)
Private	(Thin black line)
Rejection of Dedication	(Thin grey line)
Undedicated Private	(Thin grey line)
Railroad	(Thick black line)
Creek	(Blue wavy line)
Water Body	(Blue solid area)
Incorporated Area	(Thick black outline)
Commissioner Precinct	(Thin black outline)
Precinct 2	(Thin black outline)
Precinct 3	(Thin black outline)

RANCH AT DEER CREEK



Precinct 3

Map Prepared by Travis County
 Dept of Transportation & Natural Resources
 Date 01/04/2006
<http://www.co.texas.us/maps>



Travis County Roadways, Map C

Test Scale
 1 inch equals 1,000 feet
 1 inch equals 5,280 feet

Map Disclaimer: This map was created for the Travis County Sign Crew for identifying Travis County's maintained roadways. The data is provided "as is" with no warranties of any kind. For questions, contact the Travis County GIS Coordinator at (512) 854-9381.

LICENSE AGREEMENT

STATE OF TEXAS §
COUNTY OF TRAVIS §

This Agreement is made and entered into by and between Travis County, Texas, (the "COUNTY") and the Deer Creek Ranch Homeowners Association, Inc. (the "ASSOCIATION"), hereinafter collectively referred to as the "Parties", for the purposes and consideration described herein.

WITNESSETH:

WHEREAS, the COUNTY has accepted the dedication of the roads in Ranch at Deer Creek Roadway Dedication Section One, Ranch at Deer Creek Phase 1 Section 1, Ranch at Deer Creek Phase 1 Section 2, Ranch at Deer Creek Phase 2 Section 1, Ranch at Deer Creek Phase 2 Section 2, Ranch at Deer Creek Phase 3 Section 1, Ranch at Cypress Creek Section 16-A, and Ranch at Cypress Creek Section 16-B eight subdivisions located in Travis County, being more particularly described in that certain plat recorded at Doc. #200000311, 200000312, 200100246,, 200100005, 200100287, 200200264, 200000335, and Doc. #200000405, of the Official Public Records of Travis County, (the "Subdivision"); and

WHEREAS, the ASSOCIATION plans to install, pay expenses, and maintain certain landscaping and improvements in portions of the right-of-way of Cypress Creek Road, from Anderson Mill Road to the Williamson County Line, Anderson Mill Road, from Cypress Creek Road to the Williamson County Line and from the Williamson County Line to Lime Creek Road, Shady Creek Trail, Drifting Leaf Drive, Grand Falls Drive, Quiet Moon Trail, and Passion Flower Pass; and

WHEREAS, the landscaping and improvements include, but are not limited to, an irrigation system, trees and shrubs (the "Improvements"), as shown on plans prepared by Robert Berlanger Associates, entitled Deer Creek Ranch and dated 10/01/01 and 6/8/04 respectively and permitted by #01-2152, #04-1932, and #04-3602 respectively, within portions of the right-of-way of the Subdivisions' roads, which are not intended or used for vehicular traffic; and

WHEREAS, the area of the right-of-way within which the Improvements are to be installed and/or maintained (the "Licensed Property") is described in the Exhibit "A", which is attached hereto and incorporated herein for all purposes;

NOW, THEREFORE, the COUNTY and the ASSOCIATION agree as follows:

I. Grant

Subject to the conditions in this Agreement and to the extent of the right, title and interest of the COUNTY in and to the Licensed Property and without any express or implied warranties, the COUNTY grants to the ASSOCIATION permission to use the Licensed

Property to construct, maintain and repair the Improvements existing in the Licensed Property as of the date of this Agreement.

II. Consideration

The COUNTY and the ASSOCIATION each acknowledge the receipt and sufficiency of good and valuable consideration for the execution of this Agreement, including but not limited to the following:

1. The beautification to be afforded to the community by the Improvements; and
2. The agreement by the ASSOCIATION to provide the below-specified insurance and indemnification in favor of the COUNTY.

III. County's Rights to Licensed Property

A. This Agreement is expressly subject and subordinate to the present and future right of the COUNTY, its successors, assigns, lessees, grantees, and licensees, to construct, install, establish, maintain, use, operate, and renew any public utility facilities, franchised public facilities, roadways or streets on, beneath or above the surface of the Licensed Property. The COUNTY shall take reasonable measures to prevent damage to any Improvements on the Licensed Property, however, any damage to or destruction of the ASSOCIATION's property by the COUNTY in the exercise of the above-described rights shall be at no charge, cost, claim or liability to the COUNTY, its agents, contractors, officers or employees. Nothing in this Agreement shall be construed to limit in any way the power of the COUNTY to widen, alter or improve the Licensed Property pursuant to official action by the governing body of the COUNTY or its successors; provided, however, that the COUNTY shall provide the ASSOCIATION with at least thirty (30) days prior written notice of any such contemplated action.

B. NOTWITHSTANDING ANY PROVISIONS IN THIS AGREEMENT TO THE CONTRARY, THE COUNTY RETAINS THE RIGHT TO ENTER UPON THE LICENSED PROPERTY, AT ANY TIME AND WITHOUT NOTICE, ASSUMING NO OBLIGATION TO THE ASSOCIATION, TO REMOVE ANY OF THE IMPROVEMENTS OR ALTERATIONS THEREOF, WHENEVER SUCH REMOVAL IS DEEMED NECESSARY FOR: (A) EXERCISING THE COUNTY'S RIGHTS OR DUTIES WITH RESPECT TO THE LICENSED PROPERTY; (B) PROTECTING PERSONS OR PROPERTY; OR (C) THE PUBLIC HEALTH OR SAFETY WITH RESPECT TO THE LICENSED PROPERTY.

IV. Insurance

A. The ASSOCIATION shall, at its sole expense, provide extended public liability insurance coverage, written by a company acceptable to the County, licensed to do business in Texas, in the amounts of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) per occurrence and ONE MILLION DOLLARS (\$1,000,000.00) in the aggregate for property damage and personal injury and death, which coverage may be

D. **Removal or Modification.** The ASSOCIATION agrees that removal or modification of any improvements now existing or to be later replaced shall be at the ASSOCIATION's sole discretion, except where otherwise provided by this Agreement. This Agreement, until its expiration or revocation, shall run as a covenant on the land on the above-described real property, and the terms and conditions of this Agreement shall be binding on any successors and assigns in interest to the ASSOCIATION or the COUNTY. A written memorandum of this agreement shall be filed in the Real Property Records of Travis County, Texas.

E. **Security Deposit.** The ASSOCIATION shall provide the COUNTY with cash in a cashier's check in the amount of SEVENTEEN THOUSAND, EIGHT HUNDRED AND NO/100 DOLLARS (\$ 17,800.00). Cash provided to the COUNTY will be deposited with the County Treasurer and interest on the amount will be paid to the ASSOCIATION on an annual basis upon the receipt by the Treasurer of a letter requesting such interest. The only condition to a draft on the cash security shall be a letter from the Travis County Judge indicating that the ASSOCIATION has not fulfilled its obligations under this Agreement and that the COUNTY has incurred or will incur expenses with regard to the Improvements located on, upon or in the Licensed Property.

F. **Default.** In the event that the ASSOCIATION fails to maintain the Licensed Property, then the COUNTY shall give the ASSOCIATION written notice thereof by registered or certified mail, return receipt requested, to the addresses set forth below. The ASSOCIATION shall have thirty (30) days from the date of receipt of such notice to take action to remedy the failure complained of and, if the ASSOCIATION does not satisfactorily remedy the same within the thirty (30) day period, the COUNTY may, at the COUNTY'S option, perform the work or contract for the completion of the work. In addition, the ASSOCIATION agrees to pay, within thirty (30) days of written demand by the COUNTY, all reasonable costs and expenses incurred by the COUNTY in completing the work.

VII. Commencement; Termination by Abandonment

This Agreement shall begin on the date of full execution and continue thereafter for so long as the Licensed Property shall be used for the purposes set forth herein, unless terminated under other provisions of this Agreement. If the ASSOCIATION abandons the use of all or any part of the Licensed Property for such purposes set forth in this Agreement, then this Agreement, as to such portion or portions abandoned, shall expire and terminate following thirty (30) days written notice by the COUNTY to the ASSOCIATION, if such abandonment has not been remedied by the ASSOCIATION within such period. The COUNTY shall thereafter have the same title to the Licensed Property so abandoned as though this Agreement had never been made and shall have the right to enter on the Licensed Property and terminate the rights of the ASSOCIATION, its successors and assigns hereunder. All installations of the ASSOCIATION not removed shall be deemed property of the COUNTY as of the time abandoned.

VIII. Termination

provided in the form of a rider and/or endorsement to a previously existing insurance policy. Such insurance coverage shall specifically name the COUNTY OF TRAVIS as co-insured or as an additional insured. This insurance coverage shall cover all perils arising out or connected in any way to the activities of the ASSOCIATION, its officers, employees, agents or contractors, relative to this Agreement. The ASSOCIATION shall be responsible for any deductibles stated in the policy. A true copy of each instrument affecting such additional coverage shall be delivered to the COUNTY'S Executive Manager of Transportation & Natural Resources Department within twenty one (21) days of the effective date of this Agreement.

B. The ASSOCIATION shall not cause any insurance to be canceled nor permit any insurance to lapse. All insurance certificates shall include a clause to the effect that the policy shall not be canceled, reduced, restricted or otherwise limited until thirty (30) days after the COUNTY has received written notice as evidenced by a return receipt of registered or certified mail.

V. Indemnification

To the extent permitted by Texas law, the ASSOCIATION agrees to and shall indemnify, defend and hold harmless the COUNTY and its officers, agents and employees against all claims, suits, demands, judgments, expenses, including attorney's fees, or other liability for personal injury, death, or damage to any person or property, which arises from or is in any manner connected to or caused in whole or in part by the ASSOCIATION's construction, maintenance or use of the Licensed Property. This indemnification provision, however, shall not apply to any claims, suits, damages, costs, losses or expenses (i) for which the COUNTY shall have been compensated by insurance provided under Paragraph IV., above, or (ii) arising solely from the negligent or willful acts of the COUNTY, provided that for the purposes of the foregoing, the COUNTY'S act of entering into this Agreement shall not be deemed to be a "negligent or willful act".

VI. Conditions

A. Compliance with Regulations. The ASSOCIATION agrees that all construction, maintenance and repair permitted by this Agreement shall be done in compliance with all applicable City, County, State and/or Federal policies, traffic, building, health and safety ordinances, laws and regulations.

B. ASSOCIATION's Responsibilities. The ASSOCIATION will be responsible for any damage to or relocation of existing facilities required by the construction of the improvements. Further, the ASSOCIATION shall reimburse the COUNTY for all reasonable costs incurred by the COUNTY in replacing or repairing any property of the COUNTY or of others which was damaged or destroyed as a result of activities under this Agreement by or on behalf of the ASSOCIATION.

C. Maintenance. The ASSOCIATION shall maintain the Licensed Property by keeping the area free of debris and litter. Removal of dead or dying plants shall also be handled by the ASSOCIATION at its expense.

A. Termination by the ASSOCIATION. This Agreement may be terminated by the ASSOCIATION by delivering written notice of termination to the COUNTY not later than thirty (30) days before the effective date of termination. If the ASSOCIATION so terminates, then it may remove installations that it made from the Licensed Property within the thirty (30) day notice period. Any installations not removed within said period are agreed to be the property of the COUNTY.

B. Termination by County. This Agreement may be revoked at any time by the COUNTY, if such revocation is reasonably required by the public interest, after providing at least thirty (30) days prior written notice to the ASSOCIATION. Subject to prior written notification to the ASSOCIATION or its successors in interest, this Agreement is revocable by the COUNTY if:

1. The Improvements, or a portion of them, interfere with the COUNTY'S use of the Licensed Property;
2. Use of the Licensed Property becomes necessary for a public purpose;
3. The Improvements, or a portion of them, constitute a danger to the public which the COUNTY deems not to be remediable by alteration or maintenance of such Improvements;
4. Despite thirty (30) days written notice to the ASSOCIATION, maintenance or alteration necessary to alleviate a danger to the public has not been made; or
5. The ASSOCIATION fails to comply with the terms and conditions of this Agreement, including, but not limited to, the insurance requirements specified herein.

If the ASSOCIATION abandons or fails to maintain the Licensed Property, and the COUNTY receives no substantive response within thirty (30) days following written notification to the ASSOCIATION, then this Agreement shall terminate and the COUNTY may remove and/or replace all Improvements or a portion thereof and collect from ASSOCIATION the COUNTY'S actual expenses incurred in connection therewith.

IX. Eminent Domain

If eminent domain is exerted on the Licensed Property by paramount authority, then the COUNTY will, to the extent permitted by law, cooperate with the ASSOCIATION to effect the relocation of the ASSOCIATION's affected installations at the ASSOCIATION's sole expense. The ASSOCIATION shall be entitled to retain all monies paid by the condemning authority for its installations taken, if any.

X. Interpretation

In the event of any dispute over its meaning or application, this Agreement shall be interpreted fairly and reasonably and neither more strongly for or against either party.

XI. Application of Law

This Agreement shall be governed by the laws of the State of Texas. If the final judgment of a court of competent jurisdiction invalidates any part of this Agreement, then the remaining parts shall be enforced, to the extent possible, consistent with the intent of the Parties as evidenced by this Agreement.

XII. Venue

TO THE EXTENT ALLOWED BY TEXAS LAW, IT IS AGREED THAT VENUE FOR ALL LAWSUITS CONCERNING THIS AGREEMENT WILL BE IN TRAVIS COUNTY, TEXAS. THIS AGREEMENT CONCERNS REAL PROPERTY LOCATED IN TRAVIS COUNTY, TEXAS, AND IS WHOLLY PERFORMABLE IN TRAVIS COUNTY.

XIII. Covenant Running with Land

This License Agreement and all of the covenants herein shall run with the land; therefore, the conditions set forth herein shall inure to and bind each party's successors and assigns.

XIV. Assignment

The ASSOCIATION shall not assign, sublet or transfer its interest in this Agreement without the written consent of the COUNTY. If such consent is granted, it shall then be the duty of the ASSOCIATION, its successors and assigns, to give prompt written notice to the COUNTY of any assignment or transfer of any of the ASSOCIATION's rights in this Agreement, giving name, date, address and contact person.

XV. Notice

Any notice and/or statement, required or permitted hereunder, shall be deemed to be given and delivered by depositing same in the United States mail, certified with return receipt requested, postage prepaid, addressed to the appropriate party at the following addresses or at such other addresses specified by written notice delivered in accordance herewith:

ASSOCIATION:
Deer Creek Ranch HOA
3755 Capital of Texas Hwy. South, Ste. 292
Austin, TX 78704-7908

(512) 441-1044
phone

COUNTY:

Honorable Samuel T. Biscoe (or successor)
Travis County Judge
P.O. Box 1748
Austin, Texas 78767

COPY TO:

Joseph Gieselman, Executive Manager (or successor)
Travis County Transportation and Natural Resources Dept.
P.O. Box 1748
Austin, Texas 78767

COPY TO:

Honorable David A. Escamilla (or successor)
Travis County Attorney
P.O. Box 1748
Austin, Texas 78767
Attn: File No. 83.____

XVI. Annexation by the City

- A. If the total area within the Licensed Property is annexed for full purposes by the City of Austin or other incorporated municipality (the "CITY"), then all references in this Agreement to "the COUNTY" shall be construed to mean "the CITY"; all references to "the Executive Manager of the COUNTY Transportation and Natural Resources Department" shall be construed to mean "the Director of the CITY Department of Public Works & Transportation"; all references to "the Commissioners Court" shall be construed to mean "the CITY Council". Any other references to COUNTY employees shall be construed to mean the analogous CITY employee or officer.

EXECUTED AS OF THE DATES SET FORTH BELOW:

TRAVIS COUNTY, TEXAS

By: _____
Samuel T. Biscoe, County Judge

Date: _____

TERMS AND CONDITIONS ACCEPTED, this the 1st day of October, 2008.

THE ASSOCIATION:

Deer Creek Ranch HOA

By: 
signature

Name: GARY WRIGHT
printed name

Title: PRESIDENT
Authorized Representative

THE STATE OF TEXAS

§

COUNTY OF TRAVIS

§

§

This instrument was acknowledged before me on this the ___ day of _____, 2008, by Samuel T. Biscoe, County Judge of Travis County, Texas, a duly organized County and political subdivision of the State of Texas, on behalf of said County.

Notary Public in and for the State of Texas

Printed/Typed Name

My commission expires

THE STATE OF TEXAS

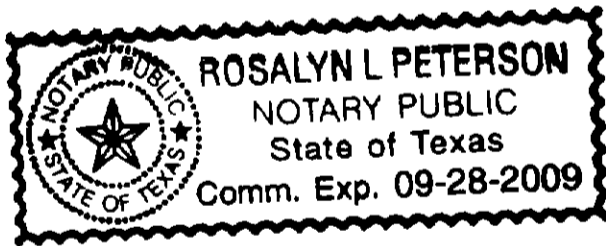
§

COUNTY OF TRAVIS

§

§

This instrument was acknowledged before me on this the 1st day of October, 2008, by as President of the Deer Creek Ranch HOA, a Texas corporation, on behalf of said corporation.



Rosalyn L. Peterson
Notary Public in and for the State of Texas

Rosalyn L. Peterson
Printed/Typed Name

9/28/09
My commission expires

ADDRESS OF ASSOCIATION:

3755 Capital of Texas Hwy. South
Suite 292

Austin, Texas 78704-7908
(512) 441-1041
phone

ASSOCIATION'S MANAGEMENT CO.

Plateau Property Management Co.
3755 Capital of Texas Hwy South, Suite 292
Austin, Texas 78704

Attn: Rosalyn Peterson
(512) 441-1041
phone

EXHIBIT "A"

1. Cypress Creek Road from Anderson Mill Road to the Travis/Williamson County line.
2. Anderson Mill Road (Deer Creek Street Dedication) from Cypress Creek Road to 100' south of the intersection with Shady Creek Trail.
3. Drifting Leaf Drive (Ranch at Deer Creek Phase 1 Section 1) entry improvements at Anderson Mill Road.
4. Quiet Moon Trail (Ranch at Deer Creek Phase 2 Section 1) entry improvements at Anderson Mill Road.
5. Passion Flower Pass (Ranch at Deer Creek Phase 2 Section 2) entry improvements at Anderson Mill Road.
6. Grand Falls Drive (Ranch at Deer Creek Phase 1 Section 2 and Ranch at Deer Creek Phase 3 Section 1) entry improvements at Anderson Mill Road.
7. Anderson Mill Road from 100' south of Shady Creek Trail to Travis/Williamson County line.
8. Shady Creek Trail (Ranch at Cypress Creek Section 16B) entry improvements at Anderson Mill Road.
9. Anderson Mill Road from the Travis/Williamson County line to Lime Creek Road.

© 2008 by Deer Creek Ranch
All rights reserved.
Deer Creek Ranch, LLC



AREA OF LICENSE AGREEMENT

RECEIVED
COUNTY CLERK'S OFFICE
OCT 27 20 11:10:19

40 ✓

Travis County Commissioners Court Agenda Request

Voting Session: October 28, 2008
(Date)

Work Session: _____
(Date)

I. A. Request made by: Vicki Hummer for Ronald Earle Phone #: 854-9522
Signature of Elected Official/Appointed Official/Executive Manager/County Attorney

B. Requested Text:

CONSIDER AND TAKE APPROPRIATE ACTION ON THE DISTRICT ATTORNEY'S
FY08 CHAPTER 59 ASSET FORFEITURE REPORT.

C. Approved by: _____
Signature of Commissioner(s) or County Judge

II. A. Backup memorandum and exhibits should be attached and submitted with this
Agenda Request (Original and eight copies of agenda request and backup).

B. Please list all of the agencies or officials' names and telephone numbers that might
be affected or involved with the request. Send a copy of this Agenda Request and
backup to them:

James Connolly, Assistant County Attorney (854-9415)
David Jungerman, Auditor's Office (854-9125)

III. Required Authorizations: Please check if applicable:

- Planning and Budget Office (854-9106)
- Additional funding for any department or for any purpose
- Transfer of existing funds within or between any line item budget Grant
- Human Resources Department (854-9165)
- A change in your department's personnel (reclassifications, etc.)
- Purchasing Office (854-9700)
- Bid, Purchase Contract, Request for Proposal, Procurement
- County Attorney's Office (854-9415)
- Contract, Agreement, Policy & Procedure



**OFFICE OF THE
DISTRICT ATTORNEY**

P.O. Box 1748 Austin 78767

Telephone 512/854-9400

Telefax 512/854-9695

ROSEMARY LEHMBERG
FIRST ASSISTANT

RONALD EARLE
DISTRICT ATTORNEY

MEMORANDUM

TO: Travis County Judge and Commissioners

FROM: Vicki Skinner, District Attorney's Office *Vicki Skinner for Ronald Earle*

DATE: October 17, 2008

SUBJECT: Chapter 59 Asset Forfeiture Report by Attorney Representing the State

The District Attorney's Office is requesting approval of the FY08 Chapter 59 Asset Forfeiture Report.

Chapter 59.06 of the Code of Criminal Procedure requires all law enforcement agencies and attorneys representing the state who receive proceeds or property under this chapter to account for the seizure, forfeiture, receipt and specific expenditure of all such proceeds and property in an audit. The audit is to be performed annually by the Commissioners Court or governing body of a municipality, as appropriate and is completed on a form provided by the Office of the Attorney General. The attached report is audited by the Travis County Auditor's Office.

cc: Jim Connolly, Assistant County Attorney
David Jungerman, Auditor's Office

**FY 2008 Chapter 59 Asset Forfeiture Report
by Attorney Representing the State**

Agency Name: Travis County District Attorney Reporting Period: 9/1/07 - 08/31/08
(example: 9/1/07 - 08/31/08)

Agency Mailing Address: P.O. Box 1748
Austin, TX 78767

County: Travis (if multi-county district, list all counties within jurisdiction)

Phone number: 512-854-9400

NOTE: PLEASE ROUND ALL DOLLAR AMOUNTS TO NEAREST WHOLE DOLLAR

I. Beginning Balance

A) Forfeited Funds	\$ <u>455,951.64</u>
Instructions: Include total amount of funds that have been forfeited to your agency and are on hand (in your agency's account or in your agency's possession) at beginning of reporting period including interest. Do not include funds that have been forfeited but not yet received by your agency.	
B) Seized Funds	\$ <u>1,491,910.49</u>
Instructions: Include total amount of seized funds on hand (in your agency's account or in your agency's possession) at beginning of reporting period including interest. Include funds that may have been forfeited but have not been transferred from your agency's seizure account to your agency's forfeiture account. Do not include funds that are in an account held by another agency, e.g., a police department's account.	

II. Seizures, Petitions for Forfeiture, and Forfeiture Receipts during Reporting Period

A) Currency and Negotiable Instruments

1) Amount Seized by Employees of Your Agency	\$ <u>0</u>
Instructions: Include only those seizures which occurred during the reporting period and where the seizure affidavit required by Article 59.03 is sworn to by a peace officer employed by your agency.	
2) Forfeiture Petitions Filed for all Agencies You Represent	\$ <u>600,615.43</u>
Instructions: Enter the total amount of seized funds subject to a forfeiture petition filed during the reporting period. Do not include amounts seized if petition has not been filed.	
3) Amount Forfeited for all Agencies You Represent	\$ <u>656,076.69</u>
Instructions: Enter the total amount forfeited by all forfeiture judgements, including amounts forfeited to other agencies. Do not include judgments that are not yet final due to appeal or motion for new trial. Include interest that was forfeited as part of the judgment.	
4) Amount Forfeited to and Received by Your Agency (Including Interest)	\$ <u>173,011.48</u>
Instructions: Do not include amounts forfeited but not yet received by your agency. Do not include amounts awarded to other agencies. Interest refers to the amount earned prior to forfeiture and distributed as part of the judgment of forfeiture.	
5) Amount Returned to Defendants	\$ <u>211,145.30</u>
Instructions: Enter the total amount returned to Defendants.	
6) Forfeitures Pending for all Agencies You Represent	\$ <u>1,482,037.07</u>
Instructions: Enter the total amount of seized funds at the end of the reporting period where a forfeiture petition has been filed but no final judgment has been entered. Include amounts subject to petitions filed in prior reporting periods. (This should be a currency amount, for example \$1,000)	

B) Other Property

Instructions: List the number of cases filed, pending, or disposed for the following categories. List as "pending" only cases where a petition was filed. List as "seized" only those seizures where the seizure affidavit required by Article 59.03 is sworn to by a peace officer employed by your agency. If property is sold list under "Proceed Received by Your Agency from Sale of Above-Listed Property" (see below) in the reporting year in which the proceeds are received. (These should be a number, for example 1, 2, 3 etc., not a currency amount).

Please Note: these should be a number, not a currency amount. For example: 4 pending, 3 seized, 12 new petitions, etc....	MOTOR VEHICLES (cars, motorcycles, tractor trailers, etc.)	REAL PROPERTY (houses, land, etc.)	COMPUTERS (include computer and attached system components, such as printers and monitors as one item)	FIREARMS (include only firearms seized for forfeiture under Chpt. 59. Do not include weapons disposed of under Chpt. 18)	OTHER
Pending for all agencies at beginning of reporting period:					
Seized by your agency during reporting period:					
New petitions filed for all agencies during reporting period:					
Forfeited to your agency during reporting period:					
Put into service by your agency during reporting period:					
Pending for all agencies at end of reporting period:					

C) Proceeds Received by Your Agency From Sale of Above-Listed Property \$ _____
Instructions: Include amounts received for all property sold during the reporting period, even if the subject property was forfeited in a prior reporting period.

III. Forfeited Property and Proceeds Received from Another Agency
Instructions: Enter the total dollar amount (for proceeds) or total number of items (for property & other) received pursuant to a sharing agreement where the forfeiture judgment awarded ownership of the property to another agency prior to it being transferred to your agency.

Proceeds - (should be a dollar amount) \$ _____
 Vehicles - (should be a number, not a dollar amount) \$ _____
 Other - (should be a number, not a dollar amount) \$ _____

IV. Interest Earned on Forfeited Funds During Reporting Period \$ 14,329.67
Instructions: Include only the amount of interest earned on forfeited funds or interest earned on funds derived from the sale of forfeited property. Do not include interest earned if funds are on deposit in an account that does not belong to your agency.

V. Interest Earned on Seized Funds During Reporting Period \$ 45,587.84
Instructions: Include only the amount of interest earned on seized funds or funds that may have been forfeited but not yet transferred to your forfeiture account. Do not include interest earned on seized funds that are on deposit in an account that does not belong to your agency.

VI. Expenditures

Instructions: List the total amount expended for each of the following categories. This category is **ONLY** for Chapter 59 expenditures -not for expenditures made pursuant to your general budget. If proceeds are expended for a category not listed, state the amount and nature of the expenditure under the Other Category.

Salaries		\$ <u>59,739.76</u>
Overtime		\$ <u>0</u>
Equipment (includes vehicles, computers, software, maintenance costs, etc.)		\$ <u>8,873.80</u>
Supplies (includes cellular air time, miscellaneous commodities etc.)		\$ <u>9,722.09</u>
Travel		\$ <u>5,250.43</u>
Training		\$ <u>4,427.20</u>
Paid to or shared with cooperating agency		\$ <u>0</u>
Confidential Informant Payments		\$ <u>0</u>
Prevention / Treatment Programs		\$ <u>0</u>
Facility Costs (building purchase, lease payments, remodeling, maintenance fees, etc.)		\$ <u>0</u>
Miscellaneous Fees (account service charge, insurance, audit fees, witness fees, etc.)		\$ <u>0</u>
Other (attach additional sheets if necessary)	(Other total)	\$ <u>25,561.74</u>
Description: <u>Court related expenditures</u>	\$ <u>2,663.09</u>	
Description: <u>Other Purchased Services</u>	\$ <u>2,081.65</u>	
Description: <u>Investigations</u>	\$ <u>1,200.00</u>	
Description: <u>Repairs & Mtc</u>	\$ <u>664.00</u>	
Description: <u>Transfers to Gen Fund per Article 59.06 Code of Criminal Procedure</u>	\$ <u>18,953.00</u>	

TOTAL EXPENDITURES..... \$ 113,575.02

COUNTY JUDGE OR DESIGNEE: _____

TITLE: _____

SIGNATURE: _____

DATE: _____

RETURN COMPLETED FORM TO: Office of the Attorney General
 Criminal Prosecutions Division
 P.O. Box 12548
 Austin, TX 78711-2548
 Attn: Kent Richardson
 (512)936-1348
 FAX (512)494-8283
 E-mail: kent.richardson@oag.state.tx.us

renee.gray@oag.state.tx.us



VS# 41

**TRAVIS COUNTY COMMISSIONER'S COURT
AGENDA REQUEST**

Please consider the following item for Voting Session on: 10/28/08

I. A. Request made by: Sheriff Greg Hamilton - TCSO ^{PH} Phone No. 854-4924

B. Requested Text:
Consider and approve

1. Consider and approve loan agreement amendment with American Honda Motor Company for two (2) Honda Personal Water Craft for law enforcement patrol functions on Lake Travis.

C. Approved by: _____
Signature of Commissioner or Judge

II. A. Is backup material attached*: **Yes** No

*Any backup material to be presented to the court must be submitted with this Agenda Request (Original and eight copies).

B. Have the agencies affected by this request been invited to attend the work session? **Yes**
No

Please list those contacted and their phone numbers:

William Derryberry - Planning and Budget
Mike Joyce - Fleet Management
Jim Connolly-County Attorney's Office

III. PERSONNEL
A change in your department's personnel (reclass, etc.).

IV. BUDGET REQUEST:
If your request involves funding for your department please check:

 Additional funding for your department

 Transfer of funds within your department budget

 A change in your department's personnel

The County Human Resources Department (854-9165) and / or the Budget and Research Office (854-9106) must be notified before submission of this agenda request.



JAMES SYLVESTER
Chief Deputy

GREG HAMILTON
TRAVIS COUNTY SHERIFF

P.O. Box 1748
Austin, Texas 78767
(512) 854-9770
www.tcsheriff.org

DARREN LONG
Major - Corrections

SCOTT BURROUGHS
Major - Law Enforcement

MARK SAWA
Major - Administration & Support

October 14, 2008

MEMORANDUM

TO: Honorable Sam Biscoe, County Judge
Honorable Ron Davis, Commissioner, Precinct 1
Honorable Sarah Eckhardt, Commissioner, Precinct 2
Honorable Gerald Daugherty, Commissioner, Precinct 3
Honorable Margaret Gomez, Commissioner, Precinct 4

FROM: Michael G Hemby 783, Research and Planning *mf*

SUBJECT: Honda PWC Loan Agreement 2008-2009

Attached is a loan agreement for four Honda personal water craft (PWC) for lake patrol duties on Lake Travis for through July 15, 2009.

For several years we have utilized Honda Corporation one-dollar lease for watercraft to supplement our normal fleet during the peak Lake Travis seasons. This followed a similar program we had participated in with the Yamaha Corporation for the five years before.

The current program agreement is no longer a lease agreement but simply a loan agreement for these units. Travis County is only required to handle operating costs which have been built into our marine fleet budget, and fuel budget, over the last few years as well as paying for routine maintenance which again will come from the TCSO budget. We are also required to cover the vehicle for damages and liability which of course is standard. The County Attorney has worked on amendments to the agreement and it has been modified as you will note.

Thus, we would request the courts consideration and approval of this agreement so that we can place these watercraft in operation as soon as possible. They are a much

needed asset in that they can operate in areas too shallow for our regular boats and allow us to apprehend other PWC operators who can easily outrun our normal patrol craft. Since the county owns a trailer for these loan/lease watercraft, there is no additional expenditure.

Your support and approval of this lease and project would be appreciated as we feel that the addition of this lifesaving equipment would enhance our ability to provide the best response to the needs of our community possible and ensure the safety of persons enjoying Lake Travis.

If you have any questions please feel free to contact my office at 854-4924.

CC. County Attorney
TCSO Fleet Management
File

HONDA PERSONAL WATERCRAFT LOAN AGREEMENT

(page 1 of 2)

DEALER NAME 35 NORTH HONDA	DEALER NO. 105476	AGENCY NAME ("Agency") TRAVIS Co. Sheriff's Dept	
ADDRESS 1575 IH 35 North	Telephone: 830-624-3000	AGENCY STREET ADDRESS PO Box 1748	TELEPHONE: (512)854-9770
CITY & STATE New Braunfels TX	Fax: 830626 3300	AGENCY CITY / STATE / ZIP AUSTIN, TX 78767	FAX:

PERSONAL WATERCRAFT ("PWC") IDENTIFICATION:

YR	MODEL	HULL IDENTIFICATION NUMBER
07	ARX12N37	US - HPSB 0637J607
07	ARX12N37	US - HPSB 0637J607

Maximum two watercraft per agency

LOAN PERIOD: From **7/15/08** to **7/15/09**

DEALER AGREES:

- Loan:** Dealer provides to Agency, for Agency's exclusive use, each PWC listed above (including all accessions, additions, parts, repairs, replacements, and upgrades to it).
- Service:** Dealer agrees to prepare and service each PWC in accordance with manufacturer's specifications prior to delivery to requesting Agency.
- Maintenance:** Dealer agrees to provide basic maintenance under normal conditions of wear on each PWC during the Loan Period at no cost to Agency.
- Good Title:** American Honda and Dealer warrant its good title to each PWC.

AGENCY AGREES:

Loan Period: The term of the loan period will be from **7/15/08** to **7/15/09**. Dealer reserves the right to request the return of the PWCs at any time during the last three months of the Loan Period.

Transport: Agency will pay all costs to transport PWCs to Agency's location at the start of the Loan Period Term, and to return PWCs from Agency's location.

No Sublease or Assignment: Agency may not sublease PWCs, or assign this Agreement to anyone.

Ownership: PWCs are marked as and at all times shall remain Dealers personal property.

Repair or Replacement: If any PWC is lost or damaged, Agency shall promptly pay Dealer for loss or damages.

Use, Condition, and Maintenance: PWCs may only be used by Agency's operators who are in compliance with the requirements of this Agreement, for purposes related directly to Agency's mission or role in patrol, enforcement, rescue, or education. Agency shall not permit any non-Agency related individual or entity to operate a PWC or ride as a passenger on a PWC, except for a passenger in a work-related, rescue, or emergency situation. Each PWC must be used in a careful and proper manner, and in compliance with all applicable laws, regulations, and manufacturer's or supplier's suggested guidelines. Agency shall keep each PWC in good condition and repair, fulfill all manufacturer's or supplier's maintenance guidelines, and take actions needed to keep the manufacturer's or supplier's warranty in full effect for the warranty's maximum term. Agency shall not alter any PWC (including insignia and lettering) without participating dealer's prior written consent. Agency shall maintain PWC service logs and copies of service reports. Agency may be charged a reasonable cleaning fee for each PWC not returned in clean condition.

Operator Safety and Training: Each PWC shall be operated at all times in a safe and responsible manner. Agency shall ensure that before operating a PWC, each PWC operator shall have undergone an extensive U.S. Coast Guard-approved safety training program including receiving information on the safe operation of a PWC. At no time shall any PWC operator be under the influence of alcohol or any substance which affects the ability to operate or control a PWC. Each PWC operator shall have a valid operator's license, if required by applicable law. PWCs are inboard boats and their use is subject to all applicable state and local boating laws, statutes, ordinances, and regulations. Agency shall be responsible for all fines and penalties incurred during the Loan Period for each PWC, and thereafter until each PWC is returned to Dealer. Before operating a PWC, each PWC operator shall have read the owner's manual and any other safety material that accompanies the PWC. Each PWC operator shall comply with all safety rules and regulations outlined in the PWC product material, and shall wear a USCG-approved personal flotation device and eyewear. Each PWC operator shall operate the PWC with the safety lanyard properly attached to such operator, and shall heed all warnings on PWC safety labels and PWC decals.

Damages: AGENCY SHALL BE CHARGED FOR ALL DAMAGES RESULTING FROM ABUSE, MISAPPLICATION, OR NEGLIGENCE. AGENCY WAIVES ANY CLAIM (INCLUDING ANY BASED ON STRICT OR ABSOLUTE LIABILITY) THAT AGENCY MIGHT NOW OR EVER HAVE AGAINST DEALER, AMERICAN HONDA AND/OR ALL AFFILIATED COMPANIES FOR ANY LOSS, DAMAGE (INCLUDING CONSEQUENTIAL AND INCIDENTAL DAMAGES), OR EXPENSE CONCERNING OR ARISING OUT OF AGENCY'S PWC POSSESSION OR USE. IN NO EVENT SHALL DEALER, AMERICAN HONDA AND/OR ALL AFFILIATED COMPANIES HAVE ANY LIABILITY TO AGENCY FOR INDIRECT, CONSEQUENTIAL, OR SPECIAL DAMAGES, INCLUDING LOST USE, REVENUE, OR PROFITS.

Other Terms: This Agreement includes additional terms and conditions in the rest of this Agreement.

White Copy Return to:
American Honda Motor Co., Inc.
1919 Torrance Blvd. MS 100-4C-6C
Torrance, CA 90501-2746

Yellow Copy: Dealer File

Pink Copy: Agency

HONDA PERSONAL WATERCRAFT LOAN AGREEMENT (page 2 of 2)

AGENCY FURTHER AGREES:

No Warranties: DEALER PROVIDES PWCs "AS IS." NO WARRANTIES, EXPRESSED OR IMPLIED, INCLUDING SUITABILITY, DURABILITY, MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, CONDITION, CAPABILITY, FUNCTION, PERFORMANCE, QUALITY, OR FREEDOM FROM CLAIMS OF ANY PERSON BY WAY OF INTERFERENCE, INFRINGEMENT, OR THE LIKE HAVE BEEN MADE BY DEALER AND/OR AHM, DIRECTLY OR INDIRECTLY, CONCERNING PWCs.

Risk of Loss: Agency shall give Dealer immediate notice of any attachment or judicial process affecting any PWC or Dealer's ownership of it. From Agency's commencement of possession of each PWC until its return to Dealer, Agency bears all risk of each PWC's loss, theft, damage, or destruction (partial or complete) from any cause. No such loss will relieve Agency from any obligation under this Agreement.

No Encumbrances: Agency may not sell, pledge, mortgage, or otherwise encumber any PWC or any part of it, or encumber any interest under this Agreement. Agency shall keep each PWC free and clear of all levies, liens, charges, and encumbrances. Any failure by Agency to do so shall be a default for which Dealer may elect, without notice, to exercise all remedies under applicable law, equity, and this Agreement.

Insurance: Throughout the Rental Term, Agency shall provide and maintain at its sole expense all forms of insurance that may be required by law for the services contemplated by this Agreement, including without limitation the following coverage's: Commercial General Liability Insurance (ISO form CG 00 01 or equivalent). All coverage shall be on an occurrence basis with minimum limits of US\$1 million per occurrence, US\$1 million aggregate. Agency shall furnish Dealer with satisfactory evidence of such insurance ("Certificate of Insurance") (naming Dealer as an additional insured and a loss payee). Dealer may, at its option, permit Agency to be self-insured for all or a portion of the insurance coverage required above. The furnishing of acceptable evidence of required insurance does not relieve Agency from any liability or obligation for which it is otherwise responsible to Dealer. The limits of insurance or applicable deductibles shall not limit the Agency or relieve Agency of any liability or financial responsibility. Such insurance as is afforded by any policies contemplated by this Agreement for the benefit of Dealer shall be excess and non-contributory with the insurance or self-insurance maintained by Dealer shall be excess and non-contributory with the insurance provided under this Agreement.

Dealer acknowledges that County is self-insured.

Return of Each PWC: Upon expiration or termination of the Loan Period: (a) each PWC shall be in the same condition it was at the start of Agency's possession of it, less reasonable wear and tear resulting from its proper use; and (b) Agency shall promptly return each PWC (including keys, service logs, and service records) to Dealer's location. Excessive wear or damages will be charged to Agency on a pro rata basis at current replacement costs.

Indemnity: Except for claims to the extent arising out of Dealer or American Honda Motor Co., Inc.'s and/or its affiliates gross negligence or willful misconduct, Agency shall indemnify and defend against, and hold Dealer, American Honda Motor Co., Inc. and its affiliates officers, agents, employees, transferees, and successors harmless from, any and all claims, actions, suits, proceedings, costs, expenses, damages, and liabilities, including reasonable attorneys' fees, for all injuries or death of any person, or damage to any property occurring, arising or resulting from, or connected with, directly or indirectly, Agency's negligent or willful misconduct during Agency's possession, use, and return of each PWC. These indemnities shall survive expiration or termination of this Agreement.

Defense: In the event that any cause of action, claim, suit, or other legal proceeding is brought against Dealer, in connection with this Agreement, Dealer, in its sole discretion, may elect to defend such matter by counsel selected by Dealer and Agency shall cooperate with Dealer in connection with such defense. Dealer shall have the sole authority to approve or disapprove any settlement of any such action, claim, suit, or other legal proceeding.

Remedies: All remedies in this Agreement and under applicable law and equity are cumulative, not exclusive. After any failure by Agency to perform or comply with any part of this Agreement, Dealer may, at its option, terminate this Agreement. After Dealer's notice to Agency of such termination, Agency shall immediately and voluntarily return each PWC to Dealer at Dealer's designated location, or Dealer (directly, by its agent, or through court order) may enter Agency's or other premises where each PWC may be located and take each possession of each PWC. AGENCY EXPRESSLY WAIVES NOTICE AND THE RIGHT TO A HEARING BEFORE SUCH REPOSSESSION BY Dealer or American Honda Motor Co., Inc. AND ANY DIRECT OR CONSEQUENTIAL DAMAGES OCCASIONED BY SUCH REPOSSESSION.

including reasonable attorneys' fees) incurred by Dealer...

Miscellaneous: This Agreement shall be governed by the laws of TEXAS, without regard to its conflict of laws principles, and shall be interpreted, construed, and enforced in accordance with them. This Agreement cannot be modified, amended, rescinded, or otherwise changed except by a writing signed by Dealer and Agency. A waiver of a breach of any term in this Agreement will not be considered a waiver of a further breach of the same term, a waiver of a breach of any other term, or a waiver of Dealer's right to declare an immediate or a subsequent default. Any term or condition of the Agreements may be waived in writing by the party entitled to its benefits. This Agreement must not be construed against either party as its drafter. All representations and warranties and all agreements about liability and indemnification will survive after termination or expiration of this Agreement. TIME IS OF THE ESSENCE IN THIS AGREEMENT. Each provision of this Agreement must be interpreted in a way that is valid under applicable law. If any provision is held invalid, the rest of this Agreement will remain in full effect. All required notices shall be in writing and sent to the other party at its address shown in this Agreement (or to another address such party has designated in a prior notice). This Agreement and any incorporated exhibits, attachments, or amendments contain the entire understanding between the parties concerning its subject matter.

Authorized Execution: The person signing this Agreement below for Agency is validly authorized to do so by Agency and applicable law.

AGENCY EXECUTES THIS AGREEMENT THIS 24 DAY OF July, 2008

NAME OF AGENCY: Tarrant County Sheriff's Office DEALER 35 North Honda
SIGNED [Signature] DATE 7/24/08 SIGNED [Signature] DATE 7/24/08
Officer of Agency Dealer signature signifies acceptance
NAME & TITLE I. Smith Sgt

White Copy Return to: American Honda Motor Co., Inc. 1919 Torrance Blvd. MS 100-4C-6C Torrance, CA 90501-2746

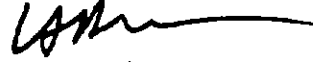
Yellow Copy: Dealer File

Pink Copy: Agency

TRAVIS COUNTY COMMISSIONERS COURT AGENDA REQUEST

Please consider the following item for: (fill in date of meeting)

VOTING SESSION: October 28, 2008

**A. REQUEST MADE BY: Amalia Rodriguez-Mendoza 
(Elected/Appointed Official/Executive Mgr/County Attorney)**

B. REQUESTED TEXT:

1. Approve Software License Agreement between Travis County and Johnson County for the use of I-Jury code developed by Travis County.
2. Authorize the Travis County Judge to execute the Software License Agreement on behalf of Travis County.
3. Authorize the Director of Information and Telecommunications Services of Travis County to execute the same Software License Agreement with other counties on behalf of Travis County without further approval of Commissioners Court.

COUNTY JUDGE OR COMMISSIONER

A. Any backup material to be presented to the Court must be submitted with this Agenda Request (Original(s) & 8 copies).

B. Please list all of the agencies or officials' names and telephone numbers that might be affected by or involved with this request. The originating department should send a copy of this Agenda Request and backup to them:

- David Escamilla
- Alicia Perez
- Joe Harlow

REQUIRED AUTHORIZATIONS: PLEASE CHECK IF APPLICABLE:

- Additional funding for any department or for any purpose
- Transfer of existing funds within or between any line item budget
- Grant

PURCHASING OFFICE (473-9700)

Bid, Purchase Contract, Request for Proposals

COUNTY ATTORNEY'S OFFICE (473-9513)

Contract, Agreement, Policy & Procedure



Amalia Rodriguez-Mendoza
District Clerk, Travis County
Travis County Courthouse Complex
P. O. Box 679003
Austin, Texas 78767

October 21, 2008
MEMORANDUM

TO: Travis County Commissioners Court

FROM: Amalia Rodriguez-Mendoza, District Clerk *AM*

COPIES: Hon. David Escamilla, County Attorney
Alicia Perez, Director, Administrative Operations
Joe Harlow, Director, ITS

RE: Approval of FY09 District Clerk Records Management Plan and
Transfer of Funds for FY09 Records Management Plan

Since Travis County developed the I-Jury process and software, other jurisdictions have expressed interest in deploying the system and acquiring the software code developed by ITS. The attached Software License Agreement allows such jurisdictions use of this code with Travis County retaining ownership of the original code plus any derivative works.

The attached agenda request for Commissioners Court action is to approve this Software License Agreement for I-Jury between Travis County and Johnson County. We have included a request for authorizing the Director of ITS to enter into future agreements of this nature with other jurisdictions. With no objection from the members of the Commissioners Court, we request this item be placed on consent.

Please let me know if you have any questions and thank you for your consideration.

Administrative Offices
(512) 854-9737
Fax: 854-4744

Civil and Family Division
(512) 854-9457
Fax: 854-6610

Criminal Division
(512) 854-9420
Fax: 854-4566

Jury Office
(512) 854-4295
Fax: 854-4457

SOFTWARE LICENSE AGREEMENT

THIS SOFTWARE LICENSE AGREEMENT (this "Agreement") is made and entered into by and between Travis County, a political subdivision of the State of Texas ("Licensor" or "Travis County"), and Johnson County, also a political subdivision of the State of Texas ("Licensee").

RECITALS

WHEREAS, the Travis County District Clerk's Office (the "District Clerk") and the Travis County Information and Telecommunications Systems Department ("ITS") have jointly developed a computer software application known as the "I-Jury" program (the "I-Jury Program") that performs electronic jury management functions, which the District Clerk has deployed and is currently using for that purpose; and

WHEREAS, Travis County wishes to grant to Licensee a license to use the I-Jury Program source code for the purpose of facilitating development of Licensee's own electronic jury management program, and Licensee wishes to receive a license for that purpose in accordance with the terms and conditions of this Agreement.

NOW THEREFORE, in consideration of the mutual promises set forth below, the sufficiency of which is hereby acknowledged, the parties agree as follows:

1.0 GRANT AND SCOPE OF LICENSE

1.1 Subject to the terms of this Agreement, Licensor hereby grants to Licensee, and Licensee hereby accepts, a nonexclusive, nontransferable, limited and revocable license to access and use the I-Jury Program source code for the sole purpose of developing a modified version of the I-Jury Program to assist Licensee in performing its jury management functions (the "License").

1.2 The License includes the following rights and is subject to the following conditions and restrictions:

1.2.1 Licensee may make one (1) copy of the I-Jury Program solely for back-up and archival purposes. Licensee must reproduce and include the County's copyright or any other proprietary notice (if any) on any such back-up copy.

1.2.2 Licensee may not sell, rent, lease or lend the I-Jury Program, except as provided herein.

1.2.3 Licensee may modify the I-Jury Program source code for the purpose of rendering the program applicable to, and appropriate for, Licensee's particular jury

management operations; provided, however, (i) all such modifications and derivative works created by Licensor (or on its behalf) shall, upon creation, become the sole and exclusive property of Licensor, as described in Section 2.0, below, and (ii) Licensee's right to modify the I-Jury Program code may be immediately revoked if the modifications contain any content that, in the opinion of the Travis County Commissioners Court, or any of their designated representatives, is obscene, offensive, defamatory, harassing, malicious or that would reflect adversely on the reputation and dignity of Travis County.

1.3 Licensee will strictly comply with all License conditions and restrictions described below.

1.4 Licensee will maintain and make available for Licensor's inspection or reproduction, upon Licensor's reasonable request, all modified program codes or derivative works created by Licensee under this Agreement. Licensee expressly acknowledges and agrees that Licensor may, in its sole discretion, provide such Licensee-modified I-Jury Program code to interested counties, municipalities or other political subdivisions for their use and/or further modification.

2.0 OWNERSHIP OF INTELLECTUAL PROPERTY

2.1 Licensee agrees that Licensor has originally developed the I-Jury Program and that the I-Jury Program source code is proprietary to Licensor, protected under copyright and other intellectual property laws, and may not be reproduced, transmitted, displayed, published or distributed except as expressly provided herein. Licensee further agrees that Licensor shall retain all proprietary and intellectual property rights in and to the I-Jury Program source code, and to all legally protectable elements, derivative works, modifications and enhancements thereto or therein, whether or not developed by Licensee or any third party and regardless of the form or media in or on which the I-Jury Program or derivative works created therefrom may exist.

2.2 Licensee understands and agrees that the License granted is a license only, not a sale, that its rights hereunder are those of a licensed user only, and that neither the copyright nor any other intellectual property or proprietary right is being transferred, assigned or otherwise granted.

2.3 All governmental seals, logos and names appearing on or in the I-Jury Program, or on materials provided therewith, are proprietary to Licensor. Licensee agrees never to remove any proprietary notices or labels. Licensor will, however, permit Licensee to include credit lines in Licensee-created modified versions of the I-Jury Program recognizing Licensee's application development contributions.

3.0 PROTECTION AGAINST UNAUTHORIZED USE

3.1 In connection with the granting of the License, Licensee shall exercise a commercially reasonable level of care to safeguard the I-Jury Program source code against improper or unauthorized use, reproduction, modification, distribution or disclosure and shall not, without the prior written consent of Licensor, disclose or make available to any person, or use for its own or any other person's benefit, other than as necessary in exercising its rights under this Agreement.

3.2 Licensee understands and agrees that Licensor grants no warranties, either express or implied, with respect to the I-Jury Program provided in connection with this Agreement, which is provided "AS IS". Travis County disclaims all implied warranties, including without limitation the warranties of merchantability, suitability or fitness for a particular purpose, title, non-infringement, or results.

4.0 TERMINATION

4.1 Either party may terminate this Agreement by providing thirty (30) days written notice to the other party of its desire to terminate and stating the effective date of termination. Upon any termination or expiration of this Agreement, and if requested by Licensor, Licensee agrees to immediately return all copies of the I-Jury Program source code together with any and all modified versions of the code, to Licensor, regardless of the medium or media on which the code is stored.

4.2 In addition, this Agreement, together with the License granted hereunder, shall automatically terminate if Licensee fails to prepare and deploy a fully operational modification (derivative work) of the I-Jury Program code, as authorized herein, within one (1) year from the Effective Date. Upon such automatic termination, Licensee shall comply with the I-Jury Program source code return obligations described in paragraph 4.1.

5.0 LIABILITY

5.1 Licensor shall not be liable for any claims or damages arising from the negligent or illegal acts or omissions of Licensee or Licensee's employees or agents in relation to this Agreement. Licensee shall not be liable for any claims or damages arising from the negligent or illegal acts or omissions of Licensor or Licensor's employees or agents in relation to the Project or this Agreement. If both parties are held liable for any claims or damages arising from the negligent or illegal acts or omissions of either party or its employees or agents in relation to this Agreement, Licensor and Licensee shall be liable for the portion of the claims and damages that arise from the negligent or illegal acts or omissions of that party as determined by the court adjudicating the matter or as agreed in any settlement.

6.0 AMENDMENT

6.1 This Agreement may be amended only by written instrument signed by both Licensor and Licensee. IT IS EXPRESSLY ACKNOWLEDGED BY LICENSEE THAT NO OFFICER, AGENT, REPRESENTATIVE OR EMPLOYEE OF TRAVIS COUNTY HAS ANY AUTHORITY, EITHER EXPRESS OR IMPLIED, TO MODIFY OR AMEND THE TERMS OF THIS AGREEMENT UNLESS EXPRESSLY GRANTED THAT SPECIFIC AUTHORITY BY THE COMMISSIONERS COURT OF TRAVIS COUNTY.

7.0 NON-WAIVER AND RESERVATION OF RIGHTS

7.1 No act or omission by either party may constitute or be construed as a waiver of any breach or default of the other party which then exists or may subsequently exist. The failure of either party to exercise any right or privilege granted in this Agreement shall not be construed as a waiver of that right or privilege.

7.2 All rights of Licensor under this Agreement are specifically reserved and any act or omission shall not impair or prejudice any remedy or right of Licensor hereunder. Any right or remedy stated in this Agreement shall not preclude the exercise of any other right or remedy under this Agreement, the law or at equity, nor shall any action taken in the exercise of any right or remedy be deemed a waiver of any other rights or remedies.

8.0 ASSIGNMENT

8.1 All of the terms, covenants, representations, warranties, and conditions of this Agreement shall be binding upon, and inure to the benefit of and be enforceable by, Licensor and Licensee, but neither this Agreement nor the rights and obligations of any of the parties hereunder shall be assigned or otherwise transferred to any individual, corporation, partnership, joint venture, association, joint stock company, trust, unincorporated organization, or government (or agency or political subdivision thereof) without the prior written consent of the other party, which consent shall not be unreasonably withheld.

9.0 NOTICES

9.1 Written Notice. Any notice required or permitted to be given under this Agreement by one party to the other shall be in writing and shall be given and deemed to have been given immediately if delivered in person to the address set forth in this section for the party to whom the notice is given, or on the third day following mailing if placed in the United States Mail, postage prepaid, by registered or certified mail with return receipt requested, addressed to the party at the address hereinafter specified.

9.1.2 Licensee Address. The address of Licensee for all purposes under this Agreement shall be:

Honorable Roger Harmon
Johnson County Judge
District Clerk's Office
Johnson County Courthouse
Room 120
Cleburne, TX 76033
817-556-6360

9.1.3 Licensor Address. The address of Licensor for all purposes and all notices under this Agreement shall be:

Honorable Samuel T. Biscoe (or successor in office)
Travis County Judge
P.O. Box 1748
Austin, Texas 78767

And Amalia Rodriguez-Mendoza (or successor in office)
Travis County District Clerk
P.O. Box 679003
Austin, Texas 78767-9003
(512) 854-9737

9.2 Change of Address. Each party may change the address for notice to it by giving notice of the change in compliance with this Section.

10.0 MEDIATION

10.1 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 someone appointed by the Court having jurisdiction, as the provider of mediators 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 Section 154.073 of the Texas Civil Practice and Remedies Code, unless both parties agree, in writing, to waive the confidentiality.

11.0. VENUE AND CHOICE OF LAW

11.1 All obligations and undertakings permitted or required under this Agreement are performable in Travis County, Texas. This Agreement is governed by and construed in accordance with the laws of the State of Texas. Venue for any dispute arising out of this Agreement will lie in the appropriate court of Travis County, Texas

12.0 SEVERABILITY

12.1 If any portion or portions of this Agreement are ruled invalid, illegal, or unenforceable in any respect by a court of competent jurisdiction, the remainder of it shall remain valid and binding.

13.0 SIGNATURE AUTHORITY

13.1 The individual signing this Agreement on behalf of Licensee, or representing him/herself as signing this Agreement on behalf of Licensee, does hereby represent, warrant and guarantee that he/she has been duly authorized by Licensee to sign this Agreement on behalf of Licensee and to bind Licensee validly and legally to all terms, performances, and provisions in this Agreement.

14.0 ENTIRE AGREEMENT

14.1 This Agreement represents the sole, entire and integrated Agreement between Licensee and Licensor with respect to the subject matter herein and supersedes any and all prior negotiations, representations or agreements, either oral or written.

IN WITNESS WHEREOF, County and Company have duly executed this Agreement effective as of the later date set forth below (the "Effective Date").

TRAVIS COUNTY, TEXAS

By: _____
Samuel T. Biscoe
Travis County Judge

Date: _____

JOHNSON COUNTY, TEXAS

By: _____

Title: _____

Date: _____

TRAVIS COUNTY COMMISSIONERS COURT AGENDA REQUEST

Work Session _____

Voting Session: **October 28, 2008**

- I. A. Request made by: **Dana DeBeauvoir, County Clerk** (Elected Official)
- B. Requested Text:

Consider and take appropriate action on request to fill vacancies for unexpired term of Presiding Election Judges and Alternate Presiding Election Judges for the November 4, 2008 Joint General and Special Elections

Approved by: _____
Signature of Commissioner or Judge

- II. A. Any backup material to be presented to the court must be submitted with this Agenda Request (Original and eight copies).

SEE ATTACHED

- B. Please list all of the agencies or officials' names and telephone numbers that might be affected by or involved with this request. Send a copy of this Agenda Request and backup to them:

John Hille, County Attorney 49415

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted to the County Judge's office in writing by 12:00 on Tuesday for the next week's meeting.

TRAVIS COUNTY COMMISSIONERS COURT AGENDA REQUEST

Please consider the following item for: (fill in date of meeting)

DATE OF VOTING SESSION: 10/28/2008

A. REQUEST MADE BY: Commissioners Sarah Eckhardt & Margaret Gomez
(Elected/Appointed Official/Executive Mgr/County Attorney)

B. REQUESTED TEXT:

DISCUSS AND TAKE APPROPRIATE ACTION ON:

- A. THE ADOPTION OF RESOLUTION ESTABLISHING A TRAVIS COUNTY GREEN INITIATIVE TO REVIEW COUNTY POLICIES AND PROCEDURES AND MAKE RECOMMENDATION TO THE COMMISSIONERS COURT FOR POLICY CHANGES TO PROMOTE SUSTAINABILITY AND INCREASED EFFICIENCY.
- B. APPOINTING NINE MEMBER TO A TRAVIS COUNTY GREEN COMMITTEE TO OVERSEE AND IMPLEMENT THE GOALS OF THE GREEN INITIATIVE



COMMISSIONER ECKHARDT



COMMISSIONER GOMEZ

- A. Any backup material to be presented to the Court must be submitted with this Agenda Request (Original(s) & 8 copies).
- B. Please list all of the agencies or officials' names and telephone numbers that might be affected by or involved with this request. The originating department should send a copy of this Agenda Request and backup to them:

REQUIRED AUTHORIZATIONS: PLEASE CHECK IF APPLICABLE:

- Additional funding for any department or for any purpose
- Transfer of existing funds within or between any line item budget
- Grant

PURCHASING OFFICE (854-9700)

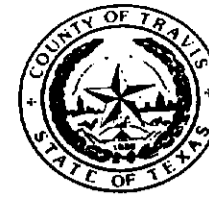
Bid, Purchase Contract, Request for Proposals

COUNTY ATTORNEY'S OFFICE (854-9415)

Contract, Agreement, Policy & Procedure

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted to County Judge's office, Room 520, in writing by Tuesdays at 12:00 p.m. for the next week's meeting. Late or incomplete requests may be deferred to the following week's meeting.

08 OCT 28 11:11 AM
RECEIVED
COUNTY JUDGE'S OFFICE
AR 10-12



SARAH ECKHARDT
TRAVIS COUNTY COMMISSIONER PRECINCT 2
TRAVIS COUNTY ADMINISTRATION BUILDING
P.O. BOX 1748 ROOM 530
AUSTIN, TEXAS 78767
(512) 854-9222

October 28, 2008

To: Judge Samuel Biscoe and the Travis County Commissioner Court
From: Commissioners Sarah Eckhardt, Pct. 2 and Margaret Gomez, Pct. 4
RE: A Resolution Establishing a Travis County Green Initiative and Committee

Proposal

Consider creation of a Travis County Green Initiative to include the formation of a Green Committee to assess County policies and procedures and recommend an action plan to effectively and efficiently address environmental challenges and prioritize steps to be implemented and a schedule to address these challenges.

Goals

1. Reduce negative impacts of Travis County governmental activities on the environment;
2. Support enterprises that aid organizations in reducing their impact on the environment;
3. Blaze a trail for other large employers and purchasers of services in reducing their negative impacts on the environment.

Background

The purpose of creating a Travis County Green Initiative and with it a Green Committee is to address issues of sustainability, conservation and efficiency within county government. The future health, safety and economy of Travis County depends increasingly on our ability to pursue policies which promote sustainability of the energy supply, reducing waste going into landfills, the conservation of water and other natural resources, and reducing the amount of CO₂ emissions from vehicles and other sources.

Travis County is a significant consumer in the region with extensive purchasing power. As such a Green Initiative would likely strengthen the market for green building, recycling, waste minimization technology, and low impact development making these products and services more cost effective and readily available to all consumers in the region. The role of government is not to subsidize already profitable businesses, but rather promote and bolster businesses that are not yet able to stand alone in the free market but are in the greater interests of the community. Additionally, increased utilization of green technology and services will make Travis County an attractive home for green collar industry jobs which could provide good paying jobs for a cross section of our residents and provide the possibility for job advancement for underserved communities.

The adoption and application of a Travis County Green Initiative will promote the principles of energy conservation, zero waste, efficient use of water and other natural resources and move toward a carbon neutral County government. Travis County could serve as a model for other

major organizations (governments and businesses) in the region and inspire them to follow our lead. Incorporating a Green initiative will help ensure that the many new and renovated County facilities that are planned for construction in the next several years will be models of sustainable building and environmental stewardship.

Recommended Steps

The creation of a formal Green Initiative by the Travis County Commissioners Court is the first step in creating an action plan to assess and provide steps for reducing our environmental impact. The action plan should identify areas for change that could increase efficiencies and produce savings, and enable us to maximize state and federal resources to offset some of the cost of investing in green technologies and equipment.

The recommended steps are:

1. Designation of a Green Committee to oversee the process. Suggested members:
 - a. Jon White and Charles Williams from TNR Environmental Services
 - b. A representative from TNR-Road Maintenance and Fleet Services division
 - c. Member designated by the Purchasing Agent
 - d. Member designated by the County Auditor
 - e. Member designated by the Sheriff's Office
 - f. Member designated by Constable Bruce Elfant
 - g. Jessica Rio from the Planning and Budget Office
 - h. Roger El-Khoury from Facilities Management
2. Charge the Committee with:
 - a. Managing an environmental assessment of County policies and procedures;
 - b. Identify areas where the County needs to focus attention and resources;
 - c. Prioritize areas where the County needs to focus attention and resources, both in the short and long term;
 - d. Consider utilization of outside expertise or assistance, making a request to the Court for such services when required; and
 - e. Completion and presentation of the Action Plan by November of 2009.

Sample elements of an Action Plan may include:

1. Establishing an interdepartmental dialog responsible for creating an inventory of areas where the County could increase fuel efficiency, energy efficiency, recycling rates, and reduce consumption, waste going into landfills, and greenhouse gas emissions generated from all County sources. Working with stakeholders and technical advisors the Green Committee could establish short-term and long-term targets for reducing the County's "footprint." This effort could identify both policy recommendations and the fiscal implications. Key areas for study and policy development could include:
 - a. Transportation planning and vehicle fleet management;
 - b. Facilities and land use planning;
 - c. Utilization of emerging technologies;
 - d. Waste minimization strategies;
 - e. Expansion of natural areas, parks, and landscaping at County facilities;
2. Establishing a plan to make all Travis County facilities, fleet vehicles and operations totally carbon neutral by 2020 through measures including:
 - a. Powering all County facilities with renewable energy by 2015;

- b. Making the entire County fleet of vehicles carbon neutral by 2020 through the use of electric power, non-petroleum fuels, new technologies, mitigation, and other measures as necessary, prioritizing the earliest possible conversion to such fuels and technologies and establishing timelines and benchmarks for such conversions;
3. Working with other elected officials and department management to develop departmental master plans to aid them with the implementation. These plans could include:
 - a. Policy and procedure changes necessary to achieve success;
 - b. Targets and benchmarks and a reporting mechanism for achieving maximum reduction of solid waste, greenhouse gas emissions and energy consumption in all County departments;
 - c. Develop an accounting and budget approach which incorporates environmental priorities while complying with State and Federal law and Government Accounting Standards Board (GASB) guidelines;
4. Developing and implementing a program to assist all departments in achieving carbon neutrality, energy efficient and zero waste goals through the following measures:
 - a. Develop a Travis County-specific "carbon footprint calculator" to be used by departments and the Commissioners Court as a part of the County budget process;
 - b. Make available technical professionals that work with department to streamline their business practices and advise on possible short and long term goals for individual departments;
 - c. Develop a system for carbon and/or waste offsetting in areas where carbon neutrality and/or zero waste are not technologically feasible;
 - d. Develop a program for recognition of departments which lead in moving toward the goals of carbon neutrality and zero waste.
5. Reviewing of the Travis County Tax Abatement policy to ensure that the County is using its property tax incentives to promote businesses which create jobs for residents of Travis County and promote the principles laid out in this resolution;
6. Cooperating with other local and regional entities to provide technical and investigative assistance and to coordinate region-wide landfill waste and greenhouse gas reduction strategies consistent with the County's goals of zero waste and carbon neutrality;
7. Supporting all appropriate Federal and State policies and legislation reduces greenhouse gas emissions, creates green collar jobs in the region and increases the strength of eco-friendly economic development in Travis County.

**A RESOLUTION
Establishing a Travis County Green Initiative**

WHEREAS, the future health, safety and economy of Travis County depends increasingly on our ability to pursue policies which promote sustainability of the energy supply, reducing waste going into landfills, the conservation of water and other natural resources, and reducing the amount of CO₂ emissions from vehicles and other sources; and

WHEREAS, the Austin-Round Rock Metropolitan Statistical Area is faced with a nonattainment designation with regards to air quality by the U.S. Environmental Protection Agency, conflict over capacity and siting of additional landfills, and a lack of land-use authority with which to protect watersheds; and

WHEREAS, Travis County desires that its buildings and facilities be models of environmental, economic and social stewardship, contributing to the region's goals of protecting, conserving and enhancing it's environmental resources; and

WHEREAS, the Travis County Commissioners Court has an opportunity to reduce the County's consumption of energy, gasoline, and other resources and mitigate the impact of increased prices in those markets and prudently fulfill their obligation to County residents to exercise fiscal pragmatism; and

WHEREAS, the adoption and application of a Travis County Green Initiative will promote the principles of energy conservation, zero waste, efficient use of water and other natural resources and move towards a carbon neutral County government; and

WHEREAS, the Travis County Green Initiative will strengthen the market for green building, recycling, waste minimization technology, and low impact development making these products and services more cost effective and readily available in our region; and

WHEREAS, Travis County should serve as a model for other major organizations (governments and businesses) in the region and inspire them to follow our lead; and

WHEREAS, increased utilization of green technology and services will make Travis County an attractive home for green collar industry jobs which could provide good paying jobs for a cross section of our residents and provide the possibility for job advancement for underserved communities; and

WHEREAS, incorporating a Green Initiative will help ensure that the many new and renovated County facilities that are planned for construction in the next several years will be models of sustainable building and environmental stewardship; and

NOW THEREFORE BE IT RESOLVED; that the Travis County Commissioners Court establishes a Travis County Green Initiative and designated members to serve on a Green Committee.

BE IT FURTHER RESOLVED; that the Green Committee shall implement and execute the goals laid out by the Court and report to the Commissioners Court in no more than one year with an action plan for implementation.

ADOPTED by the Travis County Commissioners Court this _____ day of _____, 2008.

Samuel T. Biscoe, Travis County Judge

Ron Davis
Commissioner Precinct 1

Sarah Eckhardt
Commissioner Precinct 2

Gerald Daugherty
Commissioner Precinct 3

Margaret Gómez
Commissioner Precinct 4

47 ✓

TRAVIS COUNTY COMMISSIONERS COURT AGENDA REQUEST

08 OCT 21 PM 2:35

Voting Session: October 28, 2008

I. A. Request made by: Alicia Perez, Exec. Mgr., Admin Ops Phone #: 854-9343
(Elected Official/Appointed Official/Executive Manager/County Attorney)

B. Requested text: CONSIDER AND TAKE APPROPRIATE ACTION FOR LICENSE WITH TEXAS ASSOCIATION OF COUNTIES TO USE 25 PARKING SPACES IN GARAGE LOCATED AT 1210 SAN ANTONIO STREET. (EXEC SESSION GOV'T CODE ANN 551.071 & 551.072)

C. Approved by: _____
Signature of Commissioner or Judge

- II. A. Any backup material to be presented to the court must be submitted with this Agenda Request (Original and eight copies).
- B. Please list all of the agencies or officials' names and telephone numbers that might be affected by or involved with this request. Send a copy of this Agenda Request and backup to them:

John Hille, Assistant County Attorney, (4-9415)
Roger A, El Khoury, M.S., P.E., Director, Facilities Management Department (4-4579)

III. Required Authorizations: Please check if applicable.

Planning and Budget Office (854-9106)

- _____ Additional funding for any department or for any purpose
- _____ Transfer of existing funds within or between any line item
- _____ Grant

Human Resources Department (854-9165)

- _____ Change in your department's personnel (reorganization, restructuring etc.)

Purchasing Office (854-9700)

- _____ Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9415)

- X Contract, Agreement, Policy & Procedure

TRAVIS COUNTY COMMISSIONERS COURT AGENDA REQUEST

Voting Session: October 28, 2008

A. Request made by: Stephen H. Capelle, Asst. County Atty ^{SAC} Phone #: 854-9513
(Elected Official/Appointed Official/Executive Manager/County Attorney)

B. Requested text: CONSIDER BRIEFING FROM THE COUNTY ATTORNEY REGARDING THE PENDING LITIGATION IN TRAVIS COUNTY, TEXAS AND STATE OF TEXAS VS. COLDWATER DEVELOPMENT LTD. AND RODMAN EXCAVATION, INC., ET AL. AND/OR TAKE APPROPRIATE ACTION. (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOVT. CODE ANN., SECTIONS 551.071(1)(A) AND 551.071(1)(B))

C. Approved by: _____
Signature of Commissioner or Judge

- II. A. Any backup material to be presented to the court must be submitted with this Agenda Request (Original and eight copies).
- B. Please list all of the agencies or officials' names and telephone numbers that might be affected by or involved with this request. Send a copy of this Agenda Request and backup to them:

Joe Gieselman, Executive Mgr., TNR, 854-9383

RECEIVED
COUNTY CLERK'S OFFICE
08 OCT 21 PM 2:30

III. Required Authorizations: Please check if applicable.

Planning and Budget Office (854-9106)
 Additional funding for any department or for any purpose
 Transfer of existing funds within or between any line item
 Grant

Human Resources Department (854-9165)
 Change in your department's personnel (reorganization, restructuring etc.)

Purchasing Office (854-9700)
 Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9415)
 Contract, Agreement, Policy & Procedure

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted to the County Judge's office in writing by 3:00pm on Tuesdays for the next week's meeting. Late or incomplete requests may be deferred to the next meeting.

50 ✓

Travis County Commissioners Court Agenda Request

Voting Session: 10/28/08
(Date)

Work Session: 10/28/08
(Date)

A.. Request made by: COUNTY ATTORNEY SHERINE E. THOMAS
Phone # 854-9513

Signature of Elected Official/Appointed Official/Executive Manager/County Attorney

B. Requested Text: Receive legal briefing and take appropriate action regarding the status of investigation of claims by Karen Steitle (including the claims in EEOC Charge No. 31C-2008-01470) and Chuck Kelley (including the claims in EEOC Charge 31C-2008-01436C) and climate assessment review of Human Resources Management Department.

C. Approved by: _____
Signature of Commissioner(s) or County Judge

II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request (Original and eight copies of agenda request and backup).

B. Please list all of the agencies or officials names and telephone numbers that might be affected or be involved with the request. Send a copy of this Agenda Request and backup to them:

Client: Alicia Perez, Executive Manager, Administrative Operations

854-9343

III. Required Authorizations: Please check if applicable:

- Planning and Budget Office (473-9106)
- Additional funding for any department or for any purpose
- Transfer of existing funds within or between any line item budget
- Grant
- Human Resources Department (473-9165)
- A change in your department's personnel (reclassification, etc.)
- Purchasing Office (473-9700)
- Bid, Purchase Contract, Request for Proposal, Procurement
- County Attorney's Office (473-9415)
- Contract, Agreement, Policy & Procedure

RECEIVED
COUNTY JUDGE'S OFFICE
08 OCT 21 PM 3:49

AGENDA REQUEST DEADLINE: This Agenda Request complete with backup memorandum and exhibits should be submitted to the County Judge's Office no later than 5:00 PM on Monday for the following week's meeting. Late or incomplete requests may be deferred to the next subsequent meeting.

51

EXECUTIVE SESSION

Travis County Commissioners Court Agenda Request

Voting Session 10 / 28 / 08
(Date)

Work Session _____
(Date)

I. A. Request made by: Joseph P. Gieselman, TNR Phone # 854-9383
Signature of Elected Official/Appointed Official/Executive Manager/County Attorney

B. Requested Text:

Consider and take appropriate action on a counter-offer from Ms. Constance Gillen for the sale of parcels #4, 4Ea, 4Eb, 4Ec, and 4Ed as needed for right-of-way in the 2001 Bond Program, McKinney Falls Parkway Improvement Project, located in Precinct Four. (Executive Session 1 & 2)

C. Approved by: _____
Commissioner Margaret Gómez, Precinct 4

II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request (original and eight (8) copies of agenda request and backup).

B. Please list all of the agencies or officials names and telephone numbers that might be affected or be involved with the request. Send a copy of the Agenda Request and backup to them:

Joseph P. Gieselman, TNR 854-9383
Steve Manilla, P.E., TNR 854-9429
Steve Sun, P.E., TNR 854-9383
Chiddi N'Jie, P.E., TNR 854-9383

Donna Williams-Jones, TNR 854-9383
Greg Chico, TNR 854-4659
Dee Heap, TNR 854-7647

III. Required Authorizations: Please check if applicable:

Planning and Budget Office (854-9106)

- Additional funding for any department or for any purpose
- Transfer of existing funds within or between any line item budget
- Grant

Human Resources Department (854-9165)

A change in your department's personnel (reclassifications, etc.)

Purchasing Office (854-9700)

Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9415)

Contract, Agreement, Policy & Procedure

AGENDA REQUEST DEADLINE: This Agenda Request complete with backup memorandum and exhibits MUST be submitted to the County Judge's Office no later than 5:00 p.m. on Monday for the following week's meeting. Late or incomplete requests will be deferred.

08 OCT 21 PM 3:03
RECEIVED
COUNTY JUDGE'S OFFICE

Travis County Commissioners Court Agenda Request

Voting Session 10/28/08
(Date)

Working Session 10/28/08
(Date)

I. A. Request made by: COUNTY ATTORNEY FI ^{fp} Phone # 854-9513
Signature of Elected Official/Appointed Official/Executive Manager/County Attorney

B. Requested Text:

RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN; POSSIBLE CLAIMS REGARDING LICENSE AGREEMENTS WITH THE TRAVIS COUNTY EXPOSITION CENTER (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOVT. CODE ANN., SECTIONS 551.071(1)(A) AND 551.071(1)(B)).

C. Approved by: _____
Signature of Commissioner(s) or County Judge

II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request (Original and eight copies for agenda request and backup).
B. Please list all of the agencies or officials names and telephone numbers that might be affected or be involved with the request. Send a copy of this Agenda Request and backup to them.

Alicia Perez, Administrative Operations, 854-9343
Roger El-Khoury, Facilities Management, 854-9661

III. Required Authorizations: Please check if applicable:

Planning and Budget Office (854-9106)

_____ Additional funding for any department or for any purpose
_____ Transfer of existing funds within or between any line item budget
_____ Grant

Human Resources Department (854-9165)

_____ A change in your department's personnel (reclassifications, etc.)

Purchasing Office

_____ Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9513)

_____ Contract, Agreement, Policy & Procedure

RECEIVED
COUNTY CLERK
08 OCT 22 AM 11:03

AGENDA REQUEST DEADLINE: This Agenda Request complete with backup memorandum and exhibits should be submitted to the County Judge's Office no later than 5:00 PM on Monday for the following week's meeting. Late or incomplete requests may be deferred to the next subsequent meeting.

53

Travis County Commissioners Court Agenda Request

Voting Session 10/28/08
(Date)

Work Session _____
(Date)

I. A. Request made by: Gerald Daugherty, Travis County Commissioner, Precinct Three
Signature of Elected Official/Appointed Official/Executive Manager/County Attorney

B. Requested Text: Consider and take appropriate action on request from Paul Hornsby for permission to prepare appraisal report for Parke Properties I, L.P., Parke Properties II, L.P., and GDF Realty Investments Ltd..

II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request (Original and eight copies of agenda request and backup).

B. Please list all of the agencies or officials names and telephone numbers that might be affected or be involved with the request. Send a copy of this Agenda Request and backup to them:

Joe Gieselman, Exec. Mgr., TNR	854-9383
Jon White, TNR	854-9383
Melinda Mallia, TNR	854-9383
Gregory Chico, TNR	854-9383
John C. Hille, Jr., Dir., Trans. Div., TCAO	854-9513

III. Required Authorizations: Please check if applicable:

RECEIVED
COUNTY CLERK'S OFFICE
08 OCT 20 PM 2:56

- Planning and Budget Office (473-9106)
- Additional funding for any department or for any purpose
- Transfer of existing funds within or between any line item budget
- Grant
- Human Resources Department (473-9165)
- A change in your department's personnel (reclassification, etc.)
- Purchasing Office (473-9700)
- Bid, Purchase Contract, Request for Proposal, Procurement
- County Attorney's Office (473-9415)
- Contract, Agreement, Policy & Procedure

AGENDA REQUEST DEADLINE: This Agenda Request complete with backup memorandum and exhibits should be submitted to the County Judge's Office no later than 5:00 PM on Tuesday for the following week's meeting. Late or incomplete requests may be deferred to the next subsequent meeting.

DAVID A. ESCAMILLA
COUNTY ATTORNEY

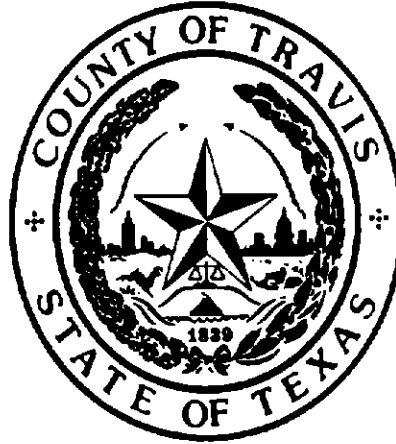
RANDY T. LEAVITT
FIRST ASSISTANT

JAMES W. COLLINS
EXECUTIVE ASSISTANT

314 W. 11TH, STREET
GRANGER BLDG., SUITE 420
AUSTIN, TEXAS 78701

P. O. BOX 1748
AUSTIN, TEXAS 78767

(512) 854-9513
FAX: (512) 854-4808



TRANSACTIONS DIVISION

JOHN C. HILLE, JR., DIRECTOR †

BARBARA J. WILSON

MARY ETTA GERHARDT

STACY WILSON

TAMARA ARMSTRONG

JAMES M. CONNOLLY

TENLEY A. ALDREDGE

JULIE JOE

DANIEL BRADFORD

*CHRISTOPHER GILMORE

SARAH F. CHURCHILL

† Member of the College
of the State Bar of Texas
*Board Certified
Commercial Real Estate Law
Texas Board of Legal Specialization

October 20, 2008

The Honorable Gerald Daugherty,
Travis County Commissioner, Precinct Three
P.O. Box 1748
Austin, Texas 78767

Re: Purchase of BCCP Land from George/Purcell; File No. 163.1540

Dear Commissioner Daugherty:

In the October 14th meeting, the Commissioners Court voted to authorize the Appraiser to update his appraisal on the tract of land at the corner of 2222 and RR620 for possible purchase for the Balcones Canyonland Preserve. The Court authorized an effective date of August 1, 2008. The landowner disagrees with that date; and would like to have the same appraiser to perform the update using a more recent effective date.

This is allowable by an appraiser to perform this function, but Paul Hornsby, the Appraiser desires to have the Courts' permission before embarking on his efforts.

Therefore, the Court is asked to grant permission to Paul Hornsby and his firm; that upon completion of the County's updated appraisal, to prepare a report on differing terms. This will be paid for by the landowner.

Please call me if you have any questions.

Sincerely,

John C. Hille, Jr.
Assistant County Attorney

cc: The Honorable Samuel T. Biscoe, Travis County County Judge
The Honorable Ron Davis, Commissioner, Precinct One
The Honorable Sarah Eckhardt, Commissioner, Precinct Two
The Honorable Margaret Gomez, Commissioner, Precinct Four
Joe Gieselman, Executive Manger, Transportation and Natural Resources
Jon White, Transportation and Natural Resources
Melinda Mallia, Transportation and Natural Resources
Gregory Chico, Transportation and Natural Resources

56 ✓

RECEIVED
COUNTY CLERK'S OFFICE

Travis County Commissioners Court Agenda Request

08 OCT 21 PM 2:49

Voting Session 10/28/08
(Date)

Working Session 10/28/08
(Date)

I. A. Request made by: COUNTY ATTORNEY (LABADIE) Phone # 854-9513

Signature of Elected Official/Appointed Official/Executive Manager/County Attorney

B. Requested Text:

RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION CONCERNING WHETHER TO FILE SUIT AGAINST MARIA MALDONADO TO RECOVER DAMAGES TO A COUNTY-OWNED GUARDRAIL AND TAKE APPROPRIATE ACTION; EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE ANN. § 551.071(1)(A).

C. Approved by: _____
Signature of Commissioner(s) or County Judge

II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request (Original and eight copies for agenda request and backup).

B. Please list all of the agencies or officials names and telephone numbers that might be affected or be involved with the request. Send a copy of this Agenda Request and backup to them.

Joe Gieselman, Executive Manager, TNR 854-9383

III. Required Authorizations: Please check if applicable:

Planning and Budget Office (854-9106)

_____ Additional funding for any department or for any purpose
_____ Transfer of existing funds within or between any line item budget
_____ Grant

Human Resources Department (854-9165)

_____ A change in your department's personnel (reclassifications, etc.)

Purchasing Office

_____ Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9415)

X Contract, Agreement, Policy & Procedure

AGENDA REQUEST DEADLINE: This Agenda Request complete with backup memorandum and exhibits should be submitted to the County Judge's Office no later than 5:00 PM on Monday for the following week's meeting. Late or incomplete requests may be deferred to the next subsequent meeting.

Travis County Commissioners Court Agenda Request

Voting Session 10/28/08
(Date)

Working Session 10/28/08
(Date)

I. A. Request made by: **COUNTY ATTORNEY (LABADIE)** Phone # **854-9513**

Signature of Elected Official/Appointed Official/Executive Manager/County Attorney

B. Requested Text:

RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION CONCERNING WHETHER TO FILE SUIT AGAINST CARL RICHARDSON TO RECOVER DAMAGES TO A COUNTY- OWNED GUARDRAIL AND TAKE APPROPRIATE ACTION; EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE ANN. § 551.071(1)(A).

C. Approved by: _____
Signature of Commissioner(s) or County Judge

II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request (Original and eight copies for agenda request and backup).

B. Please list all of the agencies or officials names and telephone numbers that might be affected or be involved with the request. Send a copy of this Agenda Request and backup to them.

Joe Gieselman, Executive Manager, TNR 854-9383

III. Required Authorizations: Please check if applicable:

Planning and Budget Office (854-9106)

_____ Additional funding for any department or for any purpose
_____ Transfer of existing funds within or between any line item budget
_____ Grant

Human Resources Department (854-9165)

_____ A change in your department's personnel (reclassifications, etc.)

Purchasing Office

_____ Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9415)

X Contract, Agreement, Policy & Procedure

AGENDA REQUEST DEADLINE: This Agenda Request complete with backup memorandum and exhibits should be submitted to the County Judge's Office no later than 5:00 PM on Monday for the following week's meeting. Late or incomplete requests may be deferred to the next subsequent meeting.

08 OCT 21 PM 2:49
RECEIVED
COUNTY CLERK'S OFFICE

Travis County Commissioners Court Agenda Request

Voting Session 10/28/08
(Date)

Working Session 10/28/08
(Date)

I. A. Request made by: COUNTY ATTORNEY (LABADIE) Phone # 854-9513

Signature of Elected Official/Appointed Official/Executive Manager/County Attorney

B. Requested Text:

RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION CONCERNING WHETHER TO FILE SUIT AGAINST ROBERT ALBRIGHT TO RECOVER DAMAGES TO A COUNTY-OWNED GUARDRAIL AND TAKE APPROPRIATE ACTION; EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE ANN. § 551.071(1)(A).

C. Approved by: _____
Signature of Commissioner(s) or County Judge

II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request (Original and eight copies for agenda request and backup).

B. Please list all of the agencies or officials names and telephone numbers that might be affected or be involved with the request. Send a copy of this Agenda Request and backup to them.

Joe Gieselman, Executive Manager, TNR 854-9383

III. Required Authorizations: Please check if applicable:

Planning and Budget Office (854-9106)

_____ Additional funding for any department or for any purpose
_____ Transfer of existing funds within or between any line item budget
_____ Grant

Human Resources Department (854-9165)

_____ A change in your department's personnel (reclassifications, etc.)

Purchasing Office

_____ Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9415)

X Contract, Agreement, Policy & Procedure

RECEIVED
COUNTY JUDGE'S OFFICE
08 OCT 21 PM 2:49

AGENDA REQUEST DEADLINE: This Agenda Request complete with backup memorandum and exhibits should be submitted to the County Judge's Office no later than 5:00 PM on Monday for the following week's meeting. Late or incomplete requests may be deferred to the next subsequent meeting.

Travis County Commissioners Court Agenda Request

Voting Session 10/28/08
(Date)

Working Session 10/28/08
(Date)

I. A. Request made by: COUNTY ATTORNEY (LABADIE) Phone # 854-9513

Signature of Elected Official/Appointed Official/Executive Manager/County Attorney

B. Requested Text:

RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION CONCERNING WHETHER TO FILE SUIT AGAINST JOSHUA MACK TO RECOVER DAMAGES TO A COUNTY- OWNED GUARDRAIL AND TAKE APPROPRIATE ACTION; EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE ANN. 39 551.071(1)(A).

C. Approved by: _____
Signature of Commissioner(s) or County Judge

II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request (Original and eight copies for agenda request and backup).

B. Please list all of the agencies or officials names and telephone numbers that might be affected or be involved with the request. Send a copy of this Agenda Request and backup to them.

Joe Gieselman, Executive Manager, TNR 854-9383

III. Required Authorizations: Please check if applicable:

Planning and Budget Office (854-9106)

_____ Additional funding for any department or for any purpose
_____ Transfer of existing funds within or between any line item budget
_____ Grant

Human Resources Department (854-9165)

_____ A change in your department's personnel (reclassifications, etc.)

Purchasing Office

_____ Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9415)

X Contract, Agreement, Policy & Procedure

08 OCT 21 PM 2:49
RECEIVED
COUNTY CLERK'S OFFICE

AGENDA REQUEST DEADLINE: This Agenda Request complete with backup memorandum and exhibits should be submitted to the County Judge's Office no later than 5:00 PM on Monday for the following week's meeting. Late or incomplete requests may be deferred to the next subsequent meeting.

Travis County Commissioners Court Agenda Request

Voting Session 10/28/08
(Date)

Working Session 10/28/08
(Date)

I. A. Request made by: COUNTY ATTORNEY (LABADIE) Phone # 854-9513

Signature of Elected Official/Appointed Official/Executive Manager/County Attorney

B. Requested Text:

RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION CONCERNING WHETHER TO FILE SUIT AGAINST ARMANDO PROUTY TO RECOVER DAMAGES TO A COUNTY-OWNED GUARDRAIL AND TAKE APPROPRIATE ACTION; EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE ANN. § 551.071(1)(A).

C. Approved by: _____
Signature of Commissioner(s) or County Judge

II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request (Original and eight copies for agenda request and backup).

B. Please list all of the agencies or officials names and telephone numbers that might be affected or be involved with the request. Send a copy of this Agenda Request and backup to them.

Joe Gieselman, Executive Manager, TNR 854-9383

III. Required Authorizations: Please check if applicable:

Planning and Budget Office (854-9106)

_____ Additional funding for any department or for any purpose
_____ Transfer of existing funds within or between any line item budget
_____ Grant

Human Resources Department (854-9165)

_____ A change in your department's personnel (reclassifications, etc.)

Purchasing Office

_____ Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9415)

X Contract, Agreement, Policy & Procedure

RECEIVED
COUNTY ATTORNEY'S OFFICE
08 OCT 21 PM 2:19

AGENDA REQUEST DEADLINE: This Agenda Request complete with backup memorandum and exhibits should be submitted to the County Judge's Office no later than 5:00 PM on Monday for the following week's meeting. Late or incomplete requests may be deferred to the next subsequent meeting.

Travis County Commissioners Court Agenda Request

Voting Session 10/28/08
(Date)

Working Session 10/28/08
(Date)

I. A. Request made by: COUNTY ATTORNEY (LABADIE) Phone # 854-9513

Signature of Elected Official/Appointed Official/Executive Manager/County Attorney

B. Requested Text:

RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION CONCERNING WHETHER TO FILE SUIT AGAINST LEONARDO COSTILLA TO RECOVER DAMAGES TO A COUNTY-OWNED GUARDRAIL AND TAKE APPROPRIATE ACTION; EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE ANN. § 551.071(1)(A).

C. Approved by: _____
Signature of Commissioner(s) or County Judge

II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request (Original and eight copies for agenda request and backup).

B. Please list all of the agencies or officials names and telephone numbers that might be affected or be involved with the request. Send a copy of this Agenda Request and backup to them.

Joe Gieselman, Executive Manager, TNR 854-9383

III. Required Authorizations: Please check if applicable:

Planning and Budget Office (854-9106)

_____ Additional funding for any department or for any purpose
_____ Transfer of existing funds within or between any line item budget
_____ Grant

Human Resources Department (854-9165)

_____ A change in your department's personnel (reclassifications, etc.)

Purchasing Office

_____ Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9415)

X Contract, Agreement, Policy & Procedure

RECEIVED
COUNTY CLERK'S OFFICE
08 OCT 21 PM 2:49

AGENDA REQUEST DEADLINE: This Agenda Request complete with backup memorandum and exhibits should be submitted to the County Judge's Office no later than 5:00 PM on Monday for the following week's meeting. Late or incomplete requests may be deferred to the next subsequent meeting.

Travis County Commissioners Court Agenda Request

Voting Session 10/28/08
(Date)

Working Session 10/28/08
(Date)

I. A. Request made by: **COUNTY ATTORNEY (LABADIE)** Phone # **854-9513**

Signature of Elected Official/Appointed Official/Executive Manager/County Attorney

B. Requested Text:

RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION CONCERNING WHETHER TO FILE SUIT AGAINST ELIZABETH DURAN TO RECOVER DAMAGES TO A COUNTY-OWNED GUARDRAIL AND TAKE APPROPRIATE ACTION; EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE ANN. § 551.071(1)(A).

C. Approved by: _____
Signature of Commissioner(s) or County Judge

II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request (Original and eight copies for agenda request and backup).

B. Please list all of the agencies or officials names and telephone numbers that might be affected or be involved with the request. Send a copy of this Agenda Request and backup to them.

Joe Gieselman, Executive Manager, TNR 854-9383

III. Required Authorizations: Please check if applicable:

Planning and Budget Office (854-9106)

_____ Additional funding for any department or for any purpose
_____ Transfer of existing funds within or between any line item budget
_____ Grant

Human Resources Department (854-9165)

_____ A change in your department's personnel (reclassifications, etc.)

Purchasing Office

_____ Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9415)

X Contract, Agreement, Policy & Procedure

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COUNTY CLERK'S OFFICE
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AGENDA REQUEST DEADLINE: This Agenda Request complete with backup memorandum and exhibits should be submitted to the County Judge's Office no later than 5:00 PM on Monday for the following week's meeting. Late or incomplete requests may be deferred to the next subsequent meeting.

Travis County Commissioners Court Agenda Request

Voting Session 10/28/08
(Date)

Working Session 10/28/08
(Date)

I. A. Request made by: COUNTY ATTORNEY (LABADIE) Phone # 854-9513

Signature of Elected Official/Appointed Official/Executive Manager/County Attorney

B. Requested Text:

RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION CONCERNING WHETHER TO FILE SUIT AGAINST WAYLON JENKINS TO RECOVER DAMAGES TO A COUNTY- OWNED GUARDRAIL AND TAKE APPROPRIATE ACTION; EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE ANN. 551.071(1)(A).

C. Approved by: _____
Signature of Commissioner(s) or County Judge

II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request (Original and eight copies for agenda request and backup).

B. Please list all of the agencies or officials names and telephone numbers that might be affected or be involved with the request. Send a copy of this Agenda Request and backup to them.

Joe Gieselman, Executive Manager, TNR 854-9383

III. Required Authorizations: Please check if applicable:

Planning and Budget Office (854-9106)

_____ Additional funding for any department or for any purpose
_____ Transfer of existing funds within or between any line item budget
_____ Grant

Human Resources Department (854-9165)

_____ A change in your department's personnel (reclassifications, etc.)

Purchasing Office

_____ Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9415)

X _____ Contract, Agreement, Policy & Procedure

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COUNTY JUDGE'S OFFICE
08 OCT 21 PM 2:49

AGENDA REQUEST DEADLINE: This Agenda Request complete with backup memorandum and exhibits should be submitted to the County Judge's Office no later than 5:00 PM on Monday for the following week's meeting. Late or incomplete requests may be deferred to the next subsequent meeting.

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Travis County Commissioners Court Agenda Request

Voting Session 10/28/08
(Date)

Working Session 10/28/08
(Date)

I. A. Request made by: **COUNTY ATTORNEY (LABADIE)** Phone # **854-9513**

Signature of Elected Official/Appointed Official/Executive Manager/County Attorney

B. Requested Text:

RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION REGARDING EFFORTS TO COLLECT COURT COSTS ASSOCIATED WITH COMMITMENT PROCEEDINGS CONDUCTED IN TRAVIS COUNTY ON BEHALF OF OTHER COUNTIES; EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE ANN. § 551.071(1)(A).

C. Approved by: _____
Signature of Commissioner(s) or County Judge

II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request (Original and eight copies for agenda request and backup).

B. Please list all of the agencies or officials names and telephone numbers that might be affected or be involved with the request. Send a copy of this Agenda Request and backup to them.

Joe Gieselman, Executive Manager, TNR 854-9383

III. Required Authorizations: Please check if applicable:

Planning and Budget Office (854-9106)

_____ Additional funding for any department or for any purpose
_____ Transfer of existing funds within or between any line item budget
_____ Grant

Human Resources Department (854-9165)

_____ A change in your department's personnel (reclassifications, etc.)

Purchasing Office

_____ Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9415)

X Contract, Agreement, Policy & Procedure

RECEIVED
COUNTY CLERK'S OFFICE
08 OCT 21 PM 2:49

AGENDA REQUEST DEADLINE: This Agenda Request complete with backup memorandum and exhibits should be submitted to the County Judge's Office no later than 5:00 PM on Monday for the following week's meeting. Late or incomplete requests may be deferred to the next subsequent meeting.

Travis County Commissioners Court Agenda Request

Voting Session 10/28/08
(Date)

Working Session 10/28/08
(Date)

I. A. Request made by: **COUNTY ATTORNEY (LABADIE)** Phone # **854-9513**

Signature of Elected Official/Appointed Official/Executive Manager/County Attorney

B. Requested Text:

CONSIDER THE SUBMISSION OF A CLAIM TO RECEIVE PAYMENT UNDER A PROPOSED SETTLEMENT AGREEMENT IN GIBSON & COMPANY INSURANCE BROTHERS, INC. V. OFA ROYALTIES, LLC AND TAKE APPROPRIATE ACTION; EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE ANN. § 551.071(1)(A&B).

C. Approved by: _____
Signature of Commissioner(s) or County Judge

II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request (Original and eight copies for agenda request and backup).

B. Please list all of the agencies or officials names and telephone numbers that might be affected or be involved with the request. Send a copy of this Agenda Request and backup to them.

Joe Gieselman, Executive Manager, TNR 854-9383

III. Required Authorizations: Please check if applicable:

Planning and Budget Office (854-9106)

_____ Additional funding for any department or for any purpose
_____ Transfer of existing funds within or between any line item budget
_____ Grant

Human Resources Department (854-9165)

_____ A change in your department's personnel (reclassifications, etc.)

Purchasing Office

_____ Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9415)

X Contract, Agreement, Policy & Procedure

AGENDA REQUEST DEADLINE: This Agenda Request complete with backup memorandum and exhibits should be submitted to the County Judge's Office no later than 5:00 PM on Monday for the following week's meeting. Late or incomplete requests may be deferred to the next subsequent meeting.

RECEIVED
COUNTY CLERK'S OFFICE
08 OCT 21 PM 2:49

Travis County Commissioners Court Agenda Request

Voting Session Tuesday, October 28, 2008
(Date)

Work Session _____
(Date)

I. A. Request made by: Gillian Porter Phone: 854-4722
Commissioners Court Specialist
Commissioners Court Minutes/County Clerk's Office

B. Requested Text: **Approve the Commissioners Court Minutes for the
Budget Markup Voting Session of
September 3-4, 2008**

C. Approved By: 
Dana DeBeauvoir, Travis County Clerk

II. A. Backup memorandum and exhibits should be attached and submitted with this
Agenda Request (Original and eight copies)

B. Please list all of the agencies or officials' names and telephone numbers that might be
affected or be involved with the request. Send a copy of this Agenda Request and
backup to them.

III. Is back-up material attached? YES

AGENDA REQUEST DEADLINE: This Agenda Request, complete with backup memorandum
and exhibits, should be submitted to the County Judge's Office no later than 12:00 PM on
Tuesday for the following week's meeting. Late or incomplete requests may be deferred to the
next meeting.

MINUTES OF MEETING – SEPTEMBER 3, 2008

AND RECONVENED SEPTEMBER 4, 2008

TRAVIS COUNTY COMMISSIONERS' COURT

On Wednesday, the 3rd day of September, 2008, the Commissioners' Court convened the Budget Markup Voting Session at 9:15 AM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Commissioners Court recessed the Voting Session at 11:08 AM.

The Commissioners Court reconvened the Voting Session at 2:16 PM.

The Commissioners Court recessed the Voting Session at 4:59 PM until Wednesday, September 4, 2008 at 9:00 AM.

The Commissioners Court reconvened the Voting Session at 9:15 AM, Wednesday, September 4, 2008.

The Commissioners Court recessed the Voting Session at 10:56 AM, Wednesday, September 4, 2008.

The Commissioners Court reconvened the Voting Session at 11:17 AM, Wednesday, September 4, 2008.

The Commissioners Court adjourned the Voting Session at 11:36 AM, Wednesday, September 4, 2008.

Clerk's Note: Please refer to the FY 2009 Budget Agenda Worksheet for a listing of the Reference numbers located in the Minutes.

(9:16 AM) **REVIEW OF "STATUS OF BUDGET SINCE PRELIMINARY BUDGET WAS FILED"**

Clerk's Note: The Court received a status report on the County Budget and reviewed the document entitled: "Status of Budget Since Preliminary Budget Was Filed."

Members of the Court heard from: Rodney Rhoades, Executive Manager, Planning and Budget Office (PBO); Leroy Nellis, Budget Manager, PBO; and Travis Gatlin, Budget Analyst, PBO.

Discussion only. No formal action taken.

(9:46 AM) **REVIEW TELEVISION SCREENS AND HOW TO TRACK MARK-UP CHANGES AND USE OF THE "PARKING LOT" AS A TOOL FOR DISCUSSION**

Clerk's Note: The Court viewed spreadsheets displayed on video screens, which track additions and subtractions to the proposed budget as the Court proceeds with Budget discussions.

Members of the Court heard from: Chris Broussard, Business System Consultant, PBO.

Discussion only. No formal action taken.

(9:48 AM) **APPROVE THE PRELIMINARY BUDGET TO ESTABLISH A BASELINE FOR THE BEGINNING OF MARK-UP**

Members of the Court heard from: Rodney Rhoades, Executive Manager, PBO; Leroy Nellis, Budget Manager, PBO; and Susan Spataro, Travis County Auditor.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve the Preliminary Budget to establish a baseline for the beginning of Budget Mark-up.

A Substitute Motion was made by Commissioner Daugherty that we set the stage of dealing with this 2009 budget with establishing the 0.3890 as the tax rate.

Clerk's Note: The Motion died for lack of a Second.

Clerk's Note: The Court voted on the Standing Motion.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

(10:09 AM) APPROVE THE CHANGES LIST

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve changes to the Preliminary Budget.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

(10:09 AM) Compensation and retiree system options

Clerk's Note: The Court considered several options:

- 1) C10 – Market adjustment – Twice current method, 2% for first pay grade increase then 1% per subsequent pay grade increase;
- 2) C11 – Market adjustment – Twice current method, 2% per pay grade increase;
- 3) C19 – Non TCSO POP scale one-year implementation;
- 4) C20 – Non TCSO POP scale two-year implementation; and,
- 5) C22 – Add pay for Park rangers for Active EMT B certification.

Members of the Court heard from: Rodney Rhoades, Executive Manager, PBO; Travis Gatlin, Budget Analyst, PBO; Luane Schull, Compensation Manager, Human Resources Management Department (HRMD); Greg Powell, Business Manager, Local 1624, American Federation of State, County and Municipal Employees (AFSCME); Alicia Perez, Executive Manager, Administrative Operations; Eddie Gary; AFSCME; Chris Broussard, Business System Consultant, PBO; and Leroy Nellis, Budget Manager, PBO.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve C10.

A Substitute Motion was made by Commissioner Eckhardt to approve C11, the 2% per pay grade.

Clerk's Note: The Substitute Motion dies for lack of a Second.

Withdrawal of the Standing Motion was made by Judge Biscoe.

ITEM "Compensation and retiree system options" CONTINUED

Members of the Court heard from: Susan Spataro, Travis County Auditor; and Christine Adair, Travis County Auditor's Office.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve C11, C19, and C22.

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

Clerk's Note: Compensation and retiree cost of living was revisited at 2:16 PM.

Members of the Court heard from: Travis Gatlin, Budget Analyst, PBO; Rodney Rhoades, Executive Manager, PBO; Alicia Perez, Executive Manager, Administrative Operations; Greg Powell, AFSCME; Leroy Nellis, Budget Manager, PBO; Susan Spataro, Travis County Auditor; Diana Ramirez, Budget Analyst, PBO; and Randy Lott, Budget Analyst, PBO.

Withdrawal of the Standing Motion was made by Judge Biscoe.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve C11 only for the FY '08 salary survey, C19, and C22.

A further Clarification of the Previous Motion was made by Commissioner Gómez of C11, C19, and C22 plus Non TCSO Pops; and we are applying this to FY' 08.

Withdrawal of the Standing Motion was made by Judge Biscoe.

ITEM "Compensation and retiree system options" CONTINUED

Clerk's Note: The Court discussed Option 1, which includes:

- 1) C9 – Market adjustment current method - 1% for first pay grade increase then 1/2% per subsequent pay grade increase;
- 2) C19 - Non TCSO POP scale one-year implementation; and,
- 3) C22 - Add pay for Park rangers for Active EMT B certification.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Option 1.

A Friendly Amendment to the previous Motion was offered by Commissioner Eckhardt that we do Option 1 plus a one time 1% lump sum.

Clerk's Note: The Friendly Amendment was not accepted.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	no
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

Motion by Commissioner Eckhardt and seconded by Commissioner Davis to consider C17, the 1.5% lump sum to tide us over in this year as we examine what we are doing with compensation.

Motion failed:

County Judge Samuel T. Biscoe	no
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	no

SEPTEMBER 3, 2008 BUDGET VOTING SESSION**PAGE 6****(3:21 PM) New Financial System – Staff retention and recruitment**

Members of the Court heard from: Susan Spataro, Travis County Auditor; Randy Lott, Budget Analyst, PBO; and Travis Gatlin, Budget Analyst, PBO.

Motion by Judge Biscoe and seconded by Commissioner Gómez that we put \$1M in a reserve to fund the Financial System.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

(3:23 PM) Health Fund Reserve

Clerk's Note: The Court discussed funding one HRMD Staff member for the New Financial System from Fund 526, with a start date of January 1, 2009.

Members of the Court heard from: Travis Gatlin, Budget Analyst, PBO; Leroy Nellis, Budget Manager, PBO; and Rodney Rhoades, Executive Manager, PBO.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the budget request.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

(3:26 PM) Flexibility for District Judges to increase County Auditor salary within budget constraints per 08/04/2008 letter. (County Auditor) (Reference #New 1)

Motion by Commissioner Gómez and seconded by Judge Biscoe to approve the budget request.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

(3:26 PM) **Bilingual Supplemental Pay as discussed at Budget Hearing.**
(Criminal Courts) (Reference #New 1)

Members of the Court heard from: Travis Gatlin, Budget Analyst, PBO; and Jessica Rio, Assistant Budget Manager, PBO.

Motion by Judge Biscoe and seconded by Commissioner Eckhardt to earmark Allocated Reserve.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Clerk's Note: Reference # New 1 was further discussed at 3:27 PM with a request by Commissioner Daugherty that the Commissioners' Court record reflect a Corrected Vote on Reference #New 1. Judge Biscoe instructed that the record show Commissioner Daugherty voting no on the Motion. The Commissioners' Court record does reflect the Corrected Vote.

Corrected Vote:

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

(3:27 PM) **Warrant Deputies and Clerk (As of 08/08/2008 Auditor will certify \$184,963.00 in Revenue if approved during Markup.**
(Constable Precinct 3) (Reference #238A)

Members of the Court heard from: Randy Lott, Budget Analyst, PBO.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the budget request.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

(3:28 PM) **Park Residence – NE Metro** (Transportation and Natural Resources)
(Reference #340)

Clerk’s Note: The Court noted that this would be funded from the Capital Fund.

Members of the Court heard from: Jessica Rio, Assistant Budget Manager, PBO.

Motion by Judge Biscoe and seconded by Commissioner Eckhardt to approve the budget request.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

(3:28 PM) **Park Residence – SE Metro** (Transportation and Natural Resources)
(Reference #341)

Clerk’s Note: The Court was informed that there is a surplus of 2001 Park Bond funds available to refurbish the South East Metro Park Residence, and \$75,000.00 of the surplus would be needed to carry out the work.

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR).

Motion by Commissioner Gómez and seconded by Judge Biscoe to approve the budget request, with the \$75,000.00 being used to fund any direct costs associated with American Youthworks carrying out the refurbishment.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

(3:33 PM) **American Youthworks FY 08 E-C Auxiliary**
(Health and Human Services Department) (Reference # 404)

Clerk's Note: The Court was informed that there would be a cost of \$135,847.00 to complete the Scope of Capital Improvement Projects planned with American Youthworks in FY '09.

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); Richard Halpin, Founder and Chief Executive Officer, American Youthworks; and Travis Gatlin, Budget Analyst, PBO.

Motion by Commissioner Davis and seconded by Commissioner Gómez to approve the budget request.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

(3:34 PM) **Office of Parental Representation as discussed at Budget Hearing. Budget Figures for FY '09 assume acceptance of grant and include estimated space costs. (Civil Courts) (Reference #457A)**
Child Public Defender's Office as discussed at Budget Hearing. Budget Figures for FY '09 assume acceptance of grant and include estimated space costs. (Civil Courts) (Reference #458A)

Members of the Court heard from: Jessica Rio, Assistant Budget Manager, PBO; and The Honorable W. Jeanne Meurer, Judge, 98th District.

Motion by Judge Biscoe and seconded by Commissioner Davis that we authorize use of Public Defender Grant Reserve and adding an additional \$125,353.00.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

Clerk's Note: The Court discussed the budget request for capital funds of \$157,150.00.

Motion by Judge Biscoe and seconded by Commissioner Eckhardt to approve the budget request.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

- (3:38 PM) **Option 1: Felony Mental Health Prosecution Team – Paralegal, Legal Secretary and Ongoing Operating costs.** (District Attorney) (Reference #184A)
- Option 2: Felony Mental Health Prosecution Team – Paralegal only and Ongoing Operating costs.** (District Attorney) (Reference #184B)

Members of the Court heard from: Rodney Rhoades, Executive Manager, PBO; Katie Peterson, Budget Analyst, PBO; and Rosemary Lehmborg, District Attorney's Office.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the budget request, reference # 184A.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

- (3:41 PM) **Smith Road – Expansion of FMD Warehouse** (Facilities Management) (Reference #124A)

Members of the Court heard from: Diana Ramirez, Budget Analyst, PBO.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the budget request.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	no
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

(3:42 PM) **Vehicle for Texas AgriLife Extension (Department has agreed to contribute \$4,000.00 of on-going auto mileage budget if funded. Savings could be used for gas and maintenance. If auxiliary vehicle used, funds would be returned to department once no longer needed.) (Cooperative Extension Service) (Reference #151)**

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the budget request.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	no
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

(3:42 PM) **Corrections Relief Factor (Travis County Sheriff's Office) (Reference #256)**

Members of the Court heard from: Bill Derryberry, Senior Budget Analyst, PBO; Darren Long, Major, Travis County Sheriff's Office (TCSO); and Rodney Rhoades, Executive Manager, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve put it on the parking lot.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

(3:56 PM) **REVISED – Natural Resources – Balcones Canyonland Reserve Funding Changes – Priority 2 as discussed at Budget hearing (2FTE and Activity Based Analysis)** (Transportation and Natural Resources) (Reference # 311A)

Members of the Court heard from: Jessica Rio, Assistant Budget Manager, PBO.

Motion by Commissioner Davis **and seconded by** Commissioner Eckhardt to approve the budget request.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

(3:56 PM) **REVISED – Open Space Management – Phase 1 – Priority 4 – Timber Creek and Walnut Creek** (Transportation and Natural Resources) (Reference # 313A)

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the budget request.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

(3:57 PM) **Howard Lane – Phase II (Match +3%)** (Transportation and Natural Resources) (Reference # 325)

Motion by Commissioner Davis **and seconded by** Commissioner Eckhardt to approve the budget request.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Clerk's Note: The Court noted that the Howard Lane project would be a capital expense.

SEPTEMBER 3, 2008 BUDGET VOTING SESSION**PAGE 14**

(3:58 PM) **Substandard Roads** (Transportation and Natural Resources)
(Reference #342A)

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the budget request.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Clerk's Note: The Court noted that these projects would be a capital expense.

(3:58 PM) **Financial Analyst** (Criminal Justice Planning) (Reference #352)

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the budget request.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

(3:59 PM) **Early Education & Care: Quality Improvement**
(Health and Human Services) (Reference # 382)

Motion by Commissioner Davis and seconded by Commissioner Gómez to approve the budget request.

A Friendly Amendment to the previous Motion was offered by Commissioner Gómez that this be one-time money.

Acceptance of the Friendly Amendment was made by Commissioner Davis.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

(4:00 PM) **Chapter 72 Policy Revision Basic Needs** (Health and Human Services)
(Reference # 386)

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the budget request.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

(4:01 PM) **Drug Court** (Criminal Courts)

Members of the Court heard from: Debra Hale, Court Coordinator; Jessica Rio, Assistant Budget Manager, PBO; Bill Derryberry, Senior Budget Analyst, PBO; and Rosemary Lehmberg, District Attorney's Office.

Motion by Judge Biscoe **and seconded by** Commissioner Davis that we put the \$184,778.00 as an earmark against Allocated Reserve.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

(4:11 PM) **Drug Court Treatment Funding – Priority #4** (Criminal Courts)
(Reference # 194)

Members of the Court heard from: Debra Hale, Court Coordinator.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the budget request.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

(4:13 PM) FACTS Financial Team Replacement (Use Fund 050, Justice Court Technology Fund) (Information and Telecommunications Systems) (Reference # 34A)

Members of the Court heard from: Joe Harlow, Chief Technology Officer, Information and Telecommunications Systems (ITS); Randy Lott, Budget Analyst, PBO; Judy Pittsford, Project Manager, ITS; Diana Ramirez, Budget Analyst, PBO; and Rodney Rhoades, Executive Manager, PBO.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the Technology Fund, and if there is a problem come back to the Court.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	abstain
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

(4:18 PM) Social Services Programmatic Increase (10% increase budgeted in Department. Department wishes fund distributed on a competitive basis) (Health and Human Services) (Reference #396A-C) Basic Needs Coalition Direct Services (Health and Human Services) (Reference #413) HHS Reserve (Department will have additional \$400k fall to fund balance in FY 08 and requests to budget again in FY 09 in special HHS Reserve) (Health and Human Services) (Reference #New1)

Members of the Court heard from: Sherri Fleming, Executive Manager, TCHHS&VS; Rodney Rhoades, Executive Manager, PBO; and Travis Gatlin, Budget Analyst, PBO.

Motion by Judge Biscoe and seconded by Commissioner Eckhardt to approve \$450,000.00 for the combination.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

(4:29 PM) **Court Appointed Attorney Fees @ \$75.00 per hour as discussed at budget hearing. Request also includes additional \$125,000.00 earmark. (Criminal Court Legally Mandated Fees) (Reference #455A)**

Members of the Court heard from: The Honorable John K. Dietz, Judge, 250th District Court; and Jessica Rio, Assistant Budget Manager, PBO.

Clerk's Note: The Court revisited this Item at 4:44 PM.

Members of the Court heard from: Jessica Rio, Assistant Budget Manager, PBO; Leroy Nellis, Budget Manager, PBO; and Rodney Rhoades, Executive Manager, PBO.

Motion by Judge Biscoe and seconded by Commissioner Davis to put the requested \$200,000.00 into the department budget.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

(4:34 PM) **Indigent Attorney Fee Schedule Increase – Priority #3 (Criminal Court Legally Mandated Fees) (Reference #461)**

Members of the Court heard from: Jessica Rio, Assistant Budget Manager, PBO; Virginia Greenway, Defense Attorney; Rodney Rhoades, Executive Manager, PBO; and The Honorable John K. Dietz, Judge, 250th District Court.

Motion by Judge Biscoe and seconded by Commissioner Gómez that we add \$500,000.00 to the budget for an increase in the rate of compensation paid court-appointed lawyers in criminal cases.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

(4:46 PM) **Indigent Attorney Fees – Maintenance of Current Effort – priority #2 – EARMARK REQUEST FOR AN ADDITIONAL \$300,00.00 as discussed at Budget hearing (Criminal Court Legally Mandated Fees) (Reference #460B)**

Members of the Court heard from: Debra Hale, Court Coordinator; and Jessica Rio, Assistant Budget Manager, PBO.

Motion by Judge Biscoe and seconded by Commissioner Davis to do an earmark of \$300,000.00 in the Allocated Reserve.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

(4:49 PM) **Council on At-Risk Youth CARY (Health and Human Services) (Reference #418)**

Members of the Court heard from: Adrian L Moore, Founder and Executive Director, Council for At-Risk Youth (CARY); and Sherri Fleming, Executive Manager, TCHHS&VS.

Motion by Judge Biscoe and seconded by Commissioner Gómez that we approve the same level of funding, \$100,000.00.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	no
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Clerk’s Note: The Court noted that this funding would be from one-time money.

(9:16 AM, Thursday, September 4, 2008)

Review of the Budget

Clerk's Note: The Court received a status report on the County Budget and reviewed the items to be discussed during the Budget Voting Session.

Members of the Court heard from: Rodney Rhoades, Executive Manager, PBO; Leroy Nellis, Budget Manager, PBO; Chris Broussard, Business System Consultant, PBO; and Travis Gatlin, Budget Analyst, PBO.

Discussion only. No formal action taken.

(9:22 AM, Thursday, September 4, 2008)

5335 Airport Boulevard Building and Parking Garage Planning & Design; Airport Campus Master Planning. (Facilities Management)
(Reference # 105B)

Members of the Court heard from: Rodney Rhoades, Executive Manager, PBO; and Roger El Khoury, Director, Facilities Management.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve the budget request.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	no
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

(9:30 AM, Thursday, September 4, 2008)

City Of Austin Public Health Interlocal (Health and Human Services)

Members of the Court heard from: Sherri Fleming, Executive Manager, Travis County Health, TCHHS&VS.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve an earmark against Allocated Reserve for \$294,083.00.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

(9:32 AM, Thursday, September 4, 2008)

Replacement Computers – General Fund
(Information and Telecommunications Systems) (Reference #445)

Members of the Court heard from: Susan Spataro, Travis County Auditor; Joe Harlow, Chief Technology Officer, ITS; Rodney Rhoades, Executive Manager, PBO; Jessica Rio, Assistant Budget Manager, PBO; Diana Ramirez, Budget Analyst, PBO; and Randy Lott, Budget Analyst, PBO.

Motion by Judge Biscoe and seconded by Commissioner Davis to look at the Capital Acquisition Reserve (CAR), debt issuance, of the capital requests in late October, 2008.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

(9:51 AM, Thursday, September 4, 2008)

Update

Members of the Court heard from: Leroy Nellis, Budget Manager, PBO; Randy Lott, Budget Analyst, PBO; and Rodney Rhoades, Executive Manager, PBO.

Discussion only. No formal action taken.

(9:57 AM, Thursday, September 4, 2008)

Law Enforcement 5-year Staffing Plan (Sheriff's Office)
(Reference # 255)

Members of the Court heard from: Darla Fuller, Travis County Sheriff's Law Enforcement Association (TCSLEA).

Motion by Judge Biscoe and seconded by Commissioner Gómez to park this issue and revisit it in October, 2008 and decide what we plan to do.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

(10:01 AM, Thursday, September 4, 2008)

Financial System (Auditor's Office)

Clerk's Note: The Court discussed a Staff request for Court approval regarding the authorization of the new positions approved September 3, 2008 for the new Financial System in order for the jobs to be advertised and then filled.

Members of the Court heard from: Susan Spataro, Travis County Auditor; Mike Wichern, Chief Assistant County Auditor, Travis County Auditor's Office; Rodney Rhoades, Executive Manager, PBO; and Cyd Grimes, Travis County Purchasing Agent.

Motion by Commissioner Gómez **and seconded by** Judge Biscoe to create the positions and then advertise.

A Clarification of the previous Motion was made by Judge Biscoe that the motion is to approve posting, advertising and recruiting of personnel, and authorizing the creation of the positions.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

(10:14 AM, Thursday, September 4, 2008)

HHS Reserve (Department will have additional \$400k fall to fund balance in FY '08 and requests to budget again in FY '09 in special HHS Reserve) (Health and Human Services) (Reference # New1)

Members of the Court heard from: Travis Gatlin, Budget Analyst, PBO; and Sherri Fleming, Executive Manager, Travis County Health, TCHHS&VS.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the budget request.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

(10:16 AM, Thursday, September 4, 2008)

**Option 1: Civil Attorney with ongoing operating costs only
(District Attorney) (Reference # 187A)**

Members of the Court heard from: Rosemary Lehmborg, District Attorney's Office.

Motion by Commissioner Davis **and seconded by** Commissioner Eckhardt to approve the budget request.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

(10:23 AM, Thursday, September 4, 2008)

Hybrid Replacement Vehicles (Transportation and Natural Resources)

Clerk's Note: The Court discussed the request to purchase hybrid replacement vehicles from a program where there would be a 50% reimbursement from the State of Texas.

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Jessica Rio, Assistant Budget Manager, PBO; and Mike Joyce, Fleet Manager, TNR.

Motion by Commissioner Davis **and seconded by** Commissioner Eckhardt to approve the budget request.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

(10:33 AM, Thursday, September 4, 2008)

REVISED – Fleet Services mechanics – (2) Equipment Mechanics – Priority 6 One Auto Mechanic (Transportation and Natural Resources) (Reference #315A)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Mike Joyce, Fleet Manager, TNR; and Jessica Rio, Assistant Budget Manager, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the budget request.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

(10:36 AM, Thursday, September 4, 2008)

Additional Custodial Staff (Facilities Management) (Reference #101)

Clerk’s Note: The Court discussed hiring two additional custodial staff rather than the four originally requested.

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; and Roger El Khoury, Director, Facilities Management.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve the budget request.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	no
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

(10:41 AM, Thursday, September 4, 2008)

**Additional Maintenance Staff (Facilities Management)
(Reference #97)**

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; and Roger El Khoury, Director, Facilities Management.

Motion by Commissioner Davis **and seconded by** Judge Biscoe to approve the budget request.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Clerk's Note: By approving Reference #97 the Court has approved 2 new maintenance staff.

(10:43 AM, Thursday, September 4, 2008)

**Exposition Center Arena Roof Replacement – Funding requested
from General Fund (Facilities Management) (Reference #137)**

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations.

Discussion only. No formal action taken.

(10:43 AM, Thursday, September 4, 2008)

**Criminal Courts Staff Attorney – Priority #5 (Criminal Courts)
(Reference #195)**

Members of the Court heard from: Debra Hale, Court Coordinator; The Honorable Mike Lynch, Judge, 167th District.

Motion by Commissioner Gómez **and seconded by** Judge Biscoe to approve the budget request.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	no
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

(10:48 AM, Thursday, September 4, 2008)

Review – Tax Rate and Allocated Reserve Earmarks

Clerk’s Note: The Court explored ways in which to proceed with the remainder of the Budget, and were reminded of the 12:00 PM, Thursday, September 4, 2008 deadline for a decision on the 2009 Tax Rate.

Members of the Court heard from: Rodney Rhoades, Executive Manager, PBO; Chris Broussard, Business System Consultant, PBO; Leroy Nellis, Budget Manager, PBO; and Diana Ramirez, Budget Analyst, PBO.

Discussion only. No formal action taken.

Clerk’s Note: The Court directed Staff to place \$2M in the Allocated Reserve with \$1M earmarked as an economic downturn reserve.

(11:17 AM, Thursday, September 4, 2008)

Budget Markup Summary

Members of the Court heard from: Rodney Rhoades, Executive Manager, PBO; Leroy Nellis, Budget Manager, PBO; and Chris Broussard, Business System Consultant, PBO.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Gómez to approve one-time money to CAR.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

SEPTEMBER 3, 2008 BUDGET VOTING SESSION

(11:22 AM, Thursday, September 4, 2008)
APPROVE FY '09 TAX RATE

Members of the Court heard from: Rodney Rhoades, Executive Manager, PBO.

Clerk's Note: The Court discussed a tax rate of \$0.4122 per \$100.00 valuation.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the 0.4122 tax rate.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

(11:22 AM, Thursday, September 4, 2008)
ALLOCATED RESERVE EARMARKS

Members of the Court heard from: Rodney Rhoades, Executive Manager, PBO.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve the earmarks against the Allocated Reserve.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

(11:23 AM, Thursday, September 4, 2008)
CAR RESERVE EARMARKS

Members of the Court heard from: Diana Ramirez, Budget Analyst, PBO.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve the earmarks against the CAR reserve.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

(11:23 AM, Thursday, September 4, 2008)

REBUDGETING CAPITAL ACCOUNTS

Members of the Court heard from: Diana Ramirez, Budget Analyst, PBO; and Jessica Rio, Assistant Budget Manager, PBO.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve the requested re-budgeting.

Motion carried: County Judge Samuel T. Biscoe yes
 Precinct 1, Commissioner Ron Davis yes
 Precinct 2, Commissioner Sarah Eckhardt yes
 Precinct 3, Commissioner Gerald Daugherty yes
 Precinct 4, Commissioner Margaret J. Gómez yes

(11:25 AM, Thursday, September 4, 2008)

**REBUDGETING EXISTING CERTIFICATES OF OBLIGATION (CO'S)
AND BONDS**

Members of the Court heard from: Diana Ramirez, Budget Analyst, PBO.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the re-budgeting.

Motion carried: County Judge Samuel T. Biscoe yes
 Precinct 1, Commissioner Ron Davis yes
 Precinct 2, Commissioner Sarah Eckhardt yes
 Precinct 3, Commissioner Gerald Daugherty yes
 Precinct 4, Commissioner Margaret J. Gómez yes

(11:27 AM, Thursday, September 4, 2008)

**OUTSTANDING ROAD BONDS/CERTIFICATES OF OBLIGATION
FROM THE 1984 AUTHORIZATION.**

Clerk's Note: Staff recommended that the resources of funds 432, 434, 437, and 452 be re-budgeted into FY '09.

Members of the Court heard from: Diana Ramirez, Budget Analyst, PBO.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Staff recommendation.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

(11:29 AM, Thursday, September 4, 2008)

**OUTSTANDING ROAD BONDS/CERTIFICATES OF OBLIGATION
FROM THE 1997 AUTHORIZATION.**

Clerk's Note: Staff recommended that the resources of funds 439, 440, 444, and 450 be re-budgeted into FY '09.

Members of the Court heard from: Diana Ramirez, Budget Analyst, PBO.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Staff recommendation.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

(11:29 AM, Thursday, September 4, 2008)

OUTSTANDING ROAD BONDS/CERTIFICATES OF OBLIGATION FROM THE 2000, 2001, and 2005 AUTHORIZATION.

Clerk's Note: Staff recommended that the resources of funds 459, 460, 461, 464, 465, 467, 468, 470, 471, 472, 473, 507, 508, 511, and 512 be re-budgeted into FY '09.

Members of the Court heard from: Diana Ramirez, Budget Analyst, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Staff recommendation.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

(11:30 AM, Thursday, September 4, 2008)

SUMMARY OF REQUEST TO REBUDGET OUTSTANDING CO AND BOND FUNDS WAITING TO BE CLOSED

Clerk's Note: Staff recommended that the resources of funds 413, 430, 431, 433, 435, 441, 446, 449, 451, 453, 455, 457, 466, 469, 406, and 422 to be re-budgeted into FY '09 and to be closed as soon as possible.

Members of the Court heard from: Diana Ramirez, Budget Analyst, PBO; and Jessica Rio, Assistant Budget Manager, PBO.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Davis to approve Staff recommendation.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

(11:32 AM, Thursday, September 4, 2008)

SUMMARY

Clerk's Note: The Court discussed balancing on-going and one-time money to minimize any ratchet effect in the 2010 budget.

Members of the Court heard from: Diana Ramirez, Budget Analyst, PBO; and Jessica Rio, Assistant Budget Manager, PBO.

Discussion only. No formal action taken.

(11:34 AM, Thursday, September 4, 2008)

**AUTHORIZE PBO TO BALANCE AGAINST ALLOCATED RESERVE
BASED ON FIFTH REVENUE ESTIMATE**

Members of the Court heard from: Rodney Rhoades, Executive Manager, PBO; and Leroy Nellis, Budget Manager, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the budget request.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

(11:35 AM, Thursday, September 4, 2008)

SUMMARY

Members of the Court heard from: Rodney Rhoades, Executive Manager, PBO; and Jessica Rio, Assistant Budget Manager, PBO.

Discussion only. No formal action taken.

ADJOURNMENT

Motion by Commissioner Davis and seconded by Commissioner Gómez to adjourn the Budget Voting Session. (11:36 AM)

Motion carried: County Judge Samuel T. Biscoe yes
Precinct 1, Commissioner Ron Davis yes
Precinct 2, Commissioner Karen Sonleitner yes
Precinct 3, Commissioner Gerald Daugherty yes
Precinct 4, Commissioner Margaret J. Gómez yes

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge

Travis County Commissioners Court Agenda Request

Voting Session Tuesday, October 28, 2008
(Date)

Work Session _____
(Date)

I. A. Request made by: Gillian Porter Phone: 854-4722
Commissioners Court Specialist
Commissioners Court Minutes/County Clerk's Office

B. Requested Text: **Approve the Commissioners Court Minutes for the**

Voting Session of October 7, 2008

C. Approved By: DANA DEBEAUVOIR
Dana DeBeauvoir, Travis County Clerk

II. A. Backup memorandum and exhibits should be attached and submitted with this
Agenda Request (Original and eight copies)

B. Please list all of the agencies or officials' names and telephone numbers that might be
affected or be involved with the request. Send a copy of this Agenda Request and
backup to them.

III. Is back-up material attached? YES

AGENDA REQUEST DEADLINE: This Agenda Request, complete with backup memorandum
and exhibits, should be submitted to the County Judge's Office no later than 12:00 PM on
Tuesday for the following week's meeting. Late or incomplete requests may be deferred to the
next meeting.

MINUTES OF MEETING OCTOBER 7, 2008

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 7th day of October 2008, the Commissioners' Court convened the Voting Session at 9:13 AM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Commissioners Court record notes that Precinct One Commissioner Ron Davis and Precinct Two Commissioner Sarah Eckhardt were not present during this Voting Session.

The Commissioners Court recessed the Voting Session at 10:58 AM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle), convened at 1:39 PM and adjourned at 1:40 PM.

The Commissioners Court reconvened the Voting Session at 1:40 PM.

The Commissioners Court retired to Executive Session at 1:40 PM.

The Commissioners Court reconvened the Voting Session at 2:48 PM.

The Commissioners Court adjourned the Voting Session at 2:49 PM.

PUBLIC HEARINGS

- 1. RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: MILLER SUBDIVISION, RESUBDIVISION OF PORTION OF LOT 43, LAKE SIDE ADDITION (1 TOTAL LOT). (COMMISSIONER DAUGHERTY) (ACTION ITEM #22) (9:14 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 22 for a summary of the action item.

Motion by Commissioner Daugherty and seconded by Commissioner Gómez to open the public hearing.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Sarah Eckhardt	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Members of the Court heard from: Anna Bowlin, Program Manager, Planning and Engineering, Transportation and Natural Resources (TNR).

Motion by Commissioner Daugherty and seconded by Commissioner Gómez to close the public hearing.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Sarah Eckhardt	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

CITIZENS COMMUNICATION

Members of the Court heard from: Gus Peña, Travis County Resident; Skip Richter, Director, Texas AgriLife Extension Service, Travis County Health and Human Services (TCHHS); Logan Respass, Texas County Extension Office, TCHHS; Tahira Malik, 4-H Agent, Texas County Extension Office, TCHHS; Ronnie Gjemre, Travis County Resident; Vickie Karp, VoteRescue; Ms. Philip A. Dick, Travis County Resident; Jenny Clark, VoteRescue; and Jennifer Gale, Travis County Resident. (9:19 AM)

CONSENT ITEMS

Motion by Commissioner Gómez and seconded by Commissioner Daugherty to approve the following Consent Items: C1-C2 and Items 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 17.A&B, 18, 19, 20, 21, 22, 23, and A1. (9:48 AM)

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Sarah Eckhardt	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. APPROVE SETTING OF PUBLIC HEARING DATE ON OCTOBER 28, 2008 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A TWENTY-FIVE FOOT WIDE DRAINAGE EASEMENT LOCATED OVER AND ACROSS LOT 21 OF MAJESTIC HILLS RANCHETTES, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)

RESOLUTIONS AND PROCLAMATIONS

- 2. APPROVE RESOLUTION CELEBRATING "NATIONAL 4-H WEEK" IN TRAVIS COUNTY. (JUDGE BISCOE) (9:40 AM)

Members of the Court heard from: Cory Talley, Travis County 4H Extension Agent; Heather Schriendl, Pioneer Farm 4-H Club; Kelsey Johnson, Travis County Veterinary Science 4-H Club; Natasha Bailey, Americorps; Alex Campbell, Americorps; Stephanie Marsh, Americorps; Sarah Hammontree, Americorps; Ann Boreman, Travis County 4-H Americorps Program Manager.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the Resolution in Item 2.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Sarah Eckhardt	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

PURCHASING OFFICE ITEMS

3. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 07K00314LP, PFLUGERVILLE ROAD EAST (PECAN STREET) CONSTRUCTION, RGM CONSTRUCTORS, L.P. (TRANSPORTATION AND NATURAL RESOURCES) (9:48 AM)

Clerk's Note: Item 3 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

4. APPROVE MODIFICATION NO. 14 TO CONTRACT NO. MA960322, EASY ACCESS, INC., FOR TAX OFFICE COMPUTER SYSTEM. (TAX OFFICE/COUNTY CLERK) (9:48 AM)

Clerk's Note: Item 4 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

5. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. PS080131JW, C. FAULKNER ENGINEERING, FOR PEER REVIEW OF SUBDIVISION CONSTRUCTION PLANS. (TRANSPORTATION AND NATURAL RESOURCES) (9:48 AM)

Clerk's Note: Item 5 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

6. APPROVE CONTRACT NO. PS090030RE, WORKSOURCE-GREATER AUSTIN AREA WORKFORCE DEVELOPMENT BOARD FOR FISCAL YEAR 2009 CHILD CARE LOCAL MATCH TRANSFER AGREEMENT. (HEALTH AND HUMAN SERVICES AND VETERANS SERVICE) (9:48 AM)

Clerk's Note: Item 6 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 7. APPROVE CONTRACT AWARD FOR THE PROVISION OF DENTAL COVERAGE FOR THE MAC AND UCR PLANS FOR TRAVIS COUNTY EMPLOYEES, RFP NO. P080193OJ, TO METLIFE. (HUMAN RESOURCES MANAGEMENT DEPARTMENT) (9:51 AM)

Clerk's Note: The Court discussed the sending of a letter to Metlife, requesting changes to the current certificate of insurance issued to insured employees, informing the Texas Department of Insurance that Travis County has requested the changes to the form and respectfully asks the form be approved.

Members of the Court heard from: Barbara Wilson, Assistant County Attorney.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item 7.

A Friendly Amendment to the previous Motion was offered by Judge Biscoe to authorize the County Attorney to send such a letter on behalf of the Commissioners Court, and authorize the County Judge to sign on behalf of the Commissioners Court.

Acceptance of the Friendly Amendment was made by Commissioner Daugherty **and** Commissioner Gómez.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Sarah Eckhardt	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

- 8. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: MILLER SUBDIVISION, RESUBDIVISION OF PORTION OF LOT 43, LAKE SIDE ADDITION (1 TOTAL LOT). (COMMISSIONER DAUGHERTY) (9:48 AM)

Clerk's Note: Item 8 is the action item for the public hearing on Agenda Item 1.

Clerk's Note: Item 8 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

9. CONSIDER AND TAKE APPROPRIATE ACTION ON THE USE OF A CASH SECURITY AGREEMENT FOR THE RESUBDIVISION OF LOT 2, BLOCK F OF THE RESUBDIVISION OF BEBY'S RANCH SUBDIVISION NO. 1, BLOCK F (4 TOTAL LOTS). (COMMISSIONER DAUGHERTY) (9:48 AM)

Clerk's Note: Item 9 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

10. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST FOR A REIMBURSEMENT AGREEMENT WITH CREEDMOOR-MAHA WATER SUPPLY CORPORATION FOR EXISTING WATERLINE RELOCATION WORK THAT IS REQUIRED TO ACCOMMODATE THE PROPOSED IMPROVEMENTS OF MCKINNEY FALLS PARKWAY IN SOUTHEAST TRAVIS COUNTY, IN PRECINCT FOUR. (COMMISSIONER GÓMEZ) (9:48 AM)

Clerk's Note: Item 10 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

11. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT ONE: SHADOWGLEN TRACE COMMERCIAL SECTION A FINAL PLAT (2 TOTAL LOTS). (9:48 AM)

Clerk's Note: Item 11 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

12. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT ONE: SHADOWGLEN TRACE COMMERCIAL SECTION B FINAL PLAT (3 TOTAL LOTS). (9:48 AM)

Clerk's Note: Item 12 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

13. CONSIDER AND TAKE APPROPRIATE ACTION ON A LANDSCAPING MAINTENANCE AGREEMENT WITH ALFREDO RODRIGUEZ TO MAINTAIN THE COUNTY'S FLOODPLAIN PROPERTY AT 9000 BLUFF SPRINGS ROAD. (9:48 AM)

Clerk's Note: Item 13 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

Clerk's Note: The Court noted that this agreement will be at zero cost to Travis County.

14. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST FOR A REIMBURSEMENT AGREEMENT WITH BLUE BONNET ELECTRIC COOPERATIVE FOR EXISTING ELECTRIC LINE RELOCATION WORK THAT IS REQUIRED TO ACCOMMODATE THE PROPOSED IMPROVEMENTS OF MCKINNEY FALLS PARKWAY IN SOUTHEAST TRAVIS COUNTY.
(COMMISSIONER GÓMEZ) (9:48 AM)

Clerk's Note: Item 14 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

15. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST FOR A VARIANCE TO TITLE 30-3-191, LAND DEVELOPMENT CODE - SINGLE OFFICE CASE TO NOT PROVIDE SIDEWALKS FOR SLAUGHTER CREEK DRIVE AND CHAPPELL LANE FOR A SUBDIVISION IN PRECINCT THREE: RESUBDIVISION OF LOT 1, BLOCK D, SLAUGHTER CREEK ACRES SUBDIVISION. (COMMISSIONER DAUGHERTY) (9:48 AM)

Clerk's Note: Item 15 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

PLANNING AND BUDGET DEPT. ITEMS

16. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:50 AM)

Item 16 not needed.

17. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:48 AM)
 - A. GRANT CONTRACT WITH THE GOVERNOR'S DIVISION OF EMERGENCY MANAGEMENT FOR THE FISCAL YEAR 2008 EMERGENCY MANAGEMENT PERFORMANCE GRANT; AND
 - B. GRANT CONTRACT AMENDMENT WITH TEXAS TASK FORCE ON INDIGENT DEFENSE TO CORRECT AWARD AMOUNT OF MENTAL HEALTH PUBLIC DEFENDERS OFFICE GRANT.

Clerk's Note: Items 17.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

ADMINISTRATIVE OPERATIONS ITEMS

18. 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 \$521,949.14 FOR THE PERIOD OF SEPTEMBER 19 TO SEPTEMBER 25, 2008. (9:48 AM)

Clerk's Note: Item 18 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

19. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:48 AM)

Clerk's Note: Item 19 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

OTHER ITEMS

20. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:48 AM)

Clerk's Note: Item 20 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

21. CONSIDER AND TAKE APPROPRIATE ACTION ON ORDER TO DIRECT DEPOSITING SALARY FUND MONIES INTO THE GENERAL FUND OF TRAVIS COUNTY. (9:48 AM)

Clerk's Note: Item 21 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

22. CONSIDER AND TAKE APPROPRIATE ACTION ON BOND FOR SCOTT DAVIS TO SERVE AS VISITING TRAVIS COUNTY JUSTICE OF THE PEACE. (JUDGE BISCOE) (9:48 AM)

Clerk's Note: Item 22 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 23. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR SHERIFF'S OFFICE PERSONNEL TO TAKE A COUNTY VEHICLE OUT OF STATE TO ATTEND THE CONSTRUCTION AND MAINTENANCE INSTITUTE FOR CRIMINAL JUSTICE AGENCIES CONFERENCE IN BATON ROUGE, LA., FROM OCTOBER 27 THROUGH 30, 2008. (9:48 AM)

Clerk's Note: Item 23 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 24. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM CITY OF AUSTIN REGARDING THE CREATION OF A TAX INCREMENT FINANCING (TIF) REINVESTMENT ZONE FOR THE SEAHOLM REDEVELOPMENT PROJECT, INCLUDING THE FOLLOWING: (9:55 AM)
 - A. PRESENTATION REGARDING THE PROJECT;
 - B. COUNTY ENDORSEMENT OF THE PROJECT;
 - C. WAIVER OF 60-DAY NOTICE REQUIREMENT FOR PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON THE PROJECT;
 - D. DESIGNATION OF COUNTY REPRESENTATIVE ON PROJECT; AND
 - E. APPOINTMENT OF COUNTY REPRESENTATIVE TO TIF ZONE'S BOARD OR WAIVER OF THE RIGHT TO APPOINT A MEMBER.

Clerk's Note: Items 24.A-E are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Rodney Gonzalez, Acting Director, Economic Growth and Re-Development Services, City of Austin; and Rodney Rhoades, Executive Manager, Planning and Budget Office (PBO).

Motion by Judge Biscoe and seconded by Commissioner Gómez to waive the sixty-day requirement, but to strongly recommend twenty-one days advance notice.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Sarah Eckhardt	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

ITEM 24 CONTINUED

Motion by Judge Biscoe and seconded by Commissioner Daugherty that we ask the Executive Manager of the Planning and Budget Office (PBO) to be the County representative; to communicate with the City of Austin up to the point of the appointment of the board; and that when the board is constituted that Rodney Rhoades, Executive Manager, PBO be the County representative on the board; and that if at some point in the future this is not a good investment of time, because the TIF board is working so well that it could do so without our membership, then we can take appropriate action.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Sarah Eckhardt	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 25. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED SCOPE OF SERVICES FOR THE TRAVIS COUNTY CENTRAL CAMPUS STUDY NEEDS ANALYSIS AND MASTER PLAN AND RELATED ISSUES. (10:12 AM)

Clerk's Note: Items 25 and 26 are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Christian Smith, Special Assistant to the Commissioners Court; Cyd Grimes, Travis County Purchasing Agent; and Tenley Aldredge, Assistant County Attorney.

Discussion only. No formal action taken.

Items 25 and 26 to be reposted on October 14, 2008.

- 26. CONSIDER AND TAKE APPROPRIATE ACTION ON PRESENTATION OF REQUEST FOR QUALIFICATIONS PROCUREMENT PROCESS IN PREPARATION FOR DOWNTOWN MASTER PLAN STUDY AND RELATED ISSUES. (10:12 AM)

Clerk's Note: Items 25 and 26 are associated with one another and were called for concurrent discussion. Please refer to Item 25 for a summary of the action taken by the Court.

27. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES RELATED TO THE CONDUCT OF THE NOVEMBER 4, 2008 JOINT GENERAL AND SPECIAL ELECTIONS. (9:14 AM)

Item 27 postponed until October 14, 2008.

EXECUTIVE SESSION ITEMS

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

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.

28. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING SETTLEMENT OFFER IN VALDEZ/NAUTILUS CASE (OPHELIA MALICIA CLAIM). ¹ (1:40 PM)

Clerk's Note: Judge Biscoe announced that Item 28 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 28 postponed until October 14, 2008.

29. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL PURCHASE OF REAL ESTATE ALONG AIRPORT BOULEVARD. ^{1 AND 2} (1:40 PM)

Clerk's Note: 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.

Item 29 postponed until October 14, 2008.

30. CONSIDER AND TAKE APPROPRIATE ACTION ON PURCHASE OF LAND FROM THE COMANCHE TRAIL CONSERVATION FUND AND JOSEPH F. LUCAS IN CONNECTION WITH THE BALCONES CANYONLANDS CONSERVATION PLAN. ^{1 AND 2} (1:40 PM) (2:48 PM)

Clerk's Note: Judge Biscoe announced that Item 30 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 by Commissioner Daugherty **and seconded by** Commissioner Gómez that we accept the offer by Mr. Joseph L. Lucas for one tract containing 141.2 acres for \$8.1M, that would be considered the east piece; the western piece would be 137.3 acres for \$20.5M; and along with this I would also move that we either allow Commissioner Gerald Daugherty or Joe Gieselman, Executive Manager, TNR to do the closing at the time whenever that takes place; and that we authorize the County Judge to sign the deeds prepared by Staff and signed by Mr. Lucas.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Sarah Eckhardt	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

31. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING CONTRACT FOR THIRD PARTY ADMINISTRATION OF TRAVIS COUNTY SECTION 457 DEFERRED COMPENSATION PLAN WITH NATIONWIDE RETIREMENT SOLUTIONS. ¹ (1:40 PM) (2:49 PM)

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

Discussion only. No formal action taken.

Item 31 to be reposted on October 14, 2008.

ADDED ITEMS

- A1. CONSIDER AND TAKE APPROPRIATE ACTION TO APPOINT JUDGE BISCOE AND COMMISSIONER ECKHARDT TO THE OVERSIGHT BOARD FOR THE OFFICES OF CHILD AND PARENT REPRESENTATION. (9:48 AM)

Clerk's Note: Item A1 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- A2. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING RECOMMENDED PROCESS TO HIRE THE INTERGOVERNMENTAL RELATIONS COORDINATOR. (10:54 AM)

Clerk's Note: The Court discussed directing the three Executive Managers on the Selection Committee to interview the top 14 applicants, ranking them, and then recommending a shortlist of four or five to be interviewed by the Commissioners Court.

Motion by Judge Biscoe and seconded by Commissioner Daugherty to approve a number of four or five to be interviewed; that we approve the process and agree that the Court will interview the further short-listed subset of the 14 remaining applicants.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Sarah Eckhardt	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

ADJOURNMENT

Motion by Commissioner Daugherty and seconded by Commissioner Gómez to adjourn the Voting Session. (2:49 PM)

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Sarah Eckhardt	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge

Travis County Commissioners Court Agenda Request

Voting Session Tuesday, October 28, 2008
(Date)

Work Session _____
(Date)

I. A. Request made by: Gillian Porter Phone: 854-4722
Commissioners Court Specialist
Commissioners Court Minutes/County Clerk's Office

B. Requested Text: **Approve the Commissioners Court Minutes for the
Voting Session of October 14, 2008**

C. Approved By: 
Dana DeBeauvoir, Travis County Clerk

II. A. Backup memorandum and exhibits should be attached and submitted with this
Agenda Request (Original and eight copies)

B. Please list all of the agencies or officials' names and telephone numbers that might be
affected or be involved with the request. Send a copy of this Agenda Request and
backup to them.

III. Is back-up material attached? YES

AGENDA REQUEST DEADLINE: This Agenda Request, complete with backup memorandum
and exhibits, should be submitted to the County Judge's Office no later than 12:00 PM on
Tuesday for the following week's meeting. Late or incomplete requests may be deferred to the
next meeting.

MINUTES OF MEETING OCTOBER 14, 2008

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 14th day of October 2008, the Commissioners' Court convened the Voting Session at 9:17 AM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Commissioners Court retired to Executive Session at 10:43 AM.

The Commissioners Court reconvened the Voting Session at 11:53 AM.

The Commissioners Court recessed the Voting Session at 11:53 AM.

The Commissioners Court, meeting as the Travis County Bee Cave Road District #1 (Galleria), convened at 1:40 PM and adjourned at 1:41 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:41 PM and adjourned at 1:41 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 1:41 PM and adjourned at 1:41 PM.

The Commissioners Court, meeting as the Capital Industrial Development Corporation; and the Travis County Cultural Education Facilities Finance Corporation, convened at 1:41 PM and adjourned at 1:42 PM.

The Commissioners Court reconvened the Voting Session at 1:42 PM.

The Commissioners Court retired to Executive Session at 1:42 PM.

The Commissioners Court reconvened the Voting Session at 3:09 PM.

The Commissioners Court adjourned the Voting Session at 3:16 PM.

CITIZENS COMMUNICATION

Members of the Court heard from: Gus Peña, Travis County Resident; Ann Boreman, Travis County 4-H Americorps Program Manager; Ronnie Gjemre, Travis County Resident; and Jennifer Gale, Travis County Resident. (9:18 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the following Consent Items: C1-C3 and Items 1, 2, 4, 5, 7, 8.A-G, 10, 11, 14.A&B, 16, and 17.A&B. (9:32 AM)

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSIONS OF SEPTEMBER 16, 23 AND 30, 2008.
- C3. APPROVE SETTING A PUBLIC HEARING DATE ON OCTOBER 28, 2008 TO RECEIVE COMMENTS REGARDING PROPOSED AMENDMENT TO TRAVIS COUNTY CODE CHAPTER 72, EMERGENCY ASSISTANCE POLICIES AND PROCEDURES.

ADMINISTRATIVE OPERATIONS ITEMS

- 1. 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 \$747,324.53 FOR THE PERIOD OF SEPTEMBER 26 TO OCTOBER 2, 2008. (9:32 AM)

Clerk's Note: Item 1 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 2. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:32 AM)

Clerk's Note: Item 2 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 3. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING CHANGES TO THE EXPOSITION CENTER RATE SCHEDULE. (COMMISSIONER DAVIS) (10:36 AM)

Members of the Court heard from: Roger El Khoury, Director, Facilities Management; and Michael Norton, Director, Travis County Exposition Center.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 3.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 4. CONSIDER AND TAKE APPROPRIATE ACTION ON LETTER AGREEMENT BETWEEN TRAVIS COUNTY AND PRO BONO NET TO ALLOW THE LAW LIBRARY TO USE THE LAWHHELP TRADEMARK. (9:32 AM)

Clerk's Note: Item 4 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

PURCHASING OFFICE ITEMS

- 5. APPROVE MODIFICATION NO. 2 FOR TERMINATION OF CONTRACT NO. PS010064LB, THE BODE TECHNOLOGY GROUP, INC., FOR DNA CONSULTING ANALYSIS AND TESTIFYING SERVICES. (DISTRICT ATTORNEY) (9:32 AM)

Clerk's Note: Item 5 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

6. APPROVE MODIFICATION NO. 5 TO CONTRACT NO. 05T00291OJ, GENERAL SECURITY SERVICES CORPORATION, FOR ELECTRONIC MONITORING. (PRETRIAL SERVICES, JUVENILE PROBATION, COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT) (9:18 AM)

Item 6 postponed until October 21, 2008.

7. APPROVE CONTRACT NO. PS080291ML FOR RELIEF PHARMACY SERVICES WITH CONNIE P. RAEMSCH, REGISTERED PHARMACIST. (SHERIFF'S OFFICE) (9:32 AM)

Clerk's Note: Item 7 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

JUSTICE AND PUBLIC SAFETY ITEMS

8. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE TRAVIS COUNTY MEDICAL EXAMINER'S OFFICE FOR AGREEMENTS TO BE USED BETWEEN TRAVIS COUNTY AND THE FOLLOWING COUNTIES: (9:32 AM)
 - A. BROWN COUNTY;
 - B. GILLESPIE COUNTY;
 - C. GRIMES COUNTY;
 - D. LAVACA COUNTY;
 - E. LEE COUNTY;
 - F. MENARD COUNTY; AND
 - G. WHARTON COUNTY.

Clerk's Note: Items 8.A-G approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

- 9. CONSIDER AND TAKE APPROPRIATE ACTION ON THE PROPOSED TIMBER CREEK FLOODPLAIN BUY-OUT PLAN. (9:34 AM)

Clerk's Note: The Court discussed a Staff recommendation to start the Timber Creek floodplain buyouts using the \$3.9M 2005 Bond approved funds, before the Federal appropriation of funds is made available.

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR).

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve Staff's recommendation for the use of this \$3.9M.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 10. CONSIDER AND TAKE APPROPRIATE ACTION ON A FINAL PLAT FOR RECORDING IN PRECINCT THREE: MANSFIELD LEDGE SUBDIVISION (1 TOTAL LOT). (COMMISSIONER DAUGHERTY) (9:32 AM)

Clerk's Note: Item 10 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 11. CONSIDER AND TAKE APPROPRIATE ACTION ON A FINAL PLAT FOR RECORDING IN PRECINCT THREE: SPICEWOOD BUSINESS CENTER SUBDIVISION (1 TOTAL LOT). (COMMISSIONER DAUGHERTY) (9:32 AM)

Clerk's Note: Item 11 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 12. CONSIDER AND TAKE APPROPRIATE ACTION ON A LICENSE AGREEMENT WITH VIOLET CROWN SPORTS ASSOCIATION TO HOLD A BIKE RACE AT WEBBERVILLE PARK. (9:46 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Item 12.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

PLANNING AND BUDGET DEPT. ITEMS

- 13. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:18 AM)

Item 13 not needed.

- 14. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:32 AM)

- A. GRANT APPLICATION TO THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICES (THROUGH ONESTAR FOUNDATION) TO PROVIDE FUNDS FOR AMERICORPS MEMBERS TO SUPPORT THE ACTIVITIES OF THE COOPERATIVE EXTENTSION'S 4-H CAPITAL PROGRAM THROUGH THE HEALTH AND HUMAN SERVICES DEPARTMENT; AND

- B. PERMISSION TO CONTINUE THE FAMILY DRUG TREATMENT COURT GRANT FROM THE OFFICE OF THE GOVERNOR'S CRIMINAL JUSTICE DIVISION FOR THE CIVIL COURTS TO CONTINUE THE GRANT UNTIL A CONTRACT AGREEMENT IS FULLY EXECUTED.

Clerk's Note: Item 14 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 15. CONSIDER AND TAKE APPROPRIATE ACTION TO ADJUST ALLOCATION AMONG EXPENDITURES APPROVED IN BUDGET FOR FISCAL YEAR 2008 FOR WHICH APPROVAL IS EXTENDED IN BUDGET FOR FISCAL YEAR 2009 TO MAKE ALLOCATED MAXIMUMS CONSISTENT WITH ANTICIPATED YEAR END ACTUAL BALANCES AND ACCRUALS. (10:43 AM) (1:42 PM) (3:15 PM)

Clerk's Note: Judge Biscoe announced that Item 15 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Clerk's Note: The Court discussed a proposed order that would amend the budget that was previously approved for the year ending September 30, 2009.

Members of the Court heard from: Barbara Wilson, Assistant County Attorney.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the order in Item 15.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

OTHER ITEMS

- 16. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:32 AM)

Clerk's Note: Item 16 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

17. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:32 AM)

- A. ADDITION OF 2009 WELLS FARGO THIRTY-TWO FOOT CARGO TRAILER TO THE TRAVIS COUNTY SHERIFF'S OFFICE VEHICLE FLEET FOR EMERGENCY RESPONSE USE AND EQUIPMENT STORAGE; AND
- B. ADDITION OF 2008 POLARIS ATV TO THE TRAVIS COUNTY SHERIFF'S OFFICE VEHICLE FLEET FOR CORRECTIONS SECURITY AND RESPONSE USE.

Clerk's Note: Items 17.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

18. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED SCOPE OF SERVICES FOR THE TRAVIS COUNTY CENTRAL CAMPUS STUDY NEEDS ANALYSIS AND MASTER PLAN AND RELATED ISSUES. (9:57 AM)

Members of the Court heard from: Christian Smith, Special Assistant to the Commissioners Court; Belinda Powell, Capital Planning Coordinator, Planning and Budget Office (PBO); and Diana Warner, First Assistant County Auditor, Travis County Auditor's Office.

Motion by Judge Biscoe and seconded by Commissioner Eckhardt to approve Item 18.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

19. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES RELATED TO THE CONDUCT OF THE NOVEMBER 4, 2008 JOINT GENERAL AND SPECIAL ELECTIONS. (9:49 AM)

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk.

Discussion only. No formal action taken.

EXECUTIVE SESSION ITEMS

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

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.

- 20. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION CONCERNING THE EXTENSION OF ADMINISTRATIVE LEAVE WITH PAY FOR HUMAN RESOURCES MANAGEMENT DEPARTMENT EMPLOYEE, SLOT 2. ^{1 AND 3} (10:43 AM) (3:09 PM)

Clerk's Note: Judge Biscoe announced that Item 20 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.074, Personnel Matters.

Motion by Judge Biscoe and seconded by Commissioner Gómez that we give an additional one-week extension.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Item 20 to be reposted on October 21, 2008.

- 21. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. DOYLE WILSON HOMEBUILDER, INC. (NGHIA TRONG DAO AND LIEU THI PHAM RESALE DEED). ¹ (10:43 AM) (3:10 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Daugherty that we authorize the County Judge to sign the prepared tax resale deed by deeding the property in question to Nghia Trong Dao and Lieu Thi Pham, who have paid Travis County the sum of \$10,600.00 in cash.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 22. CONSIDER AND TAKE APPROPRIATE ACTION ON THE ACQUISITION OF LAND FROM PARKE PROPERTIES I AND II, L.P. AND GDF REALITY INVESTMENTS LTD. IN CONNECTION WITH THE BALCONES CANYONLANDS CONSERVATION PLAN. ^{1 AND 2} (10:43 AM) (3:10 PM)

Clerk's Note: Judge Biscoe announced that Item 22 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 by Commissioner Daugherty and seconded by Commissioner Gómez that we authorize Staff to obtain an addendum to the appraisal report the County previously received for this property, to address the changes in the property boundary and market conditions, with an effective date of August 1, 2008.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

OCTOBER 14, 2008 VOTING SESSION

PAGE 11

23. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING UPDATE AND/OR SETTLEMENT OFFER IN VALDEZ/NAUTILUS CASE (OPHELIA MALICIA CLAIM). ¹ (10:43 PM) (3:11 PM)

Clerk's Note: Judge Biscoe announced that Item 23 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

Item 23 to be reposted when ready.

24. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL PURCHASE OF REAL ESTATE ALONG AIRPORT BOULEVARD. ^{1 AND 2} (10:43 AM) (3:12 PM)

Clerk's Note: Judge Biscoe announced that Item 24 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.

Discussion only. No formal action taken.

Item 24 to be reposted October 28, 2008.

- 25. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING CONTRACT FOR THIRD PARTY ADMINISTRATION OF TRAVIS COUNTY SECTION 457 DEFERRED COMPENSATION PLAN WITH NATIONWIDE RETIREMENT SOLUTIONS. ¹ (10:43 AM) (1:42 PM) (3:12 PM)

Clerk's Note: Judge Biscoe announced that Item 25 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Clerk's Note: The Court reviewed a letter that legal staff had prepared to be sent to Nationwide Retirement Systems.

Members of the Court heard from: Barbara Wilson, Assistant County Attorney.

Motion by Judge Biscoe and seconded by Commissioner Gómez Move that we approve this letter, sign it, and authorize that it be sent to Mr. Riebel, President, Nationwide Retirement Systems ASAP, and we indicate the County Judge will speak to him on behalf of the Commissioners Court on Thursday, October 16, 2008 of this week, or as soon thereafter as possible.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Clerk's Note: The Court noted that the letter would be sent to Mr. Riebel by fax, FED-EX and certified mail.

- 26. RECEIVE STATUS REPORT AND TAKE APPROPRIATE ACTION REGARDING ISSUES RELATED TO CONTRACT BETWEEN TRAVIS COUNTY AND AUSTIN TRAVIS COUNTY LIVESTOCK SHOW AND CLAIMS RESULTING FROM THE 2008 STAR OF TEXAS FAIR AND RODEO. ¹ (10:43 AM) (3:15 PM)

Clerk's Note: Judge Biscoe announced that Item 26 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

Item 24 to be reposted October 21, 2008.

ADDED ITEMS

- A1. CONSIDER AND TAKE APPROPRIATE ACTION TO REVISE AN ORDER DESIGNATING THE MAIN EARLY VOTING POLLING PLACE, TEMPORARY BRANCH EARLY VOTING POLLING PLACES, AND HOURS FOR EARLY VOTING ON WEEKDAYS FOR THE NOVEMBER 4, 2008 ELECTIONS TO SPECIFY EARLY VOTING HOURS AT THE CARVER COMPLEX. (9:53 AM)

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Item A1.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- A2. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO NOTIFY TRAVIS COUNTY OF THE FILING OF AN APPLICATION TO PRESERVATION TEXAS TO NOMINATE HAMILTON POOL PRESERVE FOR INCLUSION IN THE TEXAS' MOST ENDANGERED PLACES LIST. (9:54 AM)

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty to approve Item A2, and notify the applicant.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to adjourn the Voting Session. (3:16 PM)

Motion carried:	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Sarah Eckhardt	yes
	Precinct 3, Commissioner Gerald Daugherty	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge

C3

RECEIVED
COUNTY CLERK'S OFFICE
VS # _____
08 OCT 17 PM 12:18

WS # _____

TRAVIS COUNTY COMMISSIONERS' COURT AGENDA REQUEST

Work Session _____

Voting Session 10/28/08

I. A. Request made by: Joseph P. Gieselman, Executive Manager Phone # 854-9383

B. Requested Text:

Approve setting a Public Hearing on November 18, 2008 to receive comments regarding a request to authorize the filing of an instrument to vacate two 5' public utility easements located along either side of the common lot line between Lots 1184 and 1185, Apache Shores, Section 2 – a subdivision in Travis County, Precinct 3.

C. Approved by: _____
Commissioner Gerald Daugherty, Precinct Three

II. A. Is backup material attached?*

Yes X No ___

*Any backup material to be presented to the court must be submitted with this Agenda.

Request – 1 original and 8 copies

B. Have the agencies affected by this request been invited to attend?
Yes X No ___ Please list those contacted and their phone number.

X John Hille - 854-9415 Austin American-Statesman
X Anna Bowlin - 854-9383 Joe Arriaga - 854-9383

III. PERSONNEL
___ A change in your department's personnel (reclassifications, etc.)

IV. BUDGET REQUESTS
If your request involves any of the following please check appropriately.

- ___ Additional funding for your department
- ___ Transfer of funds within your department budget
- ___ A change in your department's personnel

The County Personnel (473-9165) and/or the Budget and Research Office (473-9171) must be notified prior to submission of this agenda request.

AGENDA REQUEST DEADLINES

All Agenda Requests and supporting materials must be submitted to the County Judge's Office in writing by 5:00 p.m. on Tuesdays for the next week's meeting.



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER


411 West 13th Street
Executive Office Building
P.O. Box 1748
Austin, Texas 78767
tel 512-854-9383
fax 512-854-4649

MEMORANDUM

DATE: October 14, 2008

TO: Members of the Commissioners' Court

THROUGH: Joseph P. Gieselman, Executive Manager

FROM:  Anna Bowlin, Division Director – Development Services

SUBJECT: Approve setting a Public Hearing on November 18, 2008 to receive comments regarding a request to authorize the filing of an instrument to vacate two 5' public utility easements located along either side of the common lot line between Lots 1184 and 1185, Apache, Section 2 – a subdivision in Travis County, Precinct 3.

Summary and Staff Recommendation:

TNR has received a request to vacate two 5' public utility easements (PUEs) located along either side of the common lot line of Lots 1184 and 1185 within Apache Shores, Section 2. Lots 1184 and 1185 front on Running Deer Trail, a street maintained by Travis County. The purpose for this vacation is so that the property owner can build future improvements, such as decks and patios, without encroaching on the subject PUEs.

The utility companies operating in the area have stated that they have no objection to vacating this portion of the easement. TNR recommends the vacation as described in the attached Order of Vacation and as shown on the attached field notes and sketch.

Budgetary and Fiscal Impact:

None.

Issues and Opportunities:

Two of the utility companies have stated that they have a guy wire in the northerly 30' of the easements. It has been agreed that this portion of the easements will remain as shown on the accompanying survey and sketch.

Travis County has no need for these easements and would not benefit from vacating or not vacating. It has been the responsibility of the applicant to contact the utility companies operating in the area. Travis County has relied on the utility companies to decide if the easements need to be retained for the surrounding property owners. TNR staff foresees no reason for opposition to this vacation.

Page 2

October 14, 2008

Required Authorizations:

All responding utility companies known to be serving this area have stated that they have no need to retain the portions of easements as described in the attached field notes and sketch.

Exhibits:

Order of Vacation

Letter of Request

Field Notes and Sketch

Statements from utility companies (4)

Maps

PS:AB:ps

1105 Running Deer Trail

08-PUE-09

ORDER OF VACATION

STATE OF TEXAS §

COUNTY OF TRAVIS §

WHEREAS, the property owner requests the vacation of two 5' public utility easements located along either side of the common lot line of Lots 1184 and 1185, Apache Shores, Section 2 as recorded in Volume 48, Page 58 of the Plat Records of Travis County, Texas, so that the proposed improvements are not encroaching on the subject public utility easements; and

WHEREAS, utility providers serving the area have indicated that they have no need for the two 5' public utility easements requested to be vacated as described in the attached field notes and sketch; and

WHEREAS, the Travis County Transportation and Natural Resources Department recommends the vacation of the two 5' public utility easements as described in the attached field notes and sketch; and

WHEREAS, the required public notice was posted and the Travis County Commissioners Court held a public hearing on November 18, 2008 to consider the proposed action; and

NOW, THEREFORE, by unanimous vote, the Commissioners Court of Travis County, Texas, orders that the two 5' public utility easements located along either side of the common lot line of Lots 1184 and 1185, Apache Shores, Section 2, as shown on the attached sketch and described in the attached field notes, is hereby vacated.

ORDERED THIS THE _____ DAY OF _____ 2008.

SAMUEL T. BISCOE, COUNTY JUDGE

COMMISSIONER RON DAVIS
PRECINCT ONE

COMMISSIONER SARAH ECKHARDT
PRECINCT TWO

COMMISSIONER GERALD DAUGHERTY
PRECINCT THREE

COMMISSIONER MARGARET GOMEZ
PRECINCT FOUR

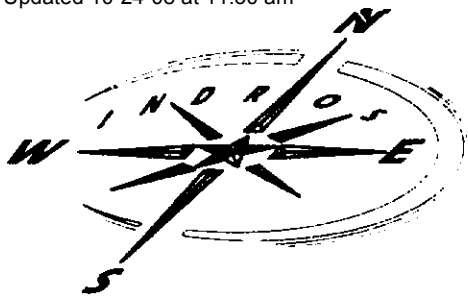
Transportation & Natural Resources Permitting Department Re: Vacating Public Utility Easement

To Whom It May Concern - (2) (Total of 10ft wide)

I would like to vacate ~~the~~ 5ft ^{document 2007111935} PUEs on either side of the common property line of Lots 1184 & 1185 of the plat of Apache Shores, Section 2, Austin, TX, Travis County (of record in Vol 48, pages of the Plat Record of Travis County, TX) of the properties located @ 14209 & 14213 Running Deer Trail. I own both lot 1184 & 1185 & require the use of the easement for decks, patios & backyard area due to the terrain of the land. Austin Energy & Time Warner Cable request the use of the ^{30ft} section where the telephone pole & guy anchor is located, but are willing to release the ~120 feet left of the easement which is done with me (refer to survey). Please feel free to contact me @ my cell (903) 513-4935 if you have any questions. I have enclosed the check & all paperwork necessary for your review.

Thank you,

Sean Abbott



Windrose Land Services Austin Ltd

4120 Commercial Center Dr., Suite 300

Austin, Texas 78744

Phone (512) 326-2100 Fax (512) 326-2770

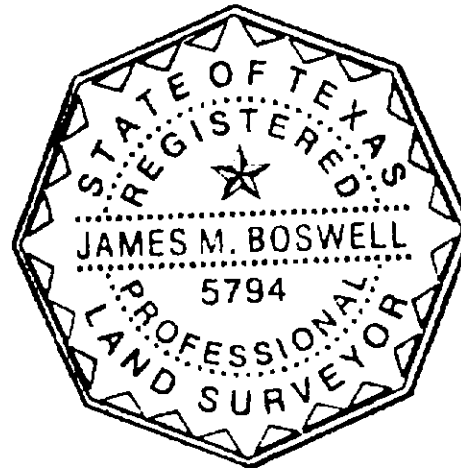
Professional Surveying Services

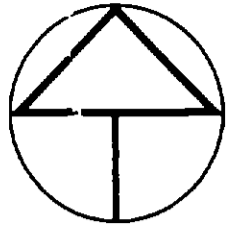
**10' UTILITY
TO BE RELEASED FROM
LOT 1184 AND LOT 1185
APACHE SHORES SUBDIVISION, SECTION 2
VOLUME 48, PAGE 58, T.C.P.R.**

LEGAL DESCRIPTION

BEING THAT CERTAIN UTILITY EASEMENT OF RECORD IN VOLUME 48, PAGE 58 OF THE PLAT RECORDS AND IN VOLUME 3778, PAGE 1303 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID EASEMENT BEING A 10' UTILITY EASEMENT BEING 5' EITHER SIDE OF THE COMMON LINE OF SAID LOTS BEING PART OF AND SITUATE IN LOT 1184, AND LOT 1185, APACHE SHORES SUBDIVISION, SECTION 2, A SUBDIVISION IN TRAVIS COUNTY, TEXAS; SAID EASEMENT IS TO BE RELEASED FROM A POINT 30' FROM THE MOST EASTERLY COMMON CORNER OF LOT 1184 AND LOT 1185 IN THE SOUTH RIGHT-OF-WAY OF RUNNING DEER TRAIL, FOLLOWING THE COMMON LINE OF SAID LOTS TO A POINT IN THE EAST LINE OF AN EXISTING 5' UTILITY EASEMENT, SAID POINT BEING 5' FROM THE MOST WESTERLY COMMON CORNER OF SAID LOTS .

**JAMES M. BOSWELL, RPLS #5794
AUGUST 29, 2008
WINDROSE LAND SERVICES AUSTIN
4120 COMMERCIAL CENTER DRIVE, SUITE 300
AUSTIN, TEXAS 78744**

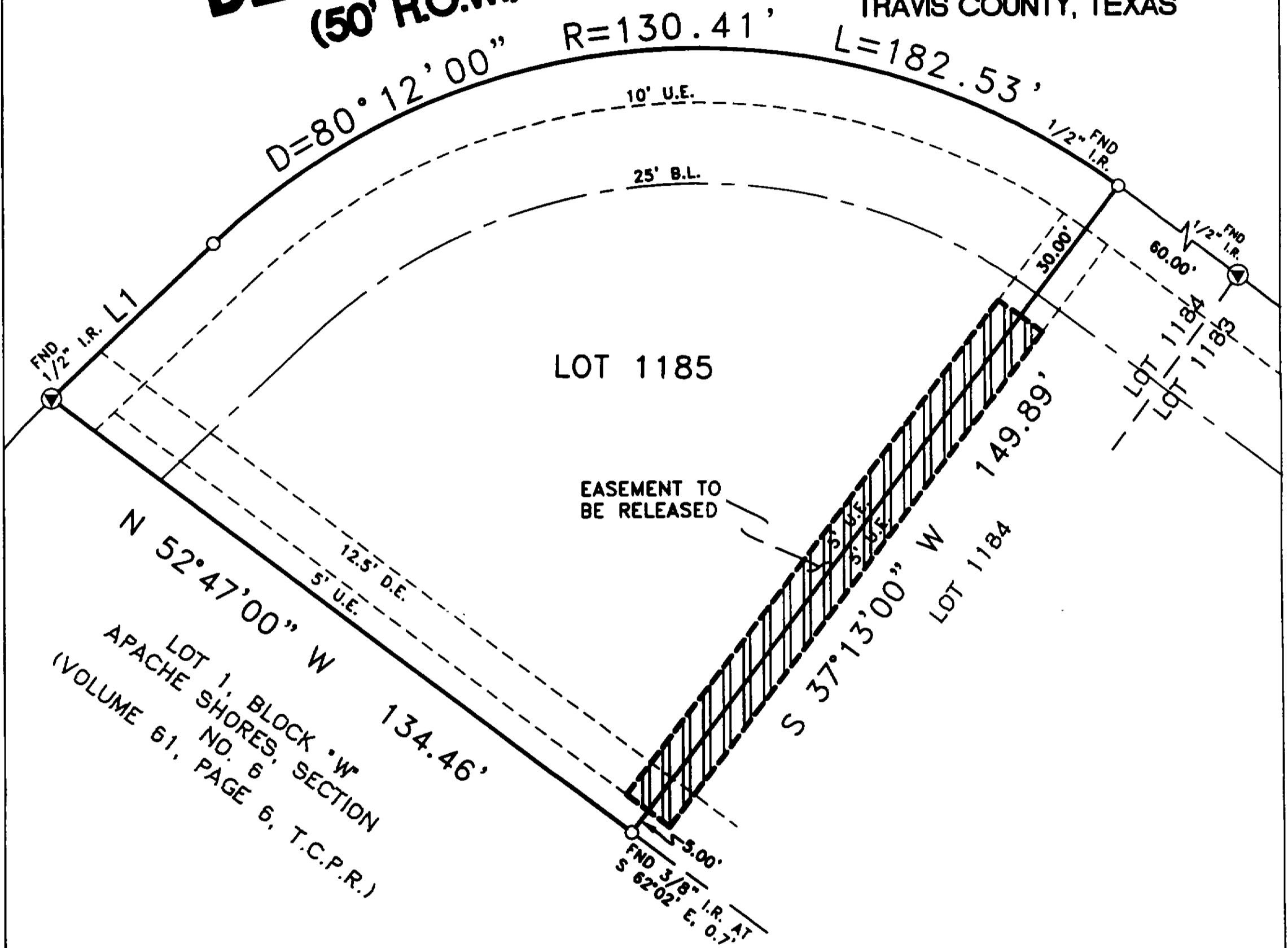




NORTH
SCALE: 1" = 30'

RUNNING DEER TRAIL (50' R.O.W.)

**EXHIBIT FOR RELEASE OF
10' UTILITY EASEMENT
(VOLUME 48, PAGE 58, T.C.P.R.)
(VOLUME 3778, PAGE 1303, T.C.D.R.)
OUT OF LOT 1185, AND LOT 1184
APACHE SHORES SUBDIVISION
SECTION 2
VOLUME 48, PAGE 58, T.C.P.R.
TRAVIS COUNTY, TEXAS**



LEGEND

- B.L. - BUILDING LINE
- U.E. - UTILITY EASEMENT
- D.E. - DRAINAGE EASEMENT
- ⊙ - CONTROL MONUMENT

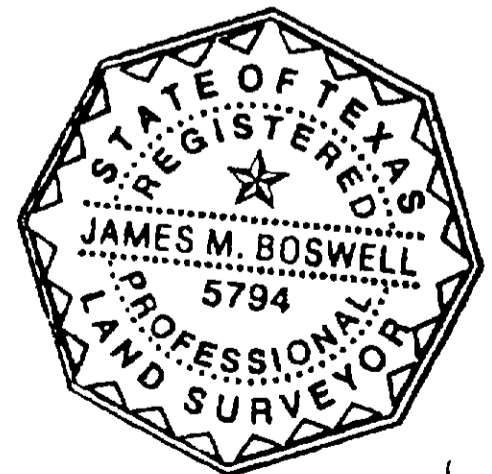


Windrose Land Services Austin

4120 Commercial Center Dr., Ste. 300
Austin, Texas 78744

TEL. (512) 326-2100 FAX (512) 326-2770

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JAMES M. BOSWELL
TEXAS REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5794

DATE

8/29/08

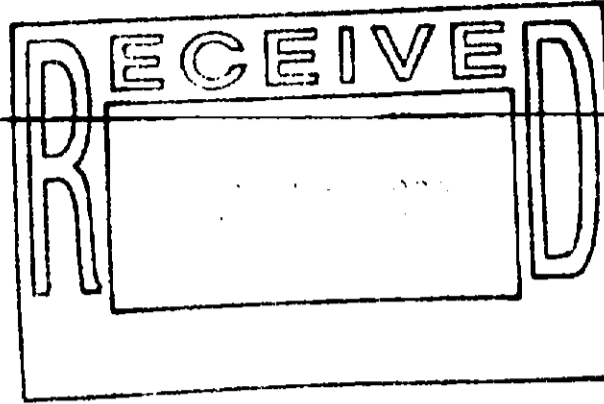
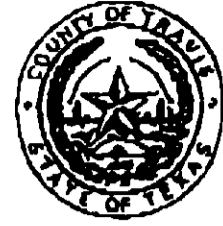
JOB NO. 19790
SHEET 2 OF 2

*Survey * request to vacate & put in utility*

TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building, 11th Floor
P.O. Box 1748
Austin, Texas 78767
(512) 854-9383
FAX (512) 854-4697



EASEMENT REQUIREMENT STATEMENT FOR VACATION OF PROPERTY

An application is being made to Travis County for the vacation of property at 14209 & 14213 Running Deer Trail / Austin / TX / 78734 (address) and/or lot 1184 & 1185, Sec 2 Apache Shores, Vol 48, Page 58 (legal description) and as described on the enclosed drawing or document. An action of the Commissioners' Court of Travis County is pending your return of this statement, your prompt reply is requested.

STATEMENT

We do not have need for an easement on the property as described in the accompanying document.

We do have a need for an easement on the property as described in the accompanying document. A description of the required easement is attached.

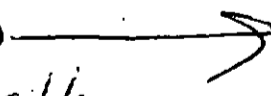
Deborah S. Gernes
Signature

DEBORAH S. GERNES
Printed Name

GENERAL MANAGER
Title

TRAVIS COUNTY WCID #17
Utility Company or District

4/22/08
Date

Please return this completed form to: 
as soon as possible, please

Leah Woods
Name

613 Settlement St
Address

Cedar Park, TX 78613
City/State/Zip

**STATE OF TEXAS
COUNTY OF TRAVIS**

RELEASE OF EASEMENT

WHEREAS, the plat of Apache Shores, Section 2, Austin, Texas, a subdivision in the County of Travis, of record in Volume 48, Page 58 of the Plat Records of Travis County, Texas, and said record reflects a 5 foot PUE on either side of the common property lines of Lots 1184 and 1185, of said subdivision, of record in Document 2007111938, Property Records of Travis County, Texas and as applicant requests the release of said easements on said property, said property located at 14209 and 14213 Running Deer Trail, AND:

WHEREAS, all utilities are in place within other dedicated easements, and no further need exists for the above easements as reflected on said plat:

NOW, THEREFORE, in consideration of the premises and in order to adjust because of proposed encroachment upon these easements, the undersigned do hereby abandon all right, title and interest in and to these easements, as described, on the above addressed property, in said subdivision..

EXECUTED this 27th day of May, 2008

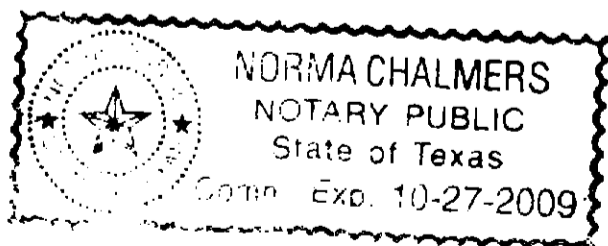

MGR.-ENG. DESIGN


SOUTHWESTERN BELL TELEPHONE, L.P., a Texas limited partnership,
d/b/a AT&T Texas

By: SBC TEXAS, L.L.C.,
a Delaware limited liability company,
its general partner

BEFORE ME, the undersigned authority, on this day personally appeared ~~Philip LaRocca~~ ^{JAMES MARTIN},
Manager-Engineering Design, known to me to be the person whose name is subscribed to
the foregoing instrument, and acknowledged to me that he executed the same for the
purpose and consideration there expressed, as the act and deed of **SOUTHWESTERN
BELL TELEPHONE COMPANY** and in the capacity therein stated.

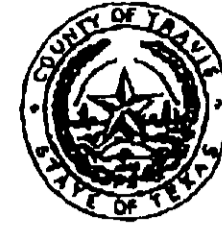
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 28th day of May, 2008




Notary Public, State of Texas

My commission expires 10-27-2009

Survey to request to vacate 7 pm 11/11/08



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building, 11th Floor
P.O. Box 1748
Austin, Texas 78767
(512) 854-8383
FAX (512) 854-4697

EASEMENT REQUIREMENT STATEMENT FOR VACATION OF PROPERTY

An application is being made to Travis County for the vacation of property at 14209 & 14213 Running Deer Trail / Austin TX 78734 (address) and/or lot 1184 & 1185, Sec 2 Hatched Shores, Vol 48, Page 58 (legal description) and as described on the enclosed drawing or document. An action of the Commissioners' Court of Travis County is pending your return of this statement, your prompt reply is requested.

STATEMENT

[X] We do not have need for an easement on the property as described in the accompanying document. See Attached Title Letter for further explanation.

[] We do have a need for an easement on the property as described in the accompanying document. A description of the required easement is attached.

Laurie Schumpert

Signature

Laurie Schumpert

Printed Name

Designer

Title

Time Warner Cable-Central TX

Utility Company or District

May 1, 2008

Date

Please return this completed form to:

as soon as possible, please

Leah Woods

Name

613 Settlement St

Address

Cedar Park, TX 78613

City/State/Zip

903-513-4935

Leahsheawoods@msn.com

Time Warner Cable
10010 Glenview Parkway
Austin, TX 78759
Tel: 512 485 5555
Fax: 512 485 6105
http://timecable.austin.com



May 1, 2008

Leah Woods
613 Settlement St.
Cedar Park, TX 78613

Subject: Easement Release for 14209 & 14213 Running Deer Trail, Lots 1184 and 1185
in Apache Shores Section 2, Subdivision, in Travis County, City of Austin, Texas.
Recorded in Plat Records of Travis County Volume 48, Page 58.

To Whom It May Concern,

Time Warner Cable (TWC) has an overhead guy wire in the first 28 feet of the 5 foot wide easement running along the southwest portion of lot 1185, and requires retention of that portion of the easement. TWC will release the remaining portion of the said easement along the common lot lines of lots 1185 and 1184. Please see attached map for specific portion to be retained by TWC.

If there are any questions please feel free to contact me at 512/485-6417.

Laurie Schumpert, Designer
Time Warner Cable
Design and Construction Department

Laurie Schumpert
Signature

Designer
Title

State of Texas
County of Travis

This instrument was acknowledged before me on May 1st 2008 by

Laurie Schumpert

Renee Gallegos
Notary Public



S 53° 16' 30" E 59.90'
(S 53° 12' E 60')

S 36° 17' 30" W 150.91'
(S 36° 04' W 150.36')
5' UTIL. ESMT. (48/58) (3778/1303)

10' UTIL. ESMT. (48/58)
(3778/1303)

25' B.L. (48/58)

LOT 1184
VACANT LOT

BEARING BASIS
S 37° 13' 00" W 149.47'
(S 37° 13' W 149.89')

5' UTIL. ESMT. (48/58) (3778/1303)
5' UTIL. ESMT. (48/58) (3778/1303)

N 51° 56' 30" W 62.35'
(N 52° 48' W 63')

28' Portion to be retained by TWC

LOT 1185
VACANT LOT

N 52° 35' 15" W 135.15'
(N 52° 48' W 134.46')

RUNNING DEER TRAIL
N 87° 03' 15" E 167.86'
A = 182.36' R = 130.41'
(N 86° 42' E C = 168.00')
(A = 182.53' R = 130.41')
(50' R.O.W.)

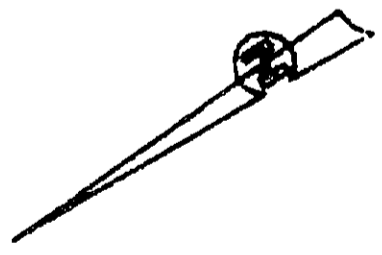
2.5' DRAINAGE ESMT. (48/58)
5' UTIL. ESMT. (48/58)
6' UTIL. ESMT. (3778/1303)

N 46° 47' 00" E 41.31'
(N 46° 36' E 41.3')

APACHE SHORES SECTION NO. 6
(61/6)

LEGEND

- ⊙ IRON PIPE FOUND
- IRON ROD FOUND
- ▲ NAIL FOUND



McMinn
Land Surveying Company
P.O. BOX 27695
AUSTIN, TEXAS 78755
(512) 343-1970
FAX (512) 346-1005

TO CHICAGO TITLE INSURANCE COMPANY, EYDIE TOLL AND DEBRA LINEBERGER, EXCLUSIVELY;

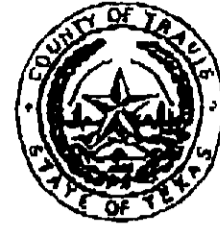
The undersigned does hereby state that this survey was this day made on the ground of the property legally described hereon and is correct to the best of my knowledge, and that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible utility lines or roads in place except as shown or noted hereon, and that said property has access to and from a dedicated roadway, except as shown or noted hereon.

G.F. 002500474
DATE February 17, 2005
SCALE 1" = 30'

C. Michael McMinn

Survey * refer to location for details

490V, WZ-3



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building, 11th Floor
P.O. Box 1748
Austin, Texas 78767
(512) 854-9383
FAX (512) 854-4697

EASEMENT REQUIREMENT STATEMENT FOR VACATION OF PROPERTY

An application is being made to Travis County for the vacation of property at 14209 & 14213 LIVING DOR TRAIL / AUSTIN, TX 78734 (address) and/or lot 1184 & 1185, SEC 2 APACHE SHORES, Volume 48, Page 58 (legal description) and as described on the enclosed drawing or document. An action of the Commissioners' Court of Travis County is pending your return of this statement, your prompt reply is requested.

STATEMENT

- We do not have need for an easement on the property as described in the accompanying document.
We do have a need for an easement on the property as described in the accompanying document. A description of the required easement is attached.

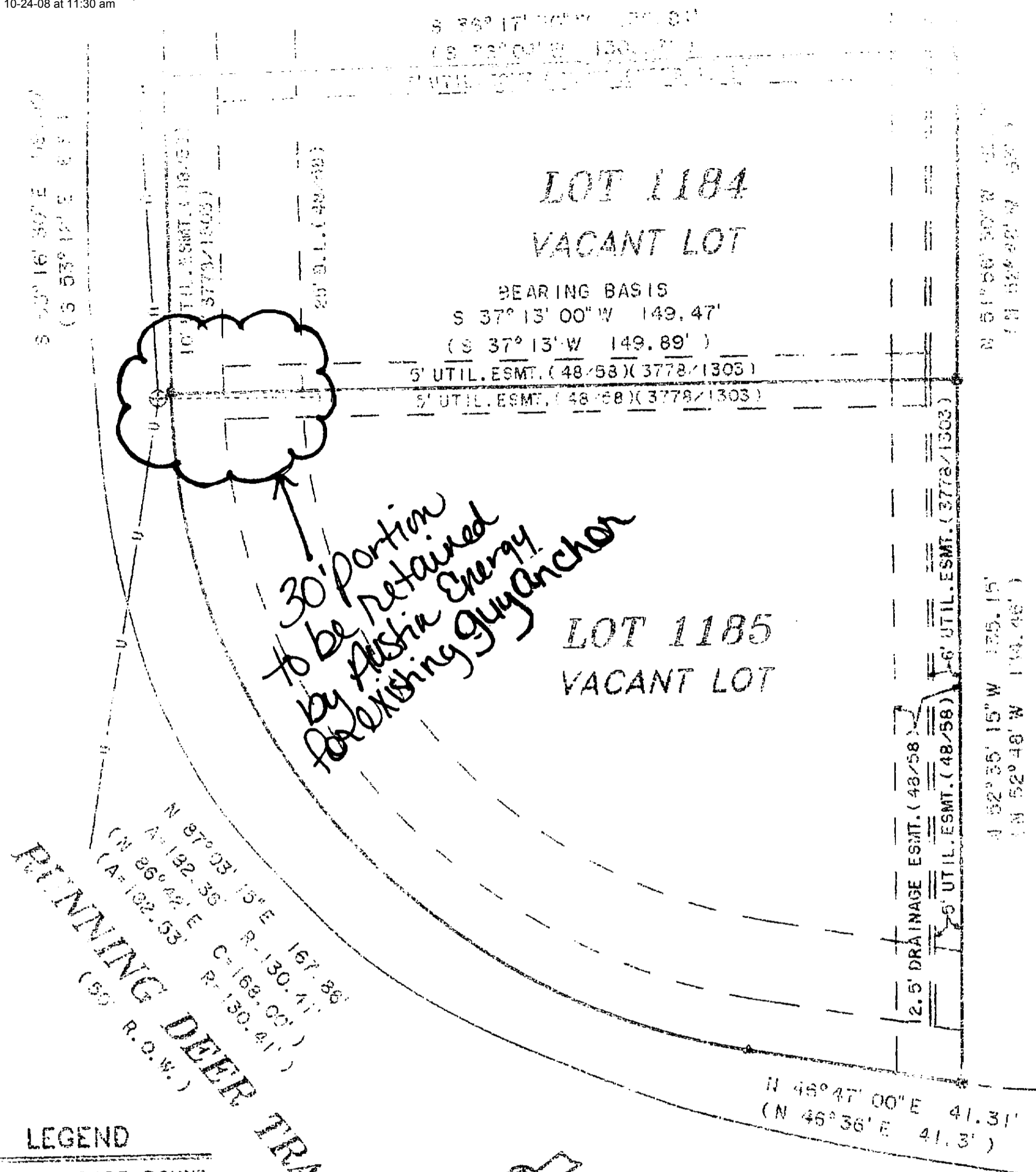
approve a 119 foot wide easement being the southerly 119 foot portion of the existing 5 foot wide easements along the common line of Lots 1184 & 1185. Austin Energy must retain the northerly 30 feet of the existing 5 foot wide easements along the common line of lots 1184 & 1185 because of the existing guy anchor at this location.

Judith E. Fowler
Signature
JUDITH E. FOWLER
Printed Name
DISTRIBUTION PROCESS MGR
Title
AUSTIN ENERGY
Utility Company or District
5-1-08
Date

Please return this completed form to:

AS SOON AS POSSIBLE, please

Wah Woods
Name
613 Settlement St
Address
Cedar Park, TX 78613
City/State/Zip
903-513-4935 (cell phone)



PINNING DEER TRAIL
 (S 87° 03' 15\"/>

LEGEND

- ⊙ IRON PIPE FOUND
- IRON ROD FOUND
- ▲ NAIL FOUND

McMinn
Land Surveying Company
 P.O. BOX 27995
 AUSTIN, TEXAS 78755
 (512) 343-1970
 FAX (512) 348-1005

TO CHICAGO TITLE INSURANCE COMPANY, ENDIE TOLL AND DEBRA LINESPESER, EXCLUSIVELY:

The undersigned does hereby state that this survey was this day made the ground of the property legally described hereon and is correct to the best of my knowledge, and that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible utility lines or roads in, except as shown or noted hereon, and that said property has been and from a dedicated roadway, except as shown or noted hereon.

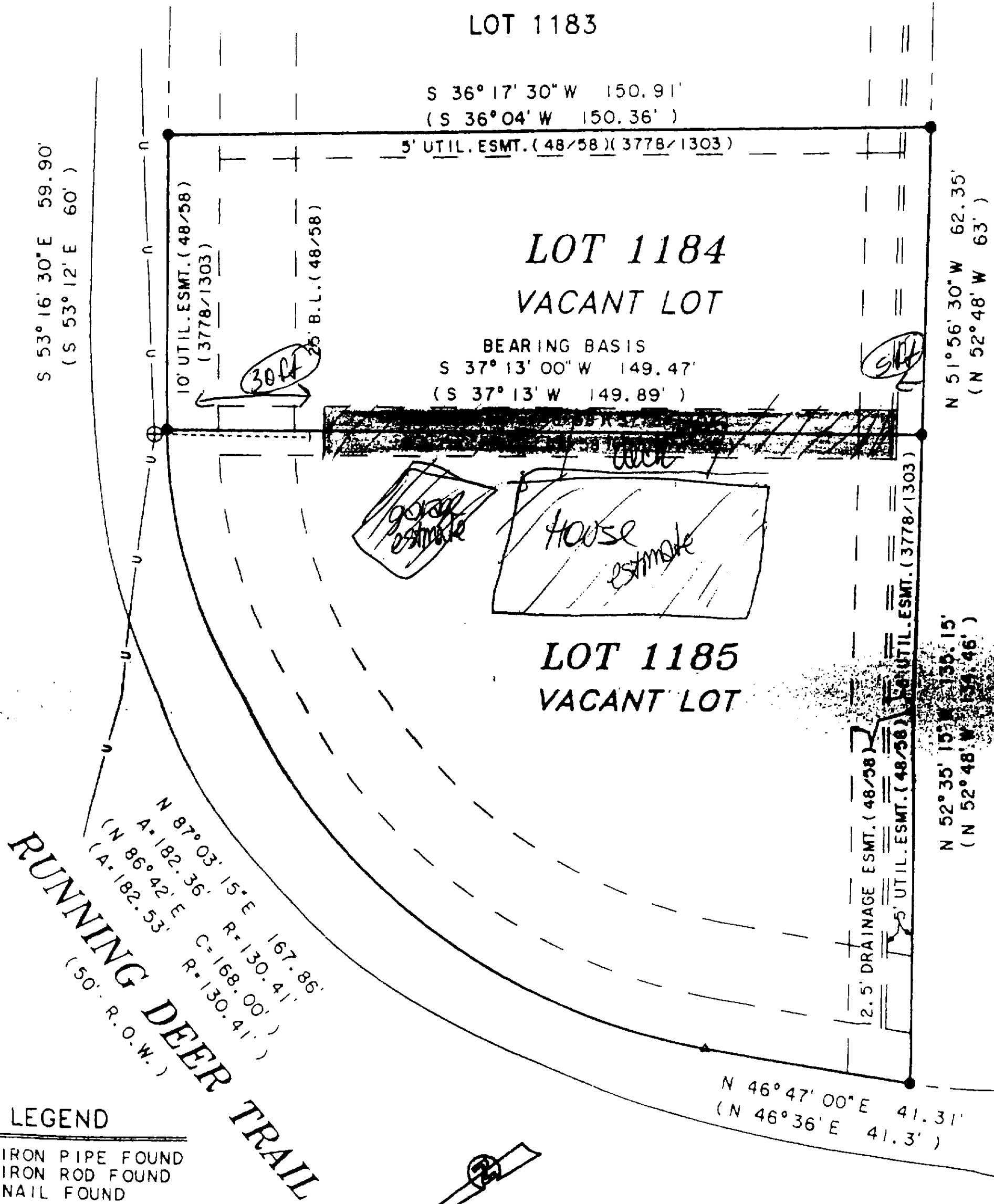
G.F. 002500474
 DATE February 17, 2005
 scale 1" = 30'

APACHE SHORES SECTION NO. 6
 (01/0)

BUYERS: EYDIE TOLL AND DEBRA LINEBERGER

LEGAL DESCRIPTION: Lots 1184 and 1185, APACHE SHORES, SECTION 2, a subdivision in Travis County, Texas, according to the map or plat of record in Volume 48, Page 58, Plat Records of Travis County, Texas, also located on Running Deer Trail, Austin, Texas.

to be vacated



APACHE SHORES SECTION NO. 6
(61/6)

LOT 1, BLOCK W

14

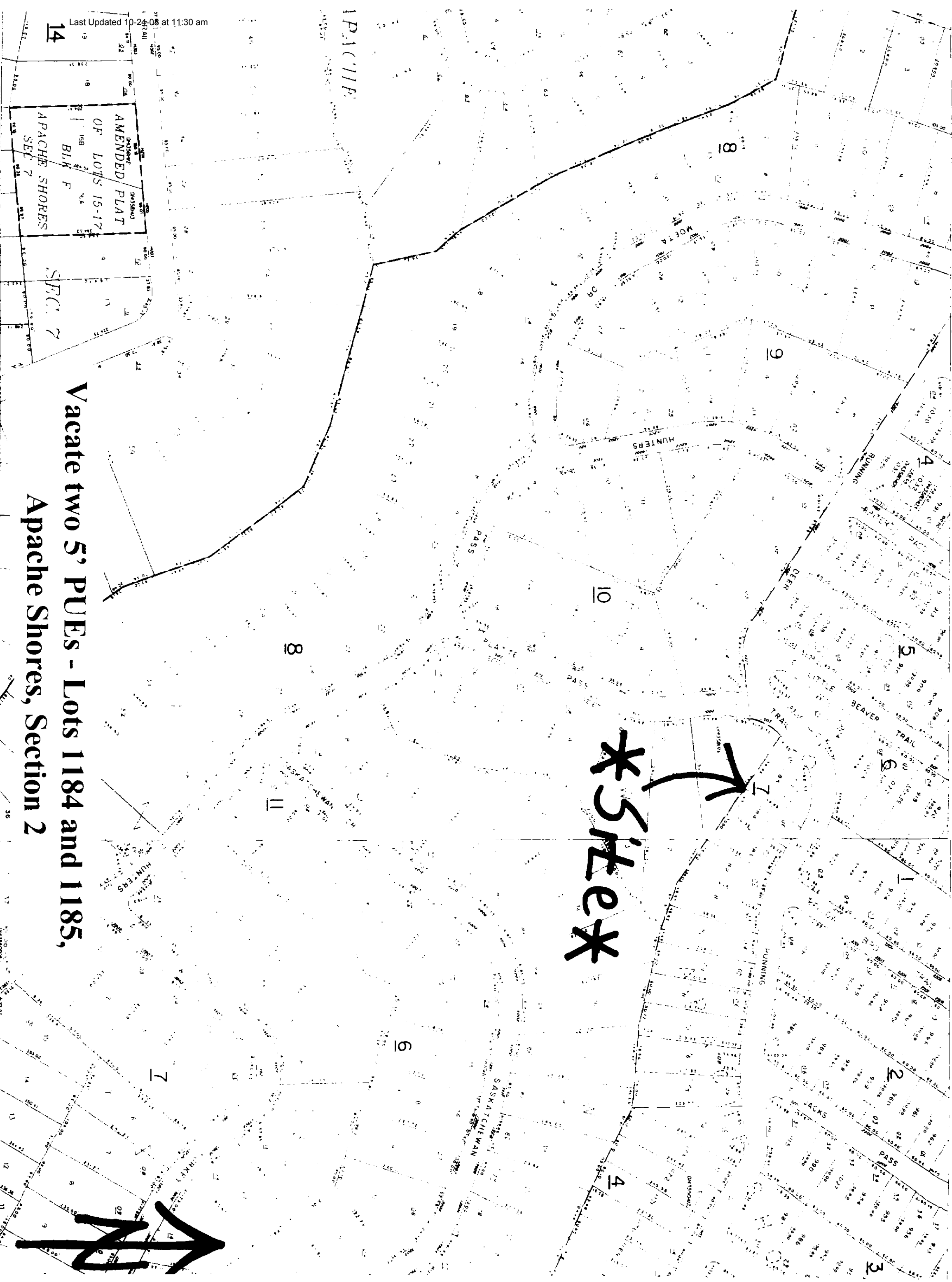
AMENDED PLAT
OF LOTS 15-17
BLK F
APACHE SHORES
SEC 7

SEC 7

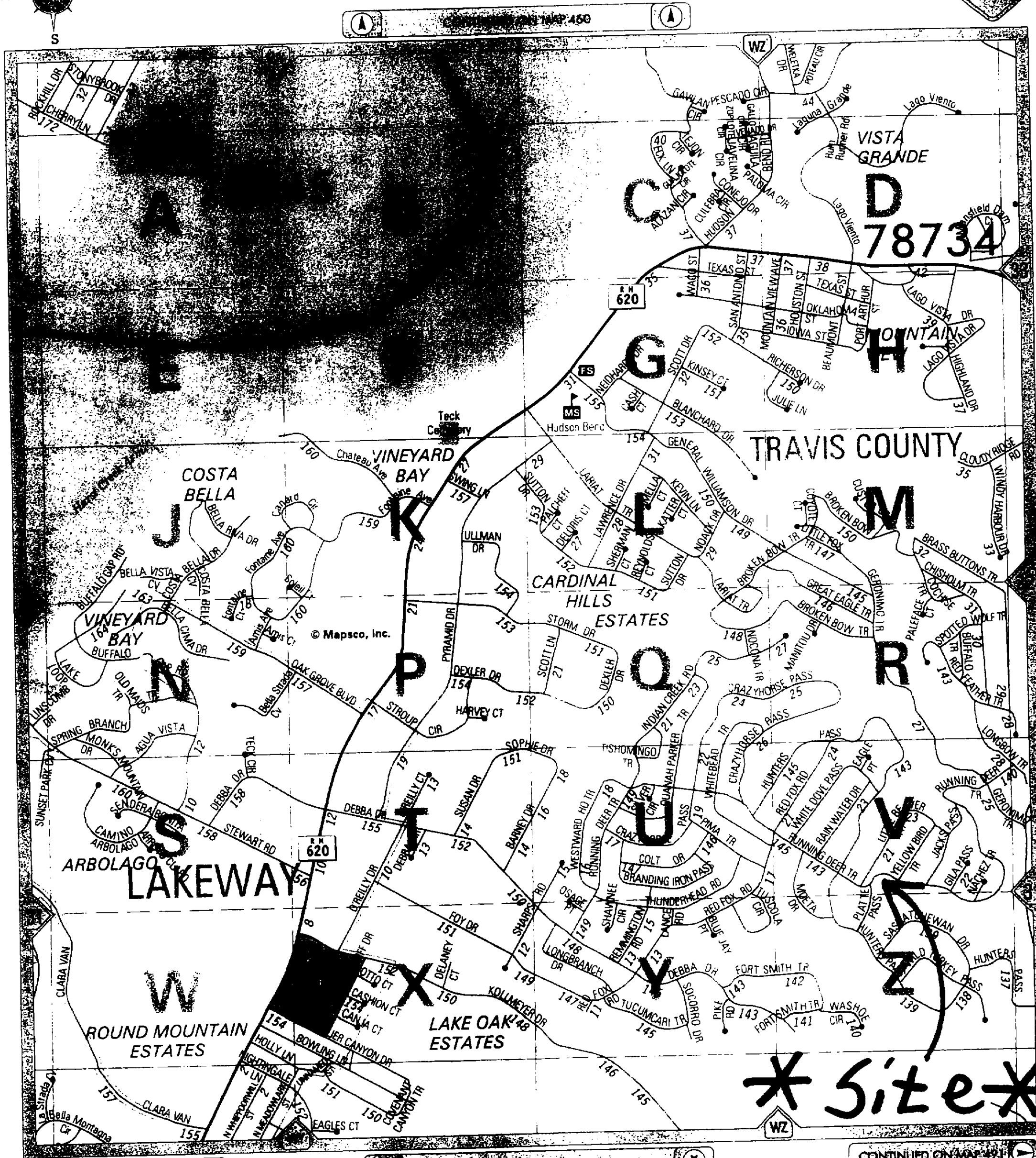
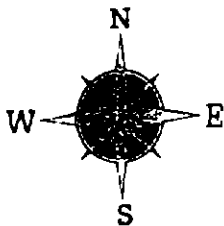
IPAC 1111

Vacate two 5' PUEs - Lots 1184 and 1185,
Apache Shores, Section 2

Site



Vacate two 5' PUEs - Lots 1184 and 1185, Apache Shores, Section 2



CONTINUED ON MAP 489

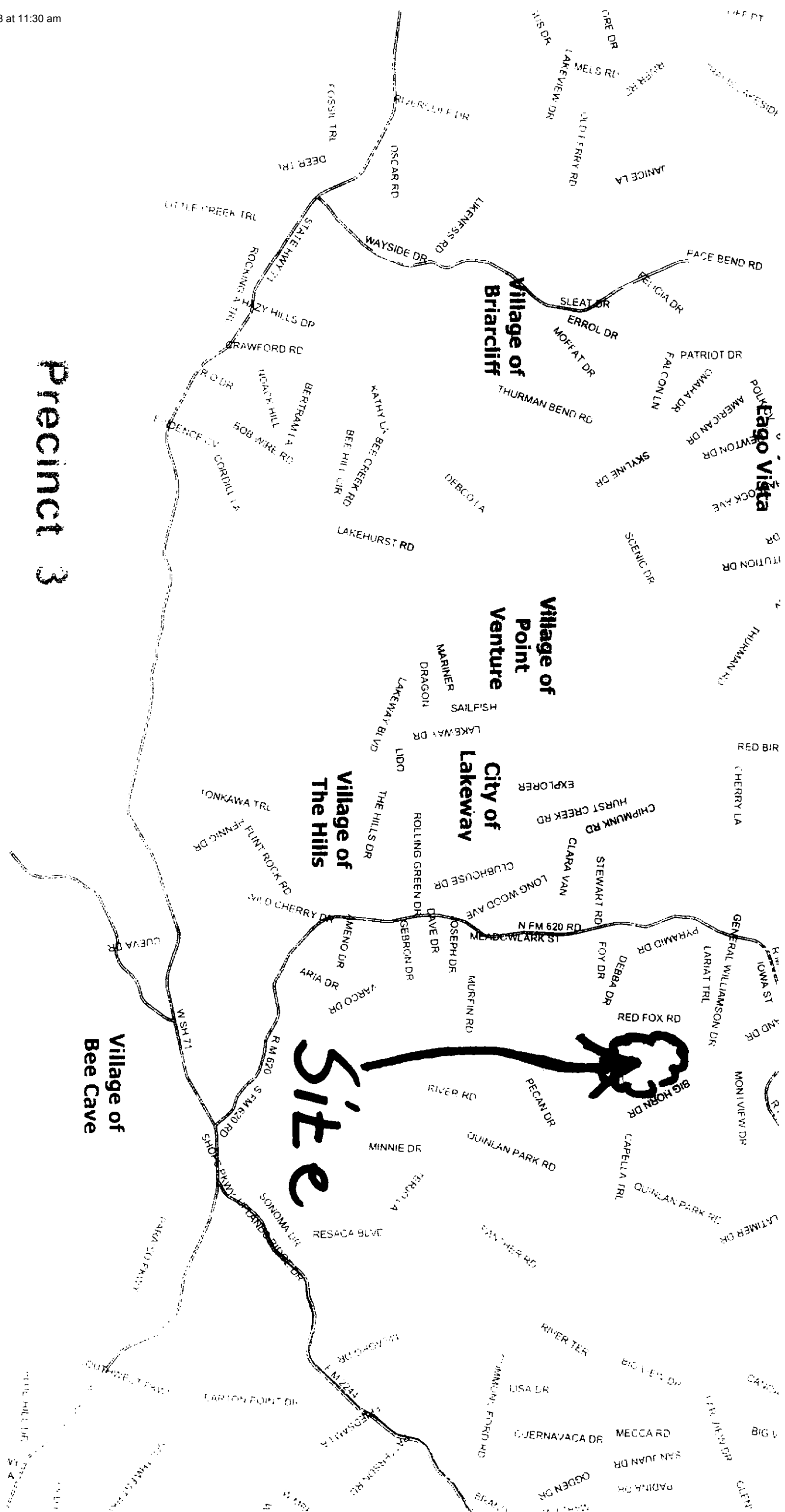
CONTINUED ON MAP 520

CONTINUED ON MAP 491



COPYRIGHT 1993, 2006 by MAPSCO INC. - ALL RIGHTS RESERVED

Vacate two 5' PUEs - Lots 1184 and 1185, Apache Shores, Section 2



Precinct 3



C4

Travis County Commissioners Court Agenda Request

Voting Session 10/28/08
(Date)

Work Session _____
(Date)

RECEIVED
COUNTY CLERK'S OFFICE
08 OCT 21 PM 3:22

I. A. Request made by: Joseph P. Gieselman Phone # 854-9383
Signature of Elected Official/Appointed Official/Executive Manager/County Attorney

B. Requested Text:

A. Approve setting a public hearing date for December 2, 2008, to receive comments regarding a plat for recording in Precinct Three: Amended Plat of Lots 1-3 and Lot 2A, Block A, Marshall's Point subdivision (Total Number of Lots 1: (1 Single Family Residence Lot) – 45.943 acres – Marshall's Point Drive – No Fiscal is required from Travis County with this final plat – Sewage service to be provided by a private onsite system (LCRA)– City of Lago Vista ETJ).

C. Approved by:

Commissioner Gerald Daugherty, Precinct 3

II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request (original and eight (8) copies of agenda request and backup).

B. Please list all of the agencies or officials names and telephone numbers that might be affected or be involved with the request. Send a copy of the Agenda Request and backup to them:

Joe Arriaga: 854-7562 Dennis Wilson, 854-4217
Anna Bowlin: 854-7561

III. Required Authorizations: Please check if applicable:

Planning and Budget Office (854-9106)

- ___ Additional funding for any department or for any purpose
- ___ Transfer of existing funds within or between any line item budget
- ___ Grant

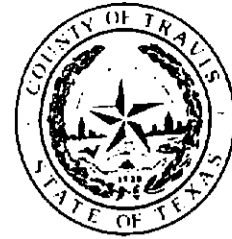
Human Resources Department (854-9165)

- ___ A change in your department's personnel (reclassifications, etc.)

Purchasing Office (854-9700)

_____ Bid, Purchase Contract, Request for Proposal, Procurement
 County Attorney's Office (854-9415)
_____ Contract, Agreement, Policy & Procedure

AGENDA REQUEST DEADLINE: This Agenda Request complete with backup memorandum and exhibits **MUST** be submitted to the County Judge's Office no later than 5:00 p.m. on Tuesday for the following week's meeting. Late or incomplete requests will be deferred.



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building
PO Box 1748
Austin, Texas 78767

MEMORANDUM

October 16, 2008

TO: Members of the Commissioners Court

THROUGH: Joseph P. Gieselman, Executive Manager

FROM:  Anna Bowlin, Director of Development Services 

SUBJECT: Marshall's Point, Amended Plat of Lots 1-3 and Lot 2-A, Block A

PROPOSED MOTION:

- A. Approve setting a public hearing date for December 2, 2008, to receive comments regarding a plat for recording in Precinct Three: Amended Plat of Lots 1-3 and Lot 2A, Block A, Marshall's Point subdivision (Total Number of Lots 1: (1 Single Family Residence Lot) – 45.943 acres – Marshall's Point Drive – No Fiscal is required from Travis County with this final plat – Sewage service to be provided by a private onsite system (LCRA)– City of Lago Vista ETJ).**

SUMMARY AND STAFF RECOMMENDATION:

This final plat consists of 1 total lot for single family residence use. There are no linear feet of public streets being proposed to be dedicated with this amended plat. The applicant is proposing to develop this subdivision with one single family residence on 45.943 acres. There is a pending lawsuit against this property by the Travis County Appraisal District (TCAD) regarding the appraised value for this property. Therefore, taxes on this property have not been paid. As a result of the lawsuit, an agreement has been reached by both parties. The owner of the lots in question has agreed to reduce the number of lots from 4 lots to 1 lot and add a plat note that restricts this property to 1 single-family lot. Chris Gilmore with the Travis County Attorney's office has given permission to schedule this plat for court. Mr. Gilmore states: "Once the plats are accepted and recorded the parties will finalize all aspects of this lawsuit. Upon granting the open-space appraisal, the Travis County Tax Office will correct their records to reflect the change and adjust the tax statements to reflect there are no taxes owed."

Mr. Gilmore has spoken to Phong Phan from the appraisal district office and it is OK with him to put this on the agenda for approval now without the tax certificate showing all taxes have been paid and before the plat gets recorded TCAD will grant the open-space appraisal.

As this replat application meets all Travis County standards and has been approved by the City of Lago Vista, TNR staff recommends approval of the plat.

ISSUES:

Staff has not received any inquiries from any adjacent property owners or from anyone else.

BUDGETARY AND FISCAL IMPACT:

None.

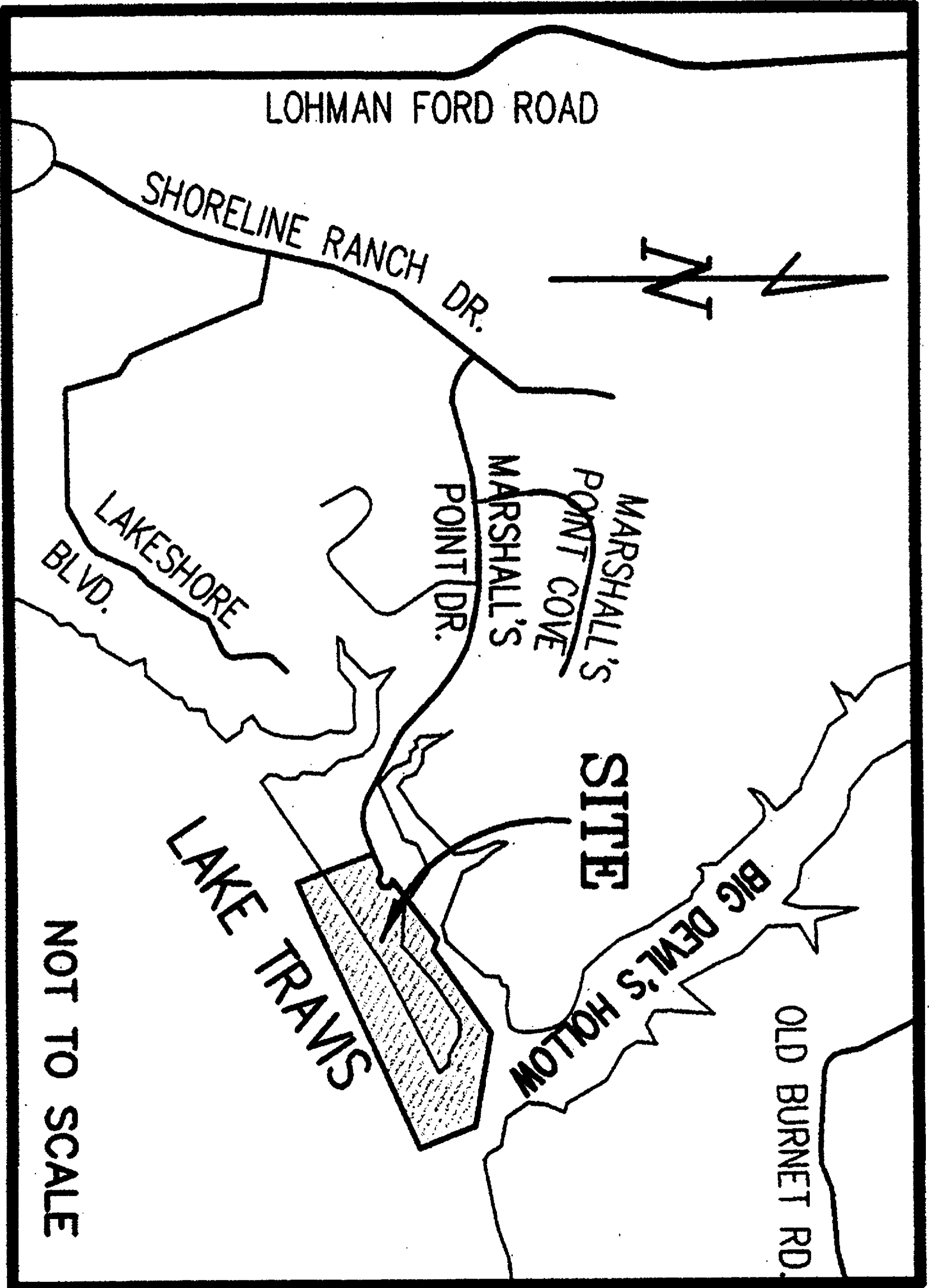
REQUIRED AUTHORIZATIONS:

None.

EXHIBITS:

Location map and plat

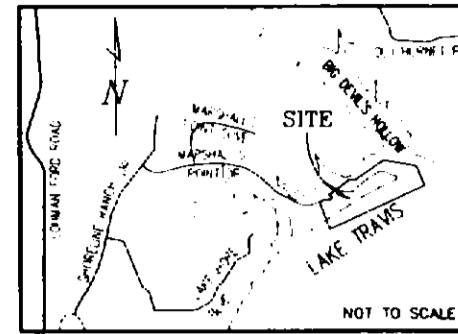
AMB: ja 1008



NOT TO SCALE

AMENDED PLAT OF LOTS 1-3 AND 2A, BLOCK A, MARSHALL'S POINT

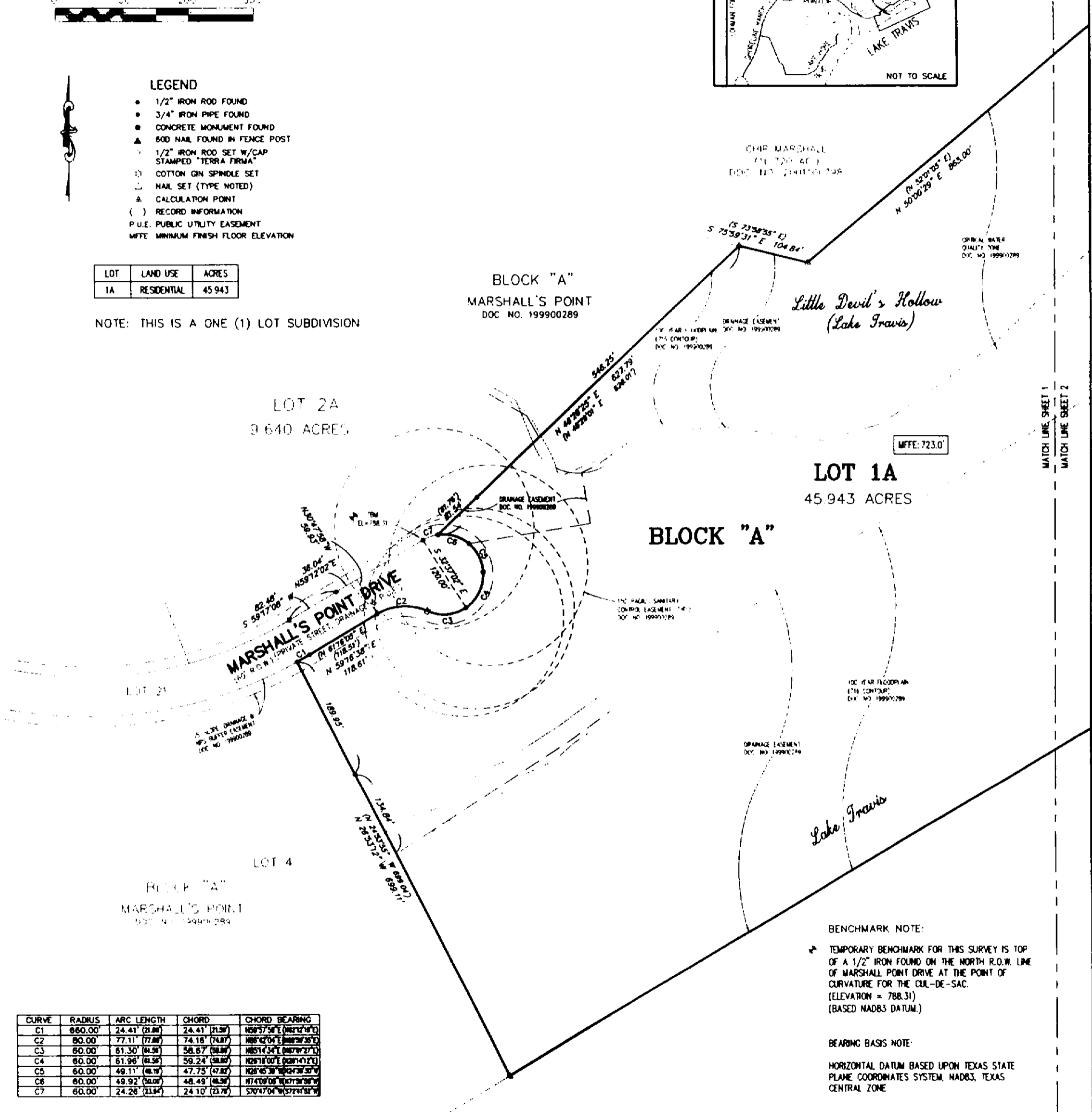
TRAVIS COUNTY, TEXAS
JULY 27, 2007



- LEGEND**
- 1/2" IRON ROD FOUND
 - 3/4" IRON PIPE FOUND
 - CONCRETE MONUMENT FOUND
 - ▲ 600 NAIL FOUND IN FENCE POST
 - ⋄ 1/2" IRON ROD SET W/CAP STAMPED "TERRA FIRMA"
 - ⊙ COTTON GIN SPINDLE SET
 - ⊙ NAIL SET (TYPE NOTED)
 - ⊙ CALCULATION POINT
 - () RECORD INFORMATION
 - P.U.E. PUBLIC UTILITY EASEMENT
 - MFFE MINIMUM FINISH FLOOR ELEVATION

LOT	LAND USE	ACRES
1A	RESIDENTIAL	45.943

NOTE: THIS IS A ONE (1) LOT SUBDIVISION



CURVE	RADIUS	ARC LENGTH	CHORD	CHORD BEARING
C1	60.00'	24.41' (21.80')	24.41' (21.30')	N59°57'59" E (N85°12'10" W)
C2	60.00'	77.11' (77.88')	74.18' (74.87')	N85°42'04" E (N89°29'25" W)
C3	60.00'	61.30' (61.30')	58.67' (58.67')	N85°14'34" E (N89°47'27" W)
C4	60.00'	61.96' (61.96')	59.24' (59.24')	N28°16'00" E (N89°41'27" W)
C5	60.00'	49.11' (48.19')	47.73' (47.82')	N28°45'38" E (N89°43'30" W)
C6	60.00'	49.92' (50.07')	48.49' (48.39')	N7°49'08" E (N89°43'30" W)
C7	60.00'	24.28' (23.94')	24.10' (23.76')	S70°47'04" W (S77°41'52" W)

BENCHMARK NOTE:
 ↗ TEMPORARY BENCHMARK FOR THIS SURVEY IS TOP OF A 1/2" IRON FOUND ON THE NORTH R.O.W. LINE OF MARSHALL'S POINT DRIVE AT THE POINT OF CURVATURE FOR THE CUL-DE-SAC. (ELEVATION = 788.31) (BASED NAD83 DATUM.)

BEARING BASIS NOTE:
 HORIZONTAL DATUM BASED UPON TEXAS STATE PLANE COORDINATES SYSTEM, NAD83, TEXAS CENTRAL ZONE

SHEET 1 OF 4

FILE: z:\Projects\A408\003\Lots 1-3\Amended-Plat.dwg		DRAWN BY: CEMC	
z:\Projects\A408\Point Files\A408.crd		CHECKED BY: DCC	
JOB NO: 04408-003-001	DATE: 07-27-2007	REVISED: 08/17/2008	
SCALE: 1"=100'			

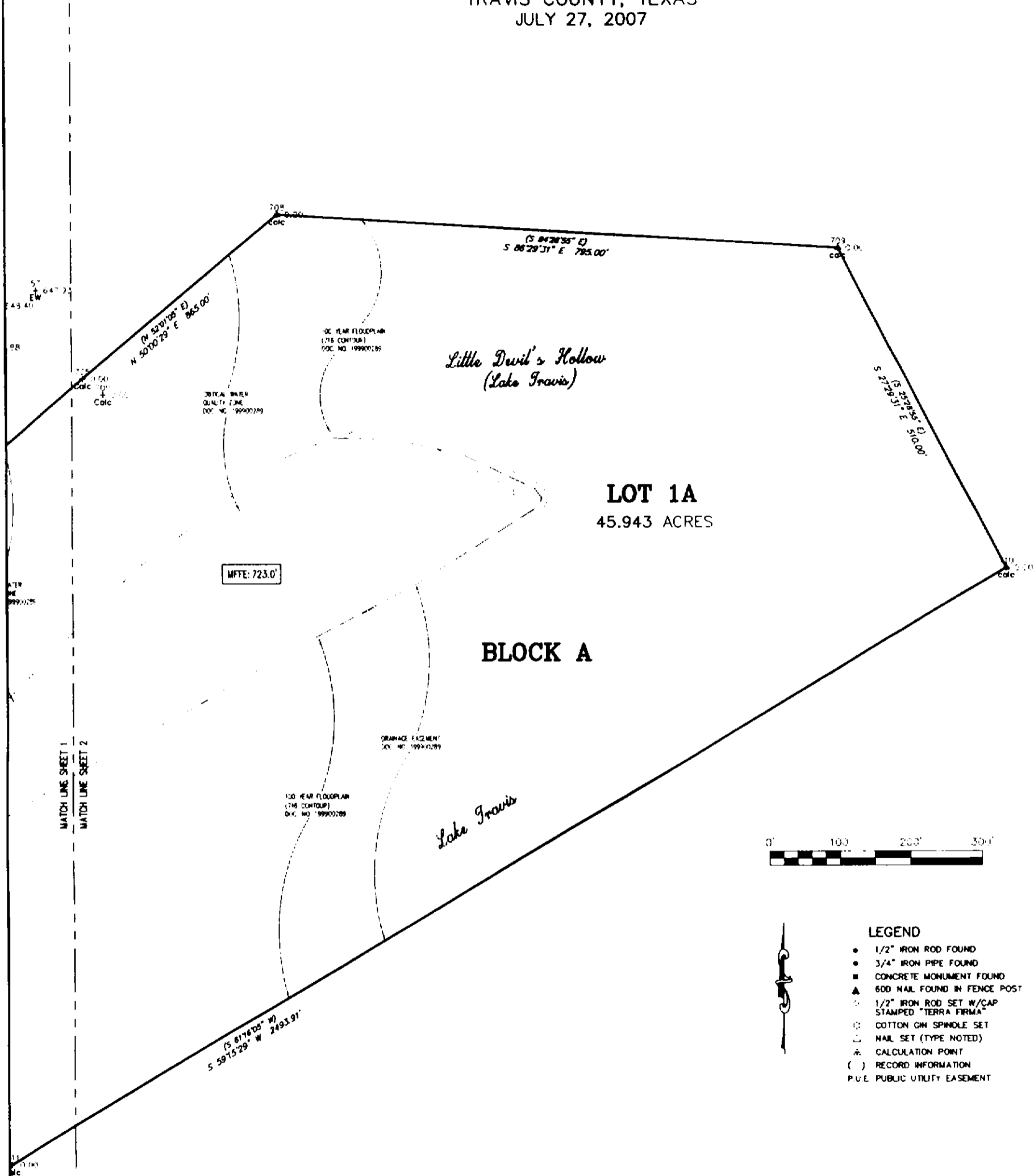
**AMENDED PLAT OF
LOTS 1-3 AND 2A, BLOCK A, MARSHALL'S POINT**

The survey was conducted in accordance with the provisions of the Texas Surveying Act, Chapter 81, Texas Government Code, and the rules and regulations of the State Board of Surveying. The survey was conducted in accordance with the provisions of the Texas Surveying Act, Chapter 81, Texas Government Code, and the rules and regulations of the State Board of Surveying.



1101 Westheimer Road, Suite 100, Houston, Texas 77042 512/288-8373 Fax 512/468-2286

**AMENDED PLAT OF
LOTS 1-3 AND 2A, BLOCK A, MARSHALL'S POINT**
TRAVIS COUNTY, TEXAS
JULY 27, 2007



- LEGEND**
- 1/2" IRON ROD FOUND
 - 3/4" IRON PIPE FOUND
 - CONCRETE MONUMENT FOUND
 - ▲ 60D NAIL FOUND IN FENCE POST
 - 1/2" IRON ROD SET W/CAP STAMPED "TERRA FIRMA"
 - COTTON GIN SPINDLE SET
 - NAIL SET (TYPE NOTED)
 - △ CALCULATION POINT
 - () RECORD INFORMATION
 - P.U.E. PUBLIC UTILITY EASEMENT

SHEET 2 OF 4

FILE J:\Projects\A408\003 Lots 1-3,2a\Amended-Plat.dwg		DRAWN BY: CEMC	
J:\Projects\A408\Point Files\A408.crd		CHECKED BY: CCC	
JOB NO: 04408-003-00 001	DATE: 07-27-2007	REVISED: 08/11/2008	
SCALE: 1"=100'			

**AMENDED PLAT OF
LOTS 1-3 AND 2A, BLOCK A, MARSHALL'S POINT**

terra firma LAND SURVEYING

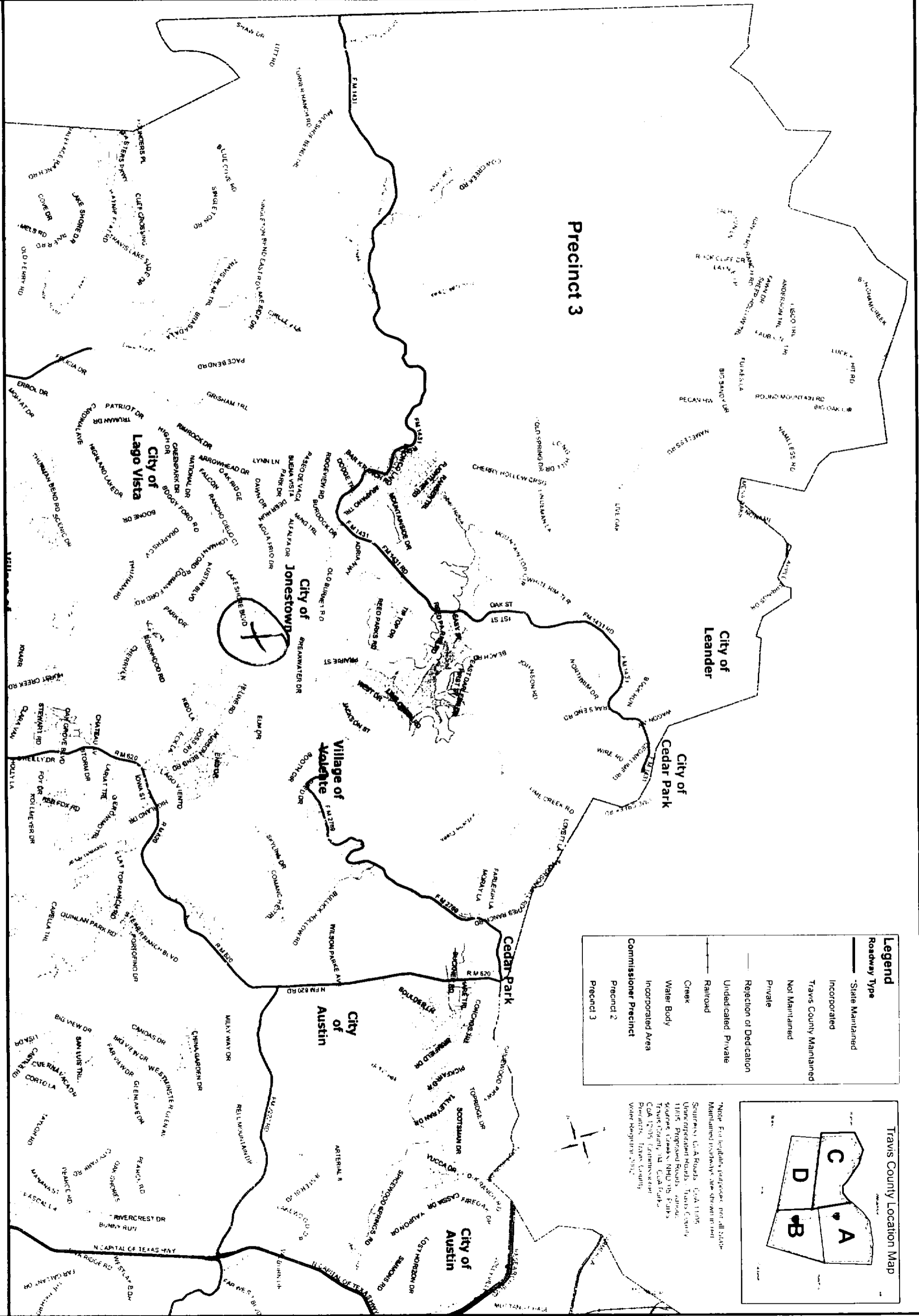
The survey was conducted in accordance with the provisions of the Texas Surveying Act, Chapter 81, Texas Occupations Code, and the rules and regulations of the State Board of Professional Engineers and Surveyors. The survey was conducted in accordance with the provisions of the Texas Surveying Act, Chapter 81, Texas Occupations Code, and the rules and regulations of the State Board of Professional Engineers and Surveyors.

1701 Structure Boulevard, Suite 400, Austin, Texas 78744 512/228-8373 Fax 512/448-2284

Map Disclaimer: This map was created for the Travis County Sign Crew for identifying Travis County's maintained roadways. The data is provided as is with no warranties of any kind. For questions, contact the Travis County GIS Coordinator at (512) 854-9781.

Text Scale
1 inch equals 1000 feet
1 inch equals 5,292 feet

Travis County Roadways, Map C

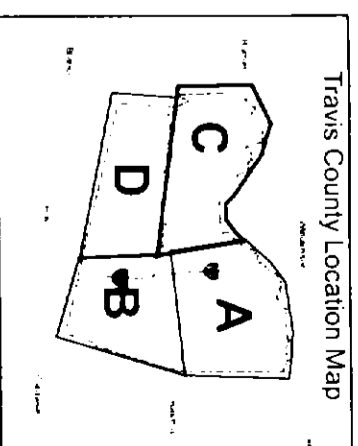


Precinct 3

Legend	
Roadway Type	
	State Maintained
	Incorporated
	Travis County Maintained
	Not Maintained
	Private
	Rejection of Dedication
	Undedicated Private
	Railroad
	Creek
	Water Body
	Incorporated Area
	Commissioner Precinct
	Precinct 2
	Precinct 3

0 1
Miles

Map Prepared by: Travis County
Dept. of Transportation & Navigation
September 2008
http://www.traviscountytx.gov



Note: For legibility purposes, not all State-Maintained roadways are shown on this map. Sources: G.A. Roads: G.A. 1105; Undedicated Roads: Travis County 1105; Proposed Roads: various sources; Creeks: THUD 95 Parks; Travis County GIS Database; GDA 1205; Commissioner Precincts: Travis County Water Register 2007.

#2

BOARD OF DIRECTORS
NORTHWEST TRAVIS COUNTY ROAD DISTRICT NO. 3

Voting Session Tuesday, October 28, 2008
(Date)

I. A. Request made by: Gillian Porter Phone: 854-4722
Commissioners Court Specialist
Commissioners Court Minutes/County Clerk's Office

B. Requested Text: **Approve the Northwest Travis County Road District
No. 3 Minutes for the:**

**Voting Sessions of August 12 and
October 7, 2008**

C. Approved By: 
Dana DeBeauvoir, Travis County Clerk

II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request
(Original and eight copies)

B. Please list all of the agencies or officials' names and telephone numbers that might be affected
or be involved with the request. Send a copy of this Agenda Request and backup to them.

III. Is back-up material attached? YES

AGENDA REQUEST DEADLINE: This Agenda Request, complete with backup memorandum and
exhibits, should be submitted to the County Judge's Office no later than 12:00 PM on Tuesday for the
following week's meeting. Late or incomplete requests may be deferred to the next subsequent meeting.

MINUTES OF MEETING – OCTOBER 7, 2008

NORTHWEST TRAVIS COUNTY ROAD DISTRICT NO. 3

On Tuesday, the 7th day of October 2008, the Commissioners' Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, convened the Voting Session at 1:39 PM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Commissioners Court record notes that Precinct One Commissioner Ron Davis and Precinct Two Commissioner Sarah Eckhardt were not present during this Voting Session.

The Road District Board of Directors adjourned the Voting Session of the Northwest Travis County Road District No. 3 (Golden Triangle) at 1:40 PM.

1. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST ROAD DISTRICT FUNDS. (1:39 PM)

Motion by Commissioner Gómez **and seconded by** Commissioner Daugherty to pay the claims in Item 1.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Sarah Eckhardt	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

2. APPROVE NORTHWEST TRAVIS COUNTY ROAD DISTRICT #3 MINUTES FOR VOTING SESSION OF SEPTEMBER 23, 2008. (1:39 PM)

Motion by Commissioner Gómez **and seconded by** Commissioner Daugherty to approve Item 2.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Sarah Eckhardt	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

ADJOURNMENT

Motion by Commissioner Gómez **and seconded by** Commissioner Daugherty to adjourn the Voting Session of the Northwest Travis County Road District No. 3.
(1:40 PM)

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Sarah Eckhardt	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

MINUTES APPROVED BY THE ROAD DISTRICT BOARD

Date of Approval

Samuel T. Biscoe, Travis County Judge

MINUTES OF MEETING – AUGUST 12, 2008

NORTHWEST TRAVIS COUNTY ROAD DISTRICT NO. 3

On Tuesday, the 12th day of August 2008, the Commissioners' Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, convened the Voting Session at 1:41 PM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Road District Board of Directors adjourned the Voting Session of the Northwest Travis County Road District No. 3 (Golden Triangle) at 1:42 PM.

1. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST ROAD DISTRICT FUNDS. (1:41 PM)

Item 1 not needed.

2. APPROVE NORTHWEST TRAVIS COUNTY ROAD DISTRICT #3 MINUTES FOR VOTING SESSIONS OF MAY 20, MAY 27, JULY 8, JULY 15 AND JULY 29, 2008. (1:41 PM)

Motion by Commissioner Gómez and seconded by Commissioner Davis to approve the minutes for May 20, May 27, and July 15, 2008 in Item 2.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Motion by Commissioner Gómez and seconded by Commissioner Davis to approve the minutes for July 8 and July 29, 2008 in Item 2.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	abstain
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

