

**BUDGET AMENDMENTS AND TRANSFERS**

**FY 2009**

09 JAN 28 AM 9:59

2/3/2009

2

**AMENDMENTS**

BA#	Project Code FUND	DEPT/DIV	ACT	ELM/OBI	Dept.	Line Item	Increase	Decrease	Pg #
A1	458	9800	981	9892	Reserves	Fund 458 Allocated Reserves		\$ 23,303	1
	458	4945	809	8120	TNR	Purchsd Serv-Park Impvt	\$ 23,303		
A2	433	9800	981	9892	Reserves	Fund 433 Allocated Reserves		\$ 752	1
	433	4945	741	8120	TNR	Purchsd Serv-Park Impvt	\$ 752		
A3	038	4909	981	9892	Reserves	Fund 038 Allocated Reserves		\$ 7,955,470	6
	038	4909	629	0701	TNR	Reg Salaries-Perm	\$ 5,000		
	038	4909	629	8112	TNR	Land	\$ 7,950,470		

**TRANSFERS**

BA#	Project Code FUND	DEPT/DIV	ACT	ELM/OBI	Dept.	Allocated Reserves	Increase	Decrease	Pg #
T1	001	3302	568	0712	Cons. Pct. 3	POPS Salaries		\$ 10,000	9
	001	3302	568	0801	Cons. Pct. 3	Reg Salaries-Temp	\$ 10,000		

**FUND TRANSFERS**

BA#	Project Code FUND	DEPT/DIV	ACT	ELM/OBI	Dept.	Line Item	Increase	Decrease	Pg #
FT1	WPN002	737 0000	255	3101	LCRA Escrow	Arkansas Bend		\$ 876.69	11
	001	4945	339	2010	TNR	Park Fees	\$ 876.69		
FT2	WPN003	737 0000	255	3102	LCRA Escrow	Bob Wentz		\$ 9,498.20	11
	001	4945	339	2010	TNR	Park Fees	\$ 9,498.20		
FT3	WPN004	737 0000	255	3103	LCRA Escrow	Cypress Creek		\$ 42.54	11
	001	4945	339	2010	TNR	Park Fees	\$ 42.54		
FT4	WPN008	737 0000	255	3104	LCRA Escrow	Hippie Hollow		\$ 26,848.69	11
	001	4945	339	2010	TNR	Park Fees	\$ 26,848.69		
FT5	WPN010	737 0000	255	3105	LCRA Escrow	Mansfield Dam		\$ 23,294.80	11
	001	4945	339	2010	TNR	Park Fees	\$ 23,294.80		
FT6	WPS003	737 0000	255	3106	LCRA Escrow	Pace Bend		\$ 45,751.78	11
	001	4945	339	2010	TNR	Park Fees	\$ 45,751.78		
FT7	WPN013	737 0000	255	3107	LCRA Escrow	Sandy Creek		\$1,421.91	11
	001	4945	339	2010	TNR	Park Fees	\$1,421.91		
FT8	N/A	737 0000	256	4000	LCRA Escrow	Interest		\$ 3,478.99	11
	001	4945	339	2010	TNR	Park Fees	\$ 3,478.99		




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

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

**MEMORANDUM**

**TO:** Commissioners Court  
**FROM:** Jessica Rio, Assistant Budget Director   
**DATE:** January 27, 2009  
**SUBJECT:** TNR Budget Adjustments

Each year during the budget process, PBO works with departments and makes recommendations related to the rebudgeting of capital projects. It appears that a few projects that were expected to be encumbered by the end of FY 08 were not committed and the associated funds were placed in the respective Allocated Reserves. PBO has worked with TNR to submit to Court only those projects that are ready to be executed in the near future (as shown on the attached TNR table). These projects include \$752 from Fund 433 for the Moya Trail as well as \$23,303 for the South East Metro Park Waterlines. Both of these projects are active approved capital projects and PBO recommends approval of these budget adjustments.

cc: Joe Gieselman (TNR)  
Cynthia McDonald (TNR)  
Leroy Nellis (PBO)  
Rodney Rhoades (PBO)  
Donna Williams-Jones (TNR)



RECEIVED

09 JAN -6 PM 3:27

TRAVIS COUNTY  
PLANNING & BUDGET OFFICE

**TRANSPORTATION AND NATURAL RESOURCES**  
**JOSEPH P. GIESELMAN, EXECUTIVE MANAGER**

411 West 13<sup>th</sup> Street  
Executive Office Building, 11<sup>th</sup> Floor  
P.O. Box 1748  
Austin, Texas 78767  
(512) 854-9383  
FAX (512) 854-4697

December 29, 2008

**MEMORANDUM**

TO: Rodney Rhodes, Executive Manager, Planning and Budget Office

FROM: *Carol B. Gieselman*  
Joseph P. Gieselman, Executive Manager

SUBJECT: Approve Budget Transfers from Various Reserve Accounts for funds not Rolled from FY 2008 to FY 2009

**Proposed Motion:** Approve reserve budget transfers for TNR capital project funds that did not roll to an expense line item from FY 2008 to FY 2009.

**Summary and Staff Recommendation:** TNR is requesting that the Commissioner's Court approve the reserve transfers listed on the attached sheet. These transfers are for project budgets that went into CO and fund 099 reserve accounts but are needed to complete active capital projects. These funds were originally expected to be encumbered prior to September 2008, however, they were not and therefore went to the applicable fund reserve account. TNR is, therefore, requesting approval to transfer these monies from reserves so the projects may be completed.

**Budgetary and Fiscal Impact:** This will reduce the related fund reserve balances as indicated on the attached spreadsheet.

**Required Authorizations:** Planning and Budget Office.

**Exhibits:** Spreadsheet and supporting documentation for all transfers. A copy of each budget transfer entered on the automated budget adjustment system.

If you have any questions or require additional information please contact Donna Williams-Jones at extension 47677.

DW:JPG:dw

Attachments

cc: *CMW* Steve Manilla, TNR  
Jessica Rio, PBO  
Diana Ramirez, PBO  
Donna Williams-Jones, TNR

**Travis County - TNR**  
**Capital Projects - Reserve Account Transfers in Progress**  
 S:\09bud\CIP\Dec 2008 Reserve Account Transfers.xls]Sheet1

From Reserve Account	To Expense Account	Project Number	Amount Requested Jan 2009	Amount to be Requested at Later Date	Reserve Acct Balance	BAF #	Project Name	Comments
506-9800-981-9892	506-4931-808-8164	COR001	\$ -	\$ 382,562	\$ 735,956	14379	Substandard Roads	Panorama complete, awaiting County Crew Costs  Crosswind/Tradewind will be complete Jan09, awaiting County Costs  Several Other Projects ready to go, awaiting HOA funding, but will have activity in FY09
510-9800-981-9892	510-4912-808-8105	XESC01	\$ -	\$ 318,370	\$ 587,901	14401	East Service Center	Awaiting info on final costs for detention ponds and flexbase, may need at a later date but do not know yet
433-9800-981-9892	433-4945-741-8120	WPE005	\$ 752	\$ -	\$ 14,877	14385	Moya Trail	Final closeout of grant which needs a reclass of 752 due to grant fund being overcharged on check # 587012
458-9800-981-9892	458-4945-809-8120	WPE009	\$ 23,303	\$ -	\$ 105,991	14381	SE Park Waterlines	Should have an earmark for \$80,000, the \$23,303 is for utility relocation by Bluebonnet Electric
099-4941-981-9892	099-4931-621-8164	N/A	\$ -	\$ 150,000	\$ 637,302	14382	Wells Branch Pkwy @ Summit Way Left Turn Lane	Project is high priority and should be done in FY09, however did not request that funds be rolled from FY08 to FY09. Will submit request to move from reserves

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Budget Adjustment: 14381

Fyr \_ Budget Type: 2009-Bonds  
 PBO Category: Amendment  
 Just: Other

Author: 49 - WILLIAMS-JONES, DONNA  
 Court Date: Tuesday, Feb 3 2009

Created: 12/29/2008 10:34:28 AM  
 Dept: RESERVES

To provide budget for SE Park Waterline project for funds that went to reserves rather than rolled in

From Account	Acct Desc	Project	Proj Desc	Amount
458-9800-981-9892	ALLOCATED RESERVES			23,303
				23,303
To Account		Project		Amount
458-4945-809-8120	PURCHD SERV-PARK IMPRVMT	WPE009	Southeast Metro Park	23,303
				23,303

Approvals	Dept	Approved By	Date Approved
Originator	49	DONNA WILLIAMS-JONES	12/29/2008 10:36:12 AM
DepOffice	49	CYNTHIA MCDONALD	12/30/2008 11:31:53 AM
DepOfficeTo	49	CYNTHIA MCDONALD	12/30/2008 11:31:55 AM
AudBonds	6	JOSE PALACIOS	12/30/2008 02:39:22 PM

*Donna Williams-Jones* 1/27/09  
*Reserve Officer*

Budget Adjustment: 14385

Fyr \_ Budget Type: 2009-Bonds

Author: 49 - WILLIAMS-JONES, DONNA

Created: 12/29/2008 11:22:15 AM

PBO Category: Amendment

Court Date: Tuesday, Feb 3 2009

Dept: RESERVES

Just: Other

To provide budget for Moya Trail project for funds that went to reserves rather than rolled in expense

From Account	Acct Desc	Project	Proj Desc	Amount
433-9800-981-9892	ALLOCATED RESERVES			752
				752
To Account		Project		Amount
433-4945-741-8120	PURCHASED SERV-PARK IMPRV	WPE005	Richard Moya Park	752
				752

Approvals	Dept	Approved By	Date Approved
Originator	49	DONNA WILLIAMS-JONES	12/29/2008 11:22:22 AM
DepOffice	49	CYNTHIA MCDONALD	12/30/2008 11:31:38 AM
DepOfficeTo	49	CYNTHIA MCDONALD	12/30/2008 11:31:50 AM
AudBonds	6	JOSE PALACIOS	12/30/2008 02:39:11 PM

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

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

**MEMORANDUM**

**TO:** Commissioners Court

**FROM:** Jessica Rio, Assistant Budget Director 

**DATE:** January 27, 2009

**SUBJECT:** TNR Budget Adjustments for BCP Fund (Fund 038)

TNR is requesting that the Commissioners Court approve a transfer of \$7,955,470 from the BCP fund 038 reserve account for two purposes. Most of these funds (\$7,950,470) would be budgeted in the appropriate expense line items to cover land acquisition, as well as operating and maintenance costs for the BCP program. In addition, TNR is requesting that the remaining \$5,000 to be transferred to the department's personnel line items. This salary request is to fill the Sr. Park Maintenance position within the BCP program that was approved by Commissioners Court during the budget process. The position was approved at the entry salary for that classification and this additional amount will allow for the transfer of an existing employee at his/her existing salary. PBO concurs with this budget adjustment.

cc: Joe Gieselman  
Carol Joseph  
Leroy Nellis  
Rodney Rhoades  
Donna Williams-Jones





**TRANSPORTATION AND NATURAL RESOURCES  
JOSEPH P. GIESELMAN, EXECUTIVE MANAGER**

411 West 13<sup>th</sup> Street  
Executive Office Building, 11<sup>th</sup> Floor  
P.O. Box 1748  
Austin, Texas 78767  
(512) 854-9383  
FAX (512) 854-4697

**\*REVISED**

January 27, 2009

**MEMORANDUM**

**TO:** Rodney Rhodes, Executive Manager, Planning and Budget Office  
**FROM:** *Joseph P. Gieselman*  
Joseph P. Gieselman, Executive Manager  
**SUBJECT:** Approve a Budget Transfer for the Balcones Canyonland Preserve Program (BCP) FY 2009 TIF Allocation

**Proposed Motion:** Approve a budget transfer for \$7,955,470 from the Balcones Canyonland Preserve Program reserves in fund 038 for the FY 2009 TIF allocation.

**Summary and Staff Recommendation:** TNR is requesting that the Commissioners Court approve a transfer of \$7,955,470 from the BCP fund 038 reserve account 038-4909-629-9892 for the FY 2009 TIF allocation. The FY 2009 TIF allocation budget is currently in reserves however it should be in expense line items to cover land acquisition, as well as operating and maintenance costs for the BCP program. TNR is requesting that the transfer into the line items include \$7,950,470 for land, and the remaining \$5,000 to be transferred for salary. TNR is currently in the process of filling the Sr. Park Maintenance position within the BCP program. This salary request is potentially to cover the impact of transferring an existing County employee into that position.

**Budgetary and Fiscal Impact:** There is no budgetary impact. This will provide budget for FY 2009 costs associated with the BCP program. The TIF transfer is for \$5,000 to 038-4909-629-0701 Salaries and \$7,950,470 to 038-4909-627-8112 Land.

**Required Authorizations:** Planning and Budget Office, Diana Ramirez.

**Exhibits:** A copy of budget transfer #14376.

If you have any questions or require additional information please contact Donna Williams-Jones at extension 47677.

DW:JPG:dw

*JPG*  
Attachments

cc: Jessica Rio, PBO  
Donna Williams-Jones, TNR

M:\USERS\imcdonac\My Documents\FY2009 TIF Reserve Transfer\_Memo\_PBO.doc

### Budget Adjustment: 14376

Fyr\_ Budget Type: 2009-Reg  
PBO Category: Amendment  
Just: Other

Author: 49 - WILLIAMS-JONES, DONNA  
Court Date: Tuesday, Feb 3 2009  
To move FY 2009 BCP TIF allocation from the BCP Fund 038 reserves to an expense line items.

Created: 12/29/2008 9:28:03 AM  
Dept: TNR (TRANS & NATRL RESRC)

From Account	Acct Desc	Project	Proj Desc	Amount
038-4909-981-9892	ALLOCATED RESERVES			7,955,470
				<hr/>
To Account				Amount
038-4909-629-0701	REG SALARIES-PERMNT EMPL			5,000
038-4909-629-8112	LAND			7,950,470
				<hr/>
				7,955,470

Approvals	Dept	Approved By	Date Approved
Originator	49	DONNA WILLIAMS-JONES	1/27/2009 11:57:13 AM
DepOffice	49	CYNTHIA MCDONALD	1/27/2009 12:01:06 PM

*DP 1/27/09*  
*Walter Nellis*

Budget Adjustment: 14630

Fyr\_ Budget Type: 2009-Reg  
PBO Category: Transfer  
Just: Negbal

Author: 33 - RYDEN, LORETTA  
Court Date: Tuesday, Feb 3 2009

Created: 1/23/2009 9:12:40 AM  
Dept: CONSTABLE 3

From Account	Acct Desc	Project	Proj Desc	Amount
001-3302-568-0712	POPS SALARIES			10,000
				10,000
To Account		Project		Amount
001-3302-568-0801	REG SALARIES-TEMP EMPL			10,000
				10,000

Approvals	Dept	Approved By	Date Approved
Originator	33	LORETTA RYDEN	1/23/2009 9:12:44 AM
DepOffice	33	LORETTA RYDEN	1/23/2009 9:12:45 AM

Temporary Salary Savings confirmed. PBO concurs

*Robert*  
1/26/09  
*Robert*

**From:** Randy Lott  
**Subject:** Re: constable 3 temps

>>> Randy Lott 1/23/2009 8:11 AM >>>  
Roger that!

>>> Stacy Suits 1/23/2009 8:10 AM >>>  
Need to transfer some money to that line item.

Same deal as last year, ramping up temp and overtime for Warrant Round Up. Spending levels will spike in Feb and March then fall off.

At some point we need to deal with Ike overtime carry over that impacted our FY10 budget even though the expense was in FY09. Appears the amount of carry over was about 12K

Stacy  
-----Original Message-----  
From: Randy Lott  
Cc: Loretta Ryden <[Loretta.Ryden@co.travis.tx.us](mailto:Loretta.Ryden@co.travis.tx.us)>  
To: Stacy Suits <[Stacy.Suits@co.travis.tx.us](mailto:Stacy.Suits@co.travis.tx.us)>

Sent: 1/23/2009 7:54:51 AM  
Subject: Fwd: constable 3 temps

Stacy and Loretta,

Can you tell me what is up? Chris Broussard won't approve things as is.

Randy.

>>> Chris Broussard 1/22/2009 4:07 PM >>>  
Division 02 temps are negative \$3,339. They are trying to hire a temp. Can you get 'em to fix it.

**FUND TRANSFER FORM**

Last Updated 1-30-09 at 1:27pm

Department Name: T.N.R. Department Number: 49

**RECEIVED**  
**09 JAN 23 PM 3:39**

Is this request related to a separate agenda item other than Budget Amendments and Transfers?  
 If yes, please check the appropriate blank below and attach copies of the agenda request and all supporting documentation submitted to the County Judge's Office.

**TRAVIS COUNTY  
 PLANNING & BUDGET OFFICE**

- Contract Pending
- Personnel Amendment
- Other, Please Specify:

**ALL AMOUNTS MUST BE IN WHOLE DOLLARS**

Item #	Account Number				Project Number	Object Title	Reduction Amount	For PBO Use Only:	
	Fund	Dept/Div.	Act.	Ele/Obj.				Type	PBO Approval Analyst/Manager
1	FROM: 737	- 0000	- 255	- 3101	WPN002	LCRA Escrow Arkansas Bend	\$876.69	FT	<i>[Signature]</i>
	TO: 001	- 4945	- 339	- 2010		Park Fees			<i>[Signature]</i>
2	FROM: 737	- 0000	- 255	- 3102	WPN003	LCRA Escrow Bob Wentz	\$9,498.20	ET	<i>[Signature]</i>
	TO: 001	- 4945	- 339	- 2010		Park Fees			<i>[Signature]</i>
3	FROM: 737	- 0000	- 255	- 3103	WPN004	LCRA Escrow Cypress Creek	\$42.54	FT	<i>[Signature]</i>
	TO: 001	- 4945	- 339	- 2010		Park Fees			<i>[Signature]</i>
4	FROM: 737	- 0000	- 255	- 3104	WPN008	LCRA Escrow Hippie Hollow	\$26,848.69	FT	<i>[Signature]</i>
	TO: 001	- 4945	- 339	- 2010		Park Fees			<i>[Signature]</i>
5	FROM: 737	- 0000	- 255	- 3105	WPN010	LCRA Escrow Mansfield Dam	\$23,294.80	FT	<i>[Signature]</i>
	TO: 001	- 4945	- 339	- 2010		Park Fees			<i>[Signature]</i>

JUSTIFICATION: Item #'s: \_\_\_\_\_  
 Needs rebudgeting to meet commodity code requirements  
x Other, please specify:

**Types of Requests**  
 Transfer - TR  
 Amendment - AM  
 Discussion - DS  
 Automatic - AU

FY 2009 1st Qtr park revenue & interest transfer totaling \$111,213.60 from the LCRA Escrow Fund to the County's General Fund. This submission is in accordance with CC approval of May 17, 1999 considering and approving such quarterly transfers under agenda "Budget Transfers and Amendments".

*[Signature]*  
 \_\_\_\_\_  
 Signature of Elected/Appointed Official

01/23/09  
 \_\_\_\_\_  
 Date

**FUND TRANSFER FORM**

Last Updated 1-30-09 at 1:27pm

Department Name: T.N.R. Department Number: 49

Is this request related to a separate agenda item other than Budget Amendments and Transfers?  
 If yes, please check the appropriate blank below and attach copies of the agenda request and all supporting documentation submitted to the County Judge's Office.

- Contract Pending
- Personnel Amendment
- Other, Please Specify:

**ALL AMOUNTS MUST BE IN WHOLE DOLLARS**

Item #	Account Number				Project Number	Object Title	Reduction Amount	For PBO Use Only:	
	Fund	Dept/Div.	Act.	Ele/Obj.				Type	PBO Approval Analyst/Manager
6	FROM: 737	- 0000	- 255	- 3106	WPS003	LCRA Escrow Pace Bend	\$45,751.78	ET	<i>[Signature]</i>
	TO: 001	- 4945	- 339	- 2010		Park Fees			<i>[Signature]</i>
7	FROM: 737	- 0000	- 255	- 3107	WPN013	LCRA Escrow Sandy Creek	\$1,421.91	ET	<i>[Signature]</i>
	TO: 001	- 4945	- 339	- 2010		Park Fees			<i>[Signature]</i>
8	FROM: 737	- 0000	- 256	- 4000	N/A	LCRA Escrow Interest	\$3,478.99	ET	<i>[Signature]</i>
	TO: 001	- 4945	- 339	- 2010		Park Fees			<i>[Signature]</i>
9	FROM: _____	- _____	- _____	- _____					
	TO: _____	- _____	- _____	- _____					
10	FROM: _____	- _____	- _____	- _____					
	TO: _____	- _____	- _____	- _____					

Item #'s: \_\_\_\_\_  
 JUSTIFICATION: \_\_\_\_\_  
 Needs rebudgeting to meet commodity code requirements  
 Other, please specify:

- Types of Requests**
- Transfer - TR
  - Amendment - AM
  - Discussion - DS
  - Automatic - AU

Signature on page 1  
 Signature of Elected/Appointed Official

\_\_\_\_\_ Date

12

**Transportation & Natural Resources  
LCRA/Travis County Parks  
31-Dec-08**

***FY 2009 1st Qtr. Transfer to General Fund & CIP***

<b>LCRA Parks Escrow Accounts Account Number</b>	<b>Park</b>	<b>1st Qtr Revenues 10/1/2008 through 12/31/2008</b>	<b>Less: Pending FY 2009 LCRA Admin. Fee 1st Qtr.</b>	<b>Less: Pending 1st Qtr Trsfr. to the CIP Fund</b>	<b>Amount to Transfer to General Fund Account No. 001-4945-339-2010</b>
			<i>Estimated</i>		
737-0000-255-3101	Arkansas Bend	1,082.00	(43.01)	(162.30)	876.69
737-0000-255-3102	Bob Wentz	12,039.38	(735.27)	(1,805.91)	9,498.20
737-0000-255-3103	Cypress Creek	54.00	(3.36)	(8.10)	42.54
737-0000-255-3104	Hippie Hollow	34,132.00	(2,163.51)	(5,119.80)	26,848.69
737-0000-255-3105	Mansfield Dam	29,727.00	(1,973.15)	(4,459.05)	23,294.80
737-0000-255-3106	Pace Bend	57,313.00	(2,964.27)	(8,596.95)	45,751.78
737-0000-255-3107	Sandy Creek	1,757.00	(71.54)	(263.55)	1,421.91
	<b>Total:</b>	<b>136,104.38</b>	<b>(7,954.11)</b>	<b>(20,415.66)</b>	<b>107,734.61</b>
737-0000-256-4000	Interest	3,478.99	-	-	3,478.99
	<b>Total:</b>	<b>\$139,583.37</b>	<b>(7,954.11)</b>	<b>(20,415.66)</b>	<b>\$111,213.60</b>

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

Last Updated 1-30-09 at 1:27pm

Amount	Dept Transferred Into	Date	Explanation
\$6,632,457			Beginning Balance
(\$71,830)	Criminal Courts	10/28/08	Permission to continue-Drug Court Program
(\$4,356)	Cons. Pct. 2	11/4/08	3rd Amendment-Village of the Hills Interlocal for Law Enforcement Services
(\$4,620)	Records Management	11/4/08	Budget Line Item Correction
(\$25,000)	TNR	11/18/08	Envision Central Texas
(\$4,821)	TNR	11/25/08	Traffic Citations
(\$59,553)	General Administration	12/2/08	Intergovernmental Relations Coordinator
(\$20,000)	TNR	12/12/08	Legal Costs
(\$226,436)	HHS	12/16/08	Health Public Interlocal with City of Austin
<b>\$6,215,841 Current Balance</b>			

**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
(\$2,650)	Intergovernmental Relations support
(\$300,000)	Indigent Attn Costs: Capital Murder Cases
(\$184,778)	Drug Court
(\$29,302)	Bilingual Supplemental Pay
(\$100,000)	General Fund Subsidy
(\$700,000)	Reserve for Economic Downturn
(\$230,000)	Reserve for Cost Increases
<b>(\$3,236,365)</b>	<b>Total Possible Future Expenses (Earmarks)</b>

**\$2,979,476 Remaining Allocated Reserve Balance After Possible Future Expenditures**



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

Last Updated 1-30-09 at 1:27pm

Amount	Dept Transferred Into	Date	Explanation
\$2,865,553			Beginning Balance
\$67,125	Criminal Courts	10/27/08	Return CAR Funding for CCC#8 - Sound System was funded mid-year FY08
\$4,620	ITS Centralized Comp.Serv	11/4/08	Budget Line Item Correction
(\$28,000)	Facilities	11/18/08	Rebudgeting correction HMS Courthouse HVAC Phase 4 Project
<b>\$2,909,298 Current Reserve Balance</b>			

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

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

**\$2,783,798 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
<b>\$5,980 Current Reserve Balance</b>			

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

Amount	Dept Transferred Into	Date	Explanation
\$400,000 (\$215,000)	HHS	11/25/08	Beginning Balance Workforce Development RFS
<b>\$185,000 Current Reserve Balance</b>			

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

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

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

Amount	Dept Transferred Into	Date	Explanation
\$700,000			Beginning Balance
<b>\$700,000 Current Reserve Balance</b>			

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

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

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

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

**BEFIT Auditor Reserve Status (001-9800-982-9902)**

Amount	Dept Transferred Into	Date	Explanation
\$621,663			Beginning Balance
(\$1,410)	Auditor	12/17/08	Training Expenses
(\$14,500)	Auditor	12/17/08	Furniture and Training
(\$5,970)	Auditor	1/12/09	Furniture and Printer
(\$4,968)	Auditor	1/12/09	Printer Maintenance & Supplies
<b>\$594,815 Current Reserve Balance</b>			

**BEFIT HRMD Reserve Status (001-9800-982-9903)**

Amount	Dept Transferred Into	Date	Explanation
\$82,420			Beginning Balance
<b>\$82,420 Current Reserve Balance</b>			

**BEFIT ITS Reserve Status (001-9800-982-9904)**

Amount	Dept Transferred Into	Date	Explanation
\$81,095			Beginning Balance
<b>\$81,095 Current Reserve Balance</b>			

**BEFIT Purchasing Reserve Status (001-9800-982-9905)**

Amount	Dept Transferred Into	Date	Explanation
\$214,822			Beginning Balance
<b>\$214,822 Current Reserve Balance</b>			

3

**TRAVIS COUNTY COMMISSIONERS COURT AGENDA REQUEST**

RECEIVED  
COUNTY JUDGE'S OFFICE

Please consider the following item for:  
02-03-09

09 JAN 27 PM 1:47

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 Formula Grant award with the Task Force on Indigent Defense for indigent defense services in Criminal Courts.
- b) Approve contract with the RSVP Advisory Council to help fund the Seniors and Volunteers for Childhood Immunization program in Health and Human Services and Veterans Service.

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

2/3/2009

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	Local Funds (Donation)	County Match	FTEs	Notes	Page #
<b>Contracts</b>								
<i>a</i>	24	Formula Grant-Indigent Defense Grants Program	10/1/2008 - 9/30/2009	\$429,859			1	7
<i>b</i>	58	SVCI (Seniors and Volunteers for Childhood Immunization)	10/2/2008 - 9/30/2009		\$4,000	0.25	1	12

**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.*

<b>Dept</b>	<b>Name of Grant</b>	<b>Grant Amount</b>	<b>County Match</b>	<b>FTEs</b>	<b>Cm. Ct. Approval Date</b>
58	AmeriCorp	\$301,429	\$281,599	20	10/14/2008
49	Flood Mitigation Assistance Planning Grant	\$30,000	\$10,000		11/7/2008
37	Sheriff's Combined Auto Theft Task Force	\$145,928			11/18/2008
47	Emergency Management Performance Grant	\$60,215	\$60,215		12/16/2008
45	Young Offender Planning Grant	\$300,000		3	12/16/2008
19	Family Violence Accelerated Prosecution	\$98,842	\$53,223	1.39	1/6/2009
		<b>\$936,414</b>	<b>\$405,037</b>	<b>24.39</b>	

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## 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)	FTEs	Cm. Ct. Approval Date
47	Emergency Management Performance Grant	\$67,200	\$67,200			10/7/2008
58	AmeriCorps	\$288,139.00	\$223,358		16	10/28/2008
45	Juvenile Justice and Delinquency Prevention (JJDP)- Intensive In-Home Family Services Grant	\$24,864.00	\$223,358			11/4/2008
58	Parenting in Recovery	\$500,000	\$91,203		1	11/4/2008
40	OVW FY08 Safe Havens: Supervised Visitation and Safe Exchange Grant Program	\$199,320				11/4/2008
37	Internal Affairs Software Upgrade	\$50,000				11/7/2008
37	Office of Community Oriented Policing Program	\$350,738				11/18/2008
37	State Criminal Alien Assistance Program (SCAAP)	\$1,239,273				11/18/2008
45	Byrne Memorial ISC Residential Programs	\$103,888			1	11/25/2008
23	Project Safe Neighborhoods	\$48,518			0.48	11/25/2008
23	Project Safe Neighborhoods Amendment to FY08	\$51,482			0.52	11/25/2008
58	Customer Assistance Program Plus 1 Funding			\$100,000		12/2/2008
58	Keeping the Warmth Program, Conservation & Energy			\$20,000		12/2/2008
58	Veterans' Employment and Training Service (Stand Down Grant)	\$7,000				12/9/2008
49	Travis County Flood Protection Planning Grant	\$195,000	\$465,000			12/16/2008
58	RSVP	\$61,281	\$6,128		0.5	12/30/2008
58	RSVP - Texas Department of Aging and Disability Services (TDADS)	\$23,800	\$23,800			12/30/2008
37	Homeland Security Grant Program - Austin Area Fusion Center - TCSO	\$153,955			1	12/30/2008

23	Interlocal Agreement for the Austin/Travis County Family Violence Protection Team	\$685,586			4	1/27/2009
49	Northridge Acres Water Corporation Project	\$250,000				1/27/2009
		\$4,300,044	\$1,100,047	\$120,000	24.50	

f



## 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
<b>Total Outstanding</b>		<b>\$ 330,776</b>	<b>\$ 44,224</b>		<b>8.00</b>	

\* Original Grant Column shows Beginning FY'08 Amount

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## 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
22	Drug Court Program	\$84,419.75			1		12/16/2008
24	Drug Diversion Court	\$160,041			1		12/16/2008
24	Drug Diversion Court	\$160,041			1		1/21/2009
22	Family Drug Treatment Court Program	\$84,419.75			1		1/21/2009
Total Outstanding		\$761,815.25	\$ -		6.00		

6

### GRANT SUMMARY SHEET

Check One:	Application Approval	Contract Approval <input checked="" type="checkbox"/>	Status Report <input type="checkbox"/>
------------	----------------------	---	--

Department/Division:	Travis County Criminal Courts		
Contact Person:	Debra Hale		
Title:	Court Management Director		
Phone Number:	(512)854-9432		

Grant Title:	Formula Grant- Indigent Defense Grants Program		
Grant Period:	From:	October 1, 2008	To: September 30, 2009
Grantor:	Task Force on Indigent Defense		

Check One:	New:	Continuation: <input checked="" type="checkbox"/>	Amendment: <input 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	<i>County Match</i>	In-Kind	TOTAL
Personnel						
Operating		\$429,859				\$429,859
Capital Equipment						
Indirect Costs						
<b>TOTAL:</b>		\$429,859				\$429,859
FTEs:						

Performance Measures	Proj. FY03 Measure	Progress As Of:				Proj. FY06 Measure
		12/31/05	3/31/06	6/31/06	9/30/06	
Applicable Departmental Measures						
100% of defendants meeting indigence criteria will receive court appointed counsel and services.	100%	100%	100%	100%	100%	100%
Measures For Grant						

**PBO Recommendation:**

The Criminal Courts are requesting Commissioners Court approval of a grant award from the Task Force on Indigent Defense for the FY 09 Indigent Defense Formula Grant Program. The Texas Legislature authorized the Task Force to direct the Comptroller to distribute Fair Defense Account funds for grants to improve indigent defense services and promote county compliance with requirements of state law and Task Force policies and standards. The grant provides Travis County with \$429,859 in funding for the period October 1, 2008 through September 30, 2009 for indigent defense services. Revenue from the grant program was included in the Auditor's 5<sup>th</sup> Revenue Estimate in anticipation of the award, which Travis County has received since FY 02. The grant provides revenue to partially offset the cost to Travis County for expenditures already budgeted in the Criminal Courts Legally Mandated Fees budget for indigent attorney fees and other mandated expenses. PBO recommends approval.

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

In 2001, the 77<sup>th</sup> Legislature passed Senate Bill 7 (Texas Fair Defense Act), which mandated changes in how Texas counties provide, pay and monitor legal services for indigent defendants accused of criminal acts. The Act further mandated that attorneys be paid reasonable fees for performing services based upon the time and labor required, the complexity of the case, and the experience of counsel. The Travis County Courts, in compliance with the Act, adopted new fee schedules effective January 1, 2002. Interim procedures and guidelines related to indigent defense were also adopted. As a result of new procedures and fee schedules, expenses for providing indigent defense have increased annually. The grant award for FY09 (projected allocation) is \$429,859.

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

This is a mandated expense that the County is required to fund long term.

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.

A county match is not required.

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

Not applicable.

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.

No. If the grant award is not funded, because this is a mandated function, the department will have to request additional funding.

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

This is an existing program.

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

This funding will allow us to continue to provide indigent defense services to defendants who meet the criteria for indigence. The only performance measures that have been utilized for indigent defense are (1) the amount of expenses incurred each year and (2) 100% of those defendants who meet indigence criteria will receive a court appointed attorney and services.



RECEIVED  
COUNTY JUDGE'S OFFICE  
09 JAN 13 PM 1:45

**TEXAS TASK FORCE ON INDIGENT DEFENSE**  
205 West 14<sup>th</sup> Street, Suite 700 Tom C. Clark Building (512)936-6994  
P.O. Box 12066, Austin, Texas 78711-2066  
www.courts.state.tx.us/tfid

CHAIR:  
THE HONORABLE SHARON KELLER  
Presiding Judge, Court of Criminal Appeals

DIRECTOR:  
MR. JAMES D. BETHKE

VICE CHAIR:  
THE HONORABLE OLEN UNDERWOOD

January 6, 2009

Honorable Samuel T. Biscoe  
Travis County Judge  
P.O. Box 1748  
Austin, TX 78767-1748

Dear Judge Biscoe:

I am pleased to inform you that the Texas Task Force on Indigent Defense has awarded Travis County a formula grant estimated to be **\$429,859.00**. The ***Statement of Grant Award FY2009 Formula Grant*** is attached. Please have the person designated by your FY09 Formula Grant commissioners' court resolution sign the Statement of Grant Award and return it via **fax to (512) 475-3450**. You do not need to mail the original. Some statements may contain special conditions. Please make note that we cannot disburse funds until these conditions have been met.

The Task Force works together with counties to promote innovation and improvement in indigent defense systems statewide. On behalf of the Task Force, I congratulate Travis County for its efforts and achievements in these areas. If you have any questions or need clarification on the information contained in this letter, please call Whitney Stark, Grants Administrator at the Task Force office, toll free in Texas at (866) 499-0656,

Sincerely,

Sharon Keller  
Chair, Task Force on Indigent Defense  
Presiding Judge, Court of Criminal Appeals

**Task Force on Indigent Defense  
Statement of Grant Award  
FY2009 Formula Grant**

Grant Number: 212-09-227  
Grantee Name: Travis County  
Program Title: Indigent Defense Services  
Grant Period: 10/01/2008-9/30/2009  
Grant Award Amount: The sum of \$5000.00 and 3.58% of the remaining funds budgeted for FY09 formula grants by the Task Force. Based on the initial funds budgeted, this amount is estimated to be **\$429,859.00.**

The Task Force on Indigent Defense (Task Force) has awarded the above-referenced grant for indigent defense services. Formula Grants are provided by the Task Force to meet its statutory mandates and to promote Texas counties' compliance with standards adopted by the Task Force. The authorized official named on the grant application must sign this Statement of Grant Award and **return it to the Task Force by February 9, 2009.** The grantee will not receive any grant funds until this notice is executed and returned to the Task Force.

Standard Grant Conditions:

- The authorized official for the grantee accepts the grant award.
- The authorized official, financial officer, and program director, referred to below as grant officials, agree to the terms of the grant as written in the Request for Applications issued on August 27, 2008, including the rules and documents adopted by reference in the Task Force on Indigent Defense's Grant Rules in Title 1, Part 8, Chapter 173, Texas Administrative Code.
- The grant officials understand that a violation of any term of the grant may result in the Task Force placing a temporary hold on grant funds, permanently deobligating all or part of the grant funds, requiring reimbursement for funds already spent, or barring the organization from receiving future grants.
- Disbursement of funds is always subject to the availability of funds.
- Any plan documents submitted to the Task Force must continue to meet all grant eligibility requirements.

The authorized official for this grant program has read the preceding and indicates agreement by signing this Statement of Grant Award below:

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Name & Title (must print or type)

\_\_\_\_\_  
Date

### GRANT SUMMARY SHEET

<b>Check One:</b>	Application Approval: <input type="checkbox"/>	Permission to Continue: <input type="checkbox"/>
	Contract Approval: <input checked="" type="checkbox"/>	Status Report: <input type="checkbox"/>

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

<b>Grant Title:</b>	SVCI (Seniors and Volunteers for Childhood Immunization)		
<b>Grant Period:</b>	From:	10/1/2008	To: 9/30/2009
<b>Grantor:</b>	RSVP Advisory Council		

<b>Check One:</b>	New: <input type="checkbox"/>	Continuation: <input checked="" type="checkbox"/>	Amendment: <input type="checkbox"/>
<b>Check One:</b>	One-Time Award: <input type="checkbox"/>	Ongoing Award: <input checked="" type="checkbox"/>	
<b>Type of Payment:</b>	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:			4,000			4,000
Operating:						0
Capital Equipment:						0
Indirect Costs:						0
<b>Total:</b>	0	0	4,000	0	0	4,000
FTEs:			.25			.25

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

Performance Measures	Projected FY 09 Measure	Progress To Date:				Projected FY 10 Measure
		12/31/08	3/31/09	6/31/09	9/30/09	
Applicable Depart. Measures						
Number of volunteers	1,100					1,100
Number of volunteer hours	225,000					225,000
Estimated savings to taxpayers	\$3,462,750					\$3,462,750
<b>Measures For Grant</b>						
Number of Volunteers	31					31
Outcome Impact Description	Volunteers for the SVCI program are recruited by RSVP to explain to new mothers the importance of having their babies vaccinated.					
Number of Volunteer Hours	595					595



Outcome Impact Description	Volunteers distribute information to new mothers at local hospitals.					
Number of Mothers Enrolled	839					839
Outcome Impact Description	Mothers enrolled in the program receive mailings informing them when it is time for their child's immunizations.					

**PBO Recommendation:**

This is a small grant award from the Retired Seniors Volunteer Program (RSVP) to partially fund the cost of a part time staff position to work with the Seniors Volunteer Children Immunization Program. There is no cash match requirement and Travis County has received this grant for a number of years.

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?

The Seniors and Volunteers for Childhood Immunization (SVCI) program is run out of the RSVP offices. A grant from the RSVP Advisory Council helps pay part of the salary of an RSVP staff member who recruits volunteers to provide information to new mothers about the importance of vaccinating their babies.

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

If the Advisory Council were to decrease or eliminate funding for the SVCI Program, then RSVP would seek money from other sources, including the General Fund.

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.

No cash or in-kind match is required.

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

The Advisory Council grant does not allow payment of administrative costs.

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.

If the Advisory Council were to decrease or eliminate funding for the SVCI Program, then RSVP would seek money from other sources, including the General Fund.

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

NA

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

The SVCI program uses senior volunteers supplied by the RSVP program. The RSVP program is mandated by the Older Americans Act as a way to provide volunteer opportunities for adults 55 years old and older. The applicable department performance measures include the number of volunteers and volunteer hours provided by this grant.



**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:** January 21, 2009  
**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:** RSVP Advisory Council grant contract

**Proposed Motion:**

Consider and take appropriate action to approve the FY'09 grant contract with the RSVP Advisory Council to help fund the Seniors and Volunteers for Childhood Immunization program.

**Summary and Staff Recommendations:**

The Seniors and Volunteers for Childhood Immunization (SVCI) program provides information to new mothers about the importance of vaccinating their babies. An RSVP staff member administers the program and works with RSVP volunteers to distribute information at local hospitals. A \$4,000 grant from the RSVP Advisory Council helps cover program costs.

TCHHSVS staff recommends approving this contract.

**Budgetary and Fiscal Impact:**

The \$4,000 grant from the RSVP Advisory Council does not require a cash or in-kind match. The grant contract follows the fiscal year. (The Advisory Council grant is combined with an \$8,424 grant from the University of North Texas (UNT) for a total of \$12,424 in grant funding for the SVCI program.)

**Issues and Opportunities:**

Vaccines prevent a variety of serious diseases. Children need to be immunized at 2 months, 4 months, 6 months, 12 months, 15 months and 18 months old.

**Background:**

The University of North Texas has reduced its grant funding from \$12,960 in previous years to \$8,424. The RSVP Advisory Council agreed to help make up the deficit.

Cc: Deborah Britton, Division Director, Community Services, TCHHSVS  
Fred Lugo, Manager, RSVP  
Susan Spataro, 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, Travis County Purchasing Agent  
Rebecca Gardner, Assistant Purchasing Agent, Travis County Purchasing Office

**CONTRACT FOR SOCIAL SERVICES**  
**BETWEEN TRAVIS COUNTY AND**  
**RETIRED SENIOR VOLUNTEER PROGRAM OF TRAVIS COUNTY ADVISORY COUNCIL**

**I. PARTIES**

This Contract ("Contract") is entered into by the following Parties: Travis County, a political subdivision of Texas ("County"), and the Retired Senior Volunteer Program ("RSVP") of Travis County Advisory Council, a not-for-profit organization ("Council").

**II. RECITALS**

County has the authority to provide for the care of indigents and other qualified recipients (TEX. LOC. GOV'T. CODE, Section 81.028, and other statutes), and provision of that care constitutes a public purpose.

County has the authority to provide for public health education and information services (TEX. HEALTH AND SAFETY CODE, Chapters 121 and 122, and other statutes), and provision of those services constitutes a public purpose.

Travis County Health, Human Services and Veterans' Services has the authority to perform all public health functions that County can perform through TEX. HEALTH & SAFETY CODE ANN., Section 121.032.

Pursuant to the terms of this Contract, personal and professional services for the care of indigents and other qualified recipients and for public health education and information will be provided, thus providing services which will further the achievement of a public purpose.

NOW, THEREFORE, in consideration of the hereinafter set forth agreements, covenants, and payments, the amount and sufficiency of which are acknowledged, County and Council agree to the terms and conditions stated in this Contract.

**III. DEFINITIONS**

**1.0 In this Contract,**

1.1 "Commissioners Court" means the Travis County Commissioners Court.

1.2 "Contract Funds" means all funds paid by County to Council, or by Council to County, pursuant to Section 12.0 and other applicable provisions of this Contract.

1.3 "Contract Term" means the Initial Term and/or any Renewal Term, or any other period of time designated in writing as a Contract Term by the Parties.



1.4 "County Auditor" means Susan Spataro, the Travis County Auditor, or her successor.

1.5 "County Department" means Travis County Health, Human services and Veterans' Services working separately or in conjunction with the Austin/Travis County Health and Human Services Department.

1.6 "County Purchasing Agent" means Cyd Grimes, the Travis County Purchasing Agent, or her successor.

1.7 "Day(s)" means calendar day(s), unless otherwise specifically noted in any individual provision.

1.8 "Eligible Client" means those individuals determined by Travis County to meet requirements for receiving services under this Contract.

1.9 "Executive Manager" means Sherri Fleming, Executive Manager of Travis County Health, Human Services and Veterans' Services Department, or her successor or designated representative.

1.10 "Fiscal Year" means the County Fiscal Year, which is that twelve-month time period between any October 1 and the next following September 30.

1.11 "Is doing business" and "has done business" mean:

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

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

**1.11.3 but does not include:**

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

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

1.11.3.3 a transaction for a financial service or insurance coverage made on behalf of Contractor if Contractor is a national or multinational corporation by an agent, employee or other representative of Contractor who does not know and is not in a position that he or she should have known about the Contract.



1.12 "Key Contracting Person" means any person or business listed in Exhibit A to the Affidavit attached to this Contract and marked Attachment A.

1.13 "Parties" and "Party" means the County and/or Council.

1.14 "RSVP Immunization Program" means the Travis County Retired and Senior Volunteer Program to encourage and assist parents in starting the immunization of their infants on a timely basis and in checking with their health care providers about their preschool child's immunization status.

1.15 "Subcontract" means any agreement between Council and another party or County and another Party to fulfill, either directly or indirectly, any of the requirements of this Contract, in whole or in part.

1.16 "Subcontractor" means any party providing services required under this Contract to an Eligible Client or to Council or County under an agreement between Council and that party, or County and that Party, including contractor(s), subcontractor(s), and other subrecipient(s) of Council and/or County; and any party or parties providing services for Council or County which will be paid for using Contract Funds committed by County or Council to be paid under this Contract.

#### **IV. GENERAL TERMS**

##### **2.0 CONTRACT TERM**

2.1 **Initial Term.** The Parties acknowledge and agree that this Contract shall be effective during the Initial Term which begins October 1, 2008, and terminates September 30, 2009, unless earlier terminated by the Parties pursuant to the terms of this Contract.

2.2 **Renewal Term(s)** Unless sooner terminated pursuant to the terms of this Contract, this Contract may only be renewed by action evidenced in writing and executed by County and Council for up to three (3) additional years (or through September 30, 2012), or for whatever time period agreed to in writing by County and Council in writing. 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 Contract is specifically amended pursuant to Section 3.0 of this Contract to make any changes in those terms. Non-competitive renewal shall be based upon the Council's positive performance, County's continuing need for the services and approval by the Commissioners Court of the necessary budget set aside for this purpose, and will be limited to the amount approved during the budget process applicable to the Renewal Term.

##### **3.0 AMENDMENTS**

3.1 **Written.** Unless specifically provided otherwise in this Contract, any change to the terms of this Contract or any attachments to it shall be made in writing and signed by both Parties.

3.2 **Acknowledgments as to Amendments.** It is acknowledged by Council that no officer, agent,



employee or representative of County other than the Commissioners Court has any authority to change the terms of this agreement or any attachments to it or to sign any document obligating County unless expressly granted that authority by the Commissioners Court under a specific provision of this Contract or by separate action by the Commissioners Court. Verbal discussion or other indications of changes to this Contract will NOT be effective

3.3 **Submission.** Council shall submit all requests for all changes, alterations, additions or deletions of the terms of this Contract or any attachment to it to the Travis County Purchasing Agent with a copy to the Executive Manager. Upon agreement by the County Department, the request will be presented by the Purchasing Agent to the Commissioners Court for consideration.

#### 4.0 **ENTIRE AGREEMENT**

4.1 **All Agreements.** All oral and written agreements between the Parties to this Contract relating to the subject matter of this Contract that were made prior to the execution of this Contract, including the applicable terms of the Contract, have been reduced to writing and are contained in this Contract.

4.2 **Attachments.** The attachments enumerated and denominated below are hereby made a part of this Contract, and constitute promised performances by Council in accordance with all terms of this Contract.

4.2.1 **Attachment A,** Ethics Affidavit

4.2.2 **Attachment B,** Conflict of Interest Questionnaire

#### 4.3 **Council Communication.**

4.3.1 **General Communication.** Council and County agree that, unless otherwise designated specifically in any provision, all communication, requests, questions, or other inquiries related to this Contract shall initially be presented by Council to the County Department through the Executive Manager.

4.3.2 **Contract Issues.** At any time that Council has an issue, problem, dispute, or other question ("issue") concerning this Contract, Council may first contact County through County Department. Council shall provide written notice of the issue to County Department, with such written notice including a specific written description of the issue as well as the Council's desired resolution of the issue. Council and County will make a good faith effort to resolve the issue to their mutual satisfaction in a timely manner. It is understood and agreed that any resolution of the issue which necessitates a change in any term or condition of this Contract, including a waiver of any term or condition, shall be handled only as a written amendment pursuant to Section 3.0 of this Contract.

### **V. RESPONSIBILITIES AND OBLIGATIONS OF COUNCIL**





5.0 COUNCIL PERFORMANCE

5.1 Services and Activities.

5.1.1 Requirements. During any Contract Term, Council shall perform, in a satisfactory manner as determined by County, through County Department, all obligations and responsibilities as set forth under this Contract.

5.1.2 Failure to Perform. In the event of Council's non-compliance with any term of this Contract, including, but not limited to timely submission of any report, record or notification, County may impose such sanctions as determined to be necessary by County.

5.2 Indemnification and Claims.

5.2.1 **INDEMNIFICATION.** Council agrees to and shall indemnify and hold harmless County, its officers, agents, and employees, from and against any and all claims, losses, damages, negligence, causes of action, suits, and liability of every kind, including all expenses of litigation, court costs, and attorney's fees, for injury to or death of any person, for any act or omission by Council, or for damage to any property, arising out of or in connection with the work done by Council under this Contract, whether such injuries, death or damages are caused by Council's sole negligence or the joint negligence of Council and any other third party.

5.2.2 Claims Notification. If Council receives notice or becomes aware of any claim, or other action, including proceedings before an administrative agency, which is made or brought by any person, firm, corporation, or other entity against Council or County, Council shall give written notice to County Department of: the claim, or other action within three (3) working days after being notified of it or the threat of it; the name and address of the person, firm, corporation or other entity that made or threatened to make a claim, or that instituted or threatened to institute any type of action or proceeding; the basis of the claim, action or proceeding; the court or administrative tribunal, if any, where the claim, action or proceeding was instituted; and the name or names of any person against whom this claim is being made or threatened. This written notice shall be given in the manner provided in Section 16.0 of this Contract. Except as otherwise directed, Council shall furnish to County copies of all pertinent papers received by Council with respect to these claims or actions.

5.3 Miscellaneous Responsibilities.

5.3.1 Change in Identity. Council shall notify the Purchasing Agent and County Department immediately in writing, and in advance where possible, of any significant change affecting the Council, including change of Council's name or identity, ownership or control, payee identification number and other. Failure to provide such information in a timely manner may delay payment under this Contract or result in other action by County regarding Council's status under this Contract.

6.0 ACKNOWLEDGMENTS, WARRANTS, AND ASSURANCES



6.1 **Accurate Information.** Council warrants that all reports, data and information submitted to County will be accurate, reliable and verifiable. Approval by County of such shall not constitute nor be deemed a release of the responsibility and liability of Council, its employees, agents or associates for the accuracy and competency of their reports, information documents, or services, nor shall approval be deemed to be the assumption of such responsibility by County for any defect, error, omission, act or negligence or bad faith by Council, its employees, agents, or associates.

6.2 **Payment of Taxes.** Council acknowledges and agrees that neither federal, state, nor local income tax, nor payroll tax of any kind will be withheld or paid by County on behalf of Council or the employees of Council. Council will not be treated as an employee with respect to the services performed under the terms and conditions of this Contract for federal and state tax purposes. Council accepts responsibility for the compensation of employees, withholding and payment of taxes, and for purchasing any liability, disability or health insurance coverage deemed necessary by Council. Council understands that Council is responsible to pay, according to the law, Council's income tax. If Council is not a corporation, Council further understands that the Council may be liable for self-employment (social security) tax, to be paid by Council according to law.

6.3 **Non-delinquency on Federal Debt.** Council, by signing this Contract, certifies that Council is not delinquent in repaying any Federal debt; has not been judged to be in default on a Federal Debt; and has not had a judgment lien filed against it as a result of a Federal debt. Failure to maintain this status will result in action by County up to and including termination of this Contract.

6.4 **Debarment, Suspension and Other Responsibility Matters.** Certification under this Section 6.4 provides for compliance with certification requirements under 15 CFR Part 26, "Government-wide Debarment and Suspension." Council, by signing this Contract, hereby certifies that, to the best of its knowledge and belief, it and its principles:

(a) are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by and Federal department or agency.

(b) have not within a three-year period preceding this Contract been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (b); and

(d) have not within a three year period preceding this Contract had one or more public transactions (Federal, State or local) terminated for cause or default.



Where Council is unable to certify to any of the statements in this Section 6.4, Council shall provide an explanation of such inability prior to the effective date of this Contract for County's consideration and evaluation with the understanding that such may result in termination of this Contract by County.

7.0 COMPLIANCE

7.1 **Federal, State and Local Laws.** Council shall provide all services and activities performed under the terms of this Contract in compliance with the Constitutions of the United States and Texas and with all applicable federal, state, and local orders, laws, regulations, rules, policies, and certifications governing any activities undertaken during the performance of this Contract including, but not limited to: Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Section 794); the Americans With Disabilities Act of 1990, Public Law 101-336 [S.933] ("ADA"), Chapter 73, TEXAS ADMINISTRATIVE CODE, HEALTH AND SAFETY CODE, Section 85.113 (relating to workplace and confidentiality guidelines regarding AIDS and HIV); Health Insurance Portability and Accountability Act of 1996 (HIPAA); Council shall not discriminate against any employee, applicant for employment, or Eligible Client based on race, religion, color, gender, national origin, age or handicapped condition. In performance of all Contract services and activities, Council will comply with applicable state and federal licensing and certification requirements, health and safety standards, and regulations prescribed by the U.S. Department of Health and Human Services and the Texas Department of Health.

7.2 **Confidentiality.**

7.2.1 **Method.** Council shall establish a method to secure the confidentiality of records and other information relating to Eligible Clients in accordance with the applicable Federal laws, rules and regulations, the applicable State and local laws, rules, and regulations and applicable professional ethical standards. This provision shall not be construed as limiting the right of access to Eligible Client information.

7.2.2 **Privacy.** Council shall comply with state and federal laws relating to the privacy and confidentiality of patient and client records that contain protected health information, or other information made confidential by law, and shall maintain patient and client records in compliance with state laws relating to the security and retention of medical or patient records.

8.0 RETENTION AND ACCESSIBILITY OF CLIENT & FISCAL RECORDS

8.1 **Records.** County and Council agree to maintain all records and documentation for all expenditures pertaining to this Contract in a readily available state and location until an audit in conformance with generally accepted accounting principals and procedures for governmental organizations is completed and all questions arising from it are resolved satisfactorily, or for three (3) years after the agreement term in which the activity occurred, whichever occurs later.

8.2 **Access.** Council and County agree to give any of the duly authorized representatives of the other Party, full reasonable access to and the right to examine all books, accounts, records, reports, files, and other papers, things, or property belonging to or in use by the other Party and pertaining to this agreement at reasonable times and for reasonable periods. These rights to access shall continue as long as the records are required to be retained by either



Party, and for any additional time period that the records are retained by either Party

8.3 **Confidentiality.** Council and County agree to establish a method to secure the confidentiality of records and other information relating to the performance of this Contract in accordance with applicable federal laws, rules and regulations, applicable state laws and regulations, and applicable professional ethical standards.

8.4 **Rights to Materials.** All reports, charts, schedules, records, or other appended documentation of Council which is related to this Contract, and any responses, inquiries, correspondence and related material submitted by Council to County or created by Council under this document are the property of County.

9.0 **REPORTING REQUIREMENTS**

9.1 **Quarterly Reports.** County's reporting obligations under this Contract will be satisfied by the continuation of the provision of quarterly reports to the University of North Texas pursuant to the contract currently in place between Travis County and the University of North Texas for immunization. County and Council acknowledge and agree that they have copies of said contract and amendments and are aware of the obligations under that contract. County has no obligation to provide separate reports to Council under this Contract.

**VI. RESPONSIBILITIES AND OBLIGATIONS OF COUNTY**

10.0 **LIMITATIONS**

10.1 **County Approval.** Approval of County of any services or reports shall not constitute nor be deemed a release of the responsibility and liability of Council, its employees, agents or associates for the accuracy and competency of their reports, information, documents, or services, nor shall approval be deemed to be the assumption of such responsibility by County for any defect, error, omission, act or negligence or bad faith by Council, its employees, agents, or associates.

11.0 **COUNTY OBLIGATIONS.**

11.1 **County Services.** County shall provide authorized services under the Seniors and Volunteers for Childhood Immunization Program to qualified recipients of the City of Austin through a Travis County RSVP Specialist I or II in accordance with all terms of this Contract.

11.2 **County Liability.** County will not assume liability for the Council contribution until good funds have been deposited with the County' Treasurer's Office. Council assumes all liability and responsibility for payment for any portion of the total amount due attributable to Council funds.

11.3 **County Civil Rights/ADA Compliance.** County shall, and shall require all Subcontractors to, provide all services and activities required under this Contract in compliance with the Civil Rights Act of 1964, as



amended, the Rehabilitation Act of 1973, Public Law 93-1122, Section 504, and with the provisions of the Americans With Disabilities Act of 1990, Public Law 101-336 (S.933). County shall not discriminate against any employee, applicant for employment or client based on race, religion, color, sex, national origin, age or handicapped conditions.

11.4 **County Confidentiality.** County agrees to keep confidential at all times all information that identifies clients and personnel and any other information received from Council if required to do so by law.

11.5 **Immunity or Defense.** It is expressly understood and agreed by all Parties that, neither the execution of this Contract, nor any conduct of any representative of County relating to this Contract, shall be considered to waive, nor shall it be deemed to have waived, any immunity or defense that would otherwise be available to it against claims arising in the exercise of its governmental powers and functions, nor shall it be considered a waiver of sovereign immunity to suit.

## VII. FINANCIAL PROVISIONS

### 12.0 CONTRACT FUNDS

#### 12.1 Maximum Funds.

12.1.1 **Initial Term.** During the Initial Term, in consideration of the services provided, either directly or indirectly, by County under the provisions of this Contract, Council agrees to pay the County an amount of Four Thousand Dollars (\$ 4,000.00). The payment will be made no later than twenty(20) days after the date of execution of this Contract.

12.1.2 **Renewal Term.** Unless otherwise agreed to in writing by the Parties, payments during any Renewal Term will remain the same as those set forth in this Section 12.1.

12.1.3 **No Third Party Rights.** All funds paid to County by Council under this Contract shall be used for the payment of allowable contract expenditures made by County. This Contract creates no third party beneficiary rights as between Council and any of County's contractors and/or employees.

12.1.4 **Fiscal Year Limit.** In no event shall any provision of this Contract or any agreement subject to this Contract be interpreted to obligate the County beyond the funds approved by the Commissioners Court for any Fiscal Year/budget period. Council understands and agrees that County's liability and obligation for total County Contract Funds is limited to that portion of the total which has been approved by the Commissioners Court during the budget period for the portion of the term which falls within the County fiscal year in place at the beginning of the Contract Term or any Renewal Term.

12.2 **Taxes.** County shall not be liable for state, local or federal excise taxes of Council. Council must be able to demonstrate on-site compliance with the Federal Tax Reform Act of 1986, Section 1706, amending Section 530 of the Revenue Act of 1978, dealing with issuance of Form W-2's to common law employees. The Council is responsible for both Federal and State Unemployment insurance coverage and standard Workers' Compensation Insurance coverage. Council must comply with all Federal and State tax laws and withholding requirements. County



will not be liable to Council or its employees for any Unemployment or Workers' Compensation coverage, or Federal or State withholding requirements.

## VIII. SUSPENSION/TERMINATION

### 13.0 TERMINATION

13.1 **Material Breach.** Either Party may terminate this Contract if the other fails to cure a material breach which substantially impairs the value of the contract as a whole to the non-breaching Party within ten (10) days of receipt of written notice being given by the non-breaching Party. If more than ten (10) days are required to cure such default or breach, a reasonable time in excess of said days may be established, provided both Parties agree in writing as to the time period to be substituted. In the event such default or breach is not cured within the specified time, the contract may be terminated upon five (5) days written notice.

13.2 **Reasons for Termination.** Either Party shall have the right to terminate this Contract, in whole or in part, at any time before the date of termination specified in Section 2.0 of this Contract for the following reasons:

13.2.1 **Failure to Comply.** The other Party has failed to comply with any term or condition of this Contract;

13.2.2 **County Funding Out.** During the budget planning and adoption process, Commissioners Court fails to provide funding for this Contract for the County Fiscal Year following the beginning of the contract period,

13.2.3 **Ability to Conform.** Either Party is unable to conform to changes required by federal, state and local laws or regulations, or

13.2.4 **Beneficial Results.** Either Party finds that the other Party is not producing results that are sufficiently beneficial to warrant continued expenditure of Contract Funds.

13.3 **Notification.** County Purchasing Agent shall notify Council pursuant to the "Notice" provision of this Contract in writing at least thirty (30) days before the date of termination of the decision to terminate; the reasons for the termination; the effective date of the termination; and in the case of partial termination, the portion of the Contract to be terminated.

13.4 **Without Cause Termination.** Either Party may terminate this Contract, in whole or in part, without cause, if the Party wanting to terminate the agreement notifies the other party in compliance with the notice provisions of the agreement of the decision to terminate this Contract, the effective date of termination at least sixty (60) days after that notice and, in the case of a partial termination, the portion of the agreement to be terminated.

13.5 **Mutual Termination.** Any Party has the right to terminate this Contract, in whole or in part, when the Parties agree that the continuation of the activities funded under this Contract would not produce beneficial results commensurate with the further expenditure of funds; provided that both Parties agree, in writing, upon the termination conditions, including the effective date of the termination; the provisions under which termination shall be accepted;



and, in the case of partial termination, the portion of the Contract to be terminated.

13.6 **Correction.** At least thirty (30) days before the effective date of termination pursuant to any provision of this Contract, the terminating Party shall notify the other Party in compliance with Section 16.0 of the reasons for termination, the effective date of termination and the portion of this Contract to be terminated. Where applicable, the non-terminating may avoid the termination of this Contract if that Party corrects the causes for the reasons for termination stated in the notice to the satisfaction of other Party, as determined by that Party, prior to the effective date of termination, or an extended date if agreed to in writing by the Parties.

13.7 **Results of Termination.**

13.7.1 **Rights Surviving Termination.** If either party terminates this Contract, in whole or in part, County has the right to receive payment for all services provided before the date of termination and not previously paid; and Council has the right to receive reimbursement of any amounts paid to County for which services were not provided prior to the termination date.

13.7.2 **Continued Liability.** Notwithstanding any exercise by County of early termination pursuant to this Section 13.0 or any provision of this Contract, Council shall not be relieved of any liability to County for damages due to County by virtue of any breach of this Contract by Council, or for any amounts paid to Council by County and determined by County to be overpayment(s), disallowed payment(s), or payment(s) subject to refund under the terms of this Contract. County may withhold payments to Council until the exact amount of damages or payments due to County from Council is agreed upon or is otherwise determined, and is paid in full.

**VIII. MISCELLANEOUS PROVISIONS**

14.0 **COUNCIL STATUS.**

14.1 **Independent Contractor.** The Parties expressly acknowledge and agree that Council is an independent contractor and assumes all of the rights, obligations and liabilities applicable to it as an independent contractor. No employee of Council shall be considered an employee of County or gain any rights against County pursuant to County's personnel policies and no employee of County shall be considered an employee of Council or gain any rights against Council pursuant to Council's personnel policies. The relationship of County and Council under this Contract is not and shall not be construed or interpreted to be a partnership, joint venture or agency. The relationship of the Parties shall be an independent contractor relationship. Neither Party shall have the authority to make any statements, representations or commitments of any kind, or to take any action which shall be binding on the other Party or which shall hold itself out to be binding on the other Party.

14.2 **Contract Limitation.** This Contract sets out the agreements and obligations between County and Council only, and does not obligate County or Council in any way to any of the other Party's Subcontractors, nor to any other third party. This Contract creates no third party beneficiary rights as between County and any of Council's Subcontractors. Each Party has the sole responsibility for payment for services rendered by that Party's Subcontractors.



Neither Party shall not under any circumstances be liable to the other Party's creditors or Subcontractors for any payments under this Contract.

15.0 MONITORING

15.1 **Monitoring.** Council reserves the right to perform periodic on-site monitoring of County's compliance with the terms of this Contract, and of the adequacy, effectiveness and timeliness of Council's performance under this Contract. Any issues, problems or deficiencies noted by Council shall be referred to the Executive Manager for resolution which is satisfactory to Council and County.

16.0 NOTICES

16.1 **Requirements.** Except as otherwise specifically noted herein, any notice required or permitted to be given under this Contract 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.

16.2 **County Address.** The address of County for all purposes under this Contract shall be:

Sherri Fleming, Executive Manager (or her successor)  
Travis County Department of Health, Human Services,  
and Veterans' Services  
100 N. IH 35, Suite 3700  
Austin, Texas 78701

With copies to (registered or certified mail with return receipt is not required):

Honorable David Escamilla (or his successor in office)  
Travis County Attorney  
P.O. Box 1748  
Austin, Texas 78767  
ATTENTION: Civil Transactions

and

Cyd Grimes, Purchasing Agent (or her successor)  
Travis County Purchasing  
P. O. Box 1748  
Austin, Texas 78767

16.3 **Council Address.** The address of the Council for all purposes under this Contract and for all notices hereunder shall be:





Retired Senior Volunteer Program of  
Travis County Advisory Council  
P. O. Box 1748  
Austin, Texas 78767

16.4 **Change of Address.** Each Party may change the address for notice to it by giving notice of the change in compliance with Section 16.0. Any change in the address, including a change in the Council's Executive Director or Chairperson of the Board of Directors, shall be reported to the Executive Manager and the Purchasing Agent within twenty (20) days of the change.

16.5 **Change of Name.** If a change of name is required by Council, the Purchasing Agent and Executive Manager shall be notified in writing immediately. No change in the obligation of or to Council will be recognized until it is approved by the Commissioners Court. Failure to timely provide notice under Section 16.0 may result in delay of payment.

#### 17.0 **PROHIBITIONS**

17.1 **County Forfeiture of Contract.** If Council has done business with a Key Contracting Person as listed in Exhibit "A" to Attachment F during the 365 day period immediately prior to the date of execution of this Contract by Council or does business with any Key Contracting Person at any time after the date of execution of this Contract by Council (including business done during any Renewal Term of this Contract) and prior to full performance of this Contract, Council shall forfeit all County benefits of this Contract and County shall retain all performance by Council and recover all considerations, or the value of all consideration, paid to Council pursuant to this Contract. Council shall notify County of any change in the information submitted with this Contract as to the Ethics Affidavit within twenty (20) days of such change throughout the Initial Term and/or any Renewal Term.

#### 17.2 **Conflict of Interest.**

17.2.1 **Conflict.** Council shall ensure that no person who is an employee, agent, consultant, officer, or elected or appointed official of Council who exercises or has exercised any functions or responsibilities with respect to activities performed pursuant to this Contract or who is in a position to participate in a decision-making process or gain inside information with regard to these activities has or may obtain a personal or financial interest or benefit from the activity, or have an interest in any contract, Subcontract or agreement with respect to it, or the proceeds under it, either for him or herself or those with whom he or she has family or business ties, during his or her tenure or for one year thereafter.

17.2.2 **Conflict of Interest Questionnaire.** Council shall complete the Conflict of Interest Questionnaire attached to this Contract as Attachment B. Within seven (7) business days of executing this Contract, Council shall file the Questionnaire with the County Clerk, Elections Division, 5501 Airport Blvd., Austin, Texas 78751. Council shall update this Questionnaire, as required by Chapter 176, TEXAS LOCAL GOVERNMENT CODE, by September 1, 2006, and each year thereafter for the duration of this Contract. In addition, if any statement on this submitted Questionnaire becomes incomplete or inaccurate, Council shall submit an updated Questionnaire, not later than the seventh (7th) business day after the date of an event that



makes a statement in the Questionnaire incomplete or inaccurate. Council should note that the law requires the County to provide access to this Questionnaire on the official Travis County Internet website.

17.3 **Solicitation.** Council warrants that no persons or selling agency was or has been retained to solicit this Contract upon an understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial selling agencies maintained by Council to secure business. For breach or violation of this warranty, County shall have the right to terminate this Contract without liability, or, in its discretion to, as applicable, add to or deduct from the Contract price for consideration, or otherwise recover the full amount of such commission, percentage, brokerage or contingent fee.

17.4 **Gratuities.** County may cancel this Contract if it is found that gratuities in the form of entertainment, gifts, or otherwise were offered or given by Council or any agent or representative to any County official or employee with a view toward securing favorable treatment with respect to the performing of this Contract. In the event this Contract is cancelled by County pursuant to this provision, the County shall be entitled, in addition to any other rights and remedies, to recover from Council a sum equal in amount to the cost incurred by Council in providing such gratuities. Council's employees, officers and agents shall neither solicit nor accept gratuities, favors or anything of monetary value from Subcontractors or potential Subcontractors.

17.5 **Nepotism.** Council agrees that it will comply with the guidelines set forth for public officials under TEX. GOVERNMENT CODE ANN, Ch. 573, by ensuring that no officer, employee or member of the governing body of Council shall vote or confirm the employment of any person related within the second degree by affinity or third degree by consanguinity to any member of the governing body or to any other officer or employee authorized to employ or supervise such person.

#### 18.0 **ASSIGNABILITY**

18.1 **Written Approval.** No Party may assign any of the rights or duties created by this Contract without the prior written approval of the other Party. This provision includes assignment, sale, merger or any other action resulting in any change in the status of Council. It is acknowledged by Council that no officer, agent, employee or representative of County has any authority to assign any part of this Contract unless expressly granted that authority by the Commissioners Court. Submission of a request for approval under this Section 18.1, "Assignment," shall be made in writing to the Purchasing Agent. Failure to secure the approval required in this Section 18.1 may result in delay of payment or other sanctions.

18.2 **Binding Agreement.** Subject to Section 18.1, this Contract shall be binding upon the successors, assigns, administrators, and legal representatives of the Parties to this Contract.

#### 19.0 **LEGAL AUTHORITY**

19.1 **Council Authority.** Council guarantees that Council possesses the legal authority to enter into this



Contract, receive funds authorized by this Contract, and to perform the services Council has obligated itself to perform under this Contract.

19.2 **Signors.** The person or persons signing this Contract on behalf of Council, or representing themselves as signing this Contract on behalf of Council, do hereby warrant and guarantee that he, she or they have been duly authorized by Council to sign this Contract on behalf of Council and to bind Council validly and legally to all terms, performances, and provisions in this Contract.

19.3 **Suspension.** County shall have the right to suspend or terminate this Contract if there is a dispute as to the legal authority of either Council or the person signing this Contract to enter into this Contract or to render performances under it. Council and any person signing this Contract are liable to County for any money disbursed by County for performance of the provisions of this Contract, if County has suspended or terminated this Contract for breach of Section 19.1 or Section 19.2.

## 20.0 **INTERPRETATIONAL GUIDELINES**

20.1 **Computation of Time.** When any period of time is stated in this Contract, 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.

20.2 **Numbers and Gender.** Words of any gender in this Contract 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 Contract clearly requires otherwise.

20.3 **Headings.** The headings at the beginning of the various provisions of this Contract 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 Contract.

## 21.0 **OTHER PROVISIONS**

21.1 **Survival of Conditions.** Applicable provisions of this Contract, as determined by County, shall survive beyond termination or expiration of this Contract until full and complete compliance with all aspects of these provisions has been achieved where the Parties have expressly agreed that those provisions should survive any such termination or expiration or where those provisions remain to be performed or by their nature would be intended to be applicable following any such termination or expiration.

21.2 **Non-Waiver of Default.** One or more acts of forbearance by any Party to enforce any provision of this Contract or any payment, act or omission by any Party shall not constitute or be construed as a waiver of any breach or default of any other Party which then exists or may subsequently exist.

21.3 **Reservation of Rights.** If any Party to this Contract breaches this Contract, the other Party(ies) shall be entitled to any and all rights and remedies provided for by the Texas law and any applicable Federal laws or regulations. All rights of County, under this Contract are specifically reserved and any payment, act or omission shall



not impair or prejudice any remedy or right to County under it. The exercise of or failure to exercise any right or remedy in this Contract of County or the failure to act in accordance with law based upon the other Party's breach of the terms, covenants, and conditions of this Contract, or the failure to demand the prompt performance of any obligation under this Contract shall not preclude the exercise of any other right or remedy under this Contract or under any law, nor shall any action taken or not taken in the exercise of any right or remedy be deemed a waiver of any other rights or remedies.

21.4 **Law and Venue.** This Contract is governed by the laws of the State of Texas and all obligations under this Contract shall be performable in the City of Austin, Texas or in Travis County, Texas. It is expressly understood that any lawsuit, litigation, or dispute arising out of or relating to this Contract will take place in Travis County and the City of Austin.

21.5 **Severability.** If any portion of this Contract is ruled invalid by a court of competent jurisdiction, the remainder of it shall remain valid and binding.

21.6 **Dispute Resolution - Administration by Purchasing Agent.** When the Council and/or County have been unable to successfully resolve any question or issue related to this Contract presented to the County under Section 4.3, the Council or County shall then present the matter to the Purchasing Agent by providing the Purchasing Agent with written notice of the dispute. Such notice shall contain a specific written description of the issues involved as well as the Council's requested resolution of the dispute and any other relevant information which Council desires to include. As of the receipt of such notice by the Purchasing Agent, the Purchasing Agent will act as the County representative in any further issuances and in the administration of this Contract in relation to the described dispute. Unless otherwise stated in this Contract, any document, notice or correspondence in relation to the disputes at this stage not issued by or to the Purchasing Agent is void. If the Council does not agree with any document, notice or correspondence relating to the dispute issued by the Purchasing Agent or other authorized County person, the Council must submit a written notice to the Purchasing Agent with a copy to the Executive Manager within ten (10) calendar days after receipt of the document, notice or correspondence, outlining the exact point of disagreement in detail. The Purchasing Agent will issue a written notice of the final resolution of the dispute to the Council within thirty (30) days of receipt of the initial written notice of dispute by the Purchasing Agent. If this final resolution does not resolve the dispute to the Council's satisfaction, Council may submit a written Notice of Appeal to the Commissioners Court through the Purchasing Agent. The Purchasing Agent will provide a copy of such response to the Executive Manager. This Notice of Appeal must be submitted within ten (10) calendar days after receipt of the unsatisfactory final resolution. Council then has the right to be heard by Commissioners Court and the Purchasing Agent will coordinate placing the matter on the Commissioners Court agenda.

21.7 **Mediation.** If the Council is not satisfied with the resolution of the dispute pursuant to Section 21.6, Council shall notify the Executive Manager, and, if mediation is acceptable to both Parties in resolving the dispute arising under this Contract, 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, Section 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, Section 154.073, unless both Parties agree, in writing, to waive the confidentiality.



21.8 **County Public Purpose.** By execution of this Contract, the Commissioners Court hereby finds that the issues, problems and needs to be addressed by the services to be provided under the terms of this Contract, and specifically set forth in Attachment A hereto, constitute a significant public concern impacting members of the indigent population which the County serves. The Commissioners Court further finds that the provision of services to be provided by Council pursuant to this Contract will further the public purpose of addressing those health and human services issues, problems and needs identified in this Contract (including Attachment A) for qualified individuals.

21.9 **Force Majeure.** Neither Party shall be financially liable to the other Party for delays or failures to perform in Contract performance caused by force majeure (i.e. those causes generally recognized under Texas law as constituting impossible conditions). Such delays or failures to perform shall extend the period of performance until these exigencies have been removed. The party seeking to avail itself of this clause shall notify the other Party within five (5) business days or otherwise waive the right as a defense, unless notification is impractical under the circumstances, in which case notification shall be done in as timely a manner as possible. Council agrees that breach of this provision entitles County to reduce or stop payments or immediately terminate this Contract.

BY THE SIGNATURES AFFIXED BELOW, the above Contract is hereby accepted as all the terms and conditions of this Contract.

RETIRED SENIOR VOLUNTEER  
PROGRAM ADVISORY COUNCIL

By: Gretchen S. Blackburn  
Its Duly Authorized Agent

Printed Name: Gretchen S. Blackburn  
Title: Treasurer, ROVP

Date: 12/15/08

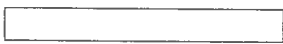
TRAVIS COUNTY

By: \_\_\_\_\_  
Samuel T. Biscoe  
County Judge Date: \_\_\_\_\_

County Approvals:  
As to Legal Form:

\_\_\_\_\_  
Assistant County Attorney Date: \_\_\_\_\_

Funds Certified By:  
\_\_\_\_\_  
Susan Spataro, County Auditor Date: \_\_\_\_\_



Purchasing:

Cyd Grimes, Purchasing Agent      Date: \_\_\_\_\_



**ATTACHMENT A**

**ETHICS AFFIDAVIT**

Date: 12/15/08  
Name of Affiant: GRETCHEN S BLACKBURN  
Title of Affiant: TREASURER  
Business Name of Council ("Contractor"): RETIRED SENIOR VOLUNTEER PROGRAM  
County of Contractor: TRAVIS

Affiant on oath swears that the following statements are true:

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

Signature of Affiant

Gretchen S Blackburn

Address

TRAVIS COUNTY RSVP  
P.O. Box 1748, AUSTIN, TX 78767

SUBSCRIBED AND SWORN TO before me by Gretchen Blackburn on  
December 16, 2008.



**SANDY G. SOLIS** Notary Public, State of Texas  
Notary Public, State of Texas  
My Commission Expires  
April 18, 2010  
Type or printed name of notary

Sandy G Solis  
My commission expires: 4/18/10



DISCLOSURE/WARRANT

STATE OF TEXAS  
COUNTY OF TRAVIS

CONTRACT # \_\_\_\_\_

COUNCIL ("CONTRACTOR"): \_\_\_\_\_

Contractor acknowledges that Contractor is doing business or has done business during the 365 day period immediately prior to the date on which this contract is signed, or will do business during the contract term with the following key persons and warrants that these are the only such key persons:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If no one is listed above, Contractor warrants that Contractor is not doing business and has not done business during the 365 day period immediately period to the date on which this contract is signed with any key person.

If Contractor does business with any key person during the contract term, Contractor will so notify County immediately in writing.





**KEY CONTRACTING PERSONS LIST**



**EXHIBIT A**  
**LIST OF KEY CONTRACTING PERSONS**  
**August 6, 2008**

**CURRENT**

<u>Position Held</u>	<u>Name of Individual Holding Office/Position</u>	<u>Name of Business Individual is Associated</u>
County Judge...	Samuel T. Biscoe	
County Judge (Spouse) .....	Donalyn Thompson-Biscoe....	MHMR
Executive Assistant .....	Cheryl Brown	
Executive Assistant.....	Nicole Grant*	
Executive Assistant.....	Melissa Velásquez	
Commissioner, Precinct 1.....	Ron Davis	
Commissioner, Precinct 1 (Spouse).....	Annie Davis .....	Seton Hospital
Executive Assistant.....	Chris Fanuel	
Executive Assistant.....	Felicitas Chavez	
Commissioner, Precinct 2 .....	Sarah Eckhardt	
Commissioner, Precinct 2 (Spouse).....	Kurt Sauer .....	Daffer McDonald, LLP
Executive Assistant .....	Loretta Farb	
Executive Assistant .....	Joe Hon*	
Executive Assistant .....	Peter Einhorn	
Commissioner, Precinct 3.....	Gerald Daugherty	
Commissioner, Precinct 3 (Spouse).....	Charlyn Daugherty.....	Commemorative Brands, Inc.
Executive Assistant.....	Robert Moore	
Executive Assistant.....	Martin Zamzow	
Commissioner, Precinct 4.....	Margaret Gomez	
Executive Assistant.....	Edith Moreida	
Executive Assistant.....	Norma Guerra	
Special Assistant to Comm. Court.....	Christian Smith*	
County Treasurer .....	Dolores Ortega-Carter	
County Auditor .....	Susan Spataro	
Executive Manager, Administrative .....	Alicia Perez	
Executive Manager, Budget & Planning .	Rodney Rhoades*	
Exec Manager, Emergency Services.....	Danny Hobby	
Exec Manager, Health/Human Services.....	Sherri E. Fleming	
Executive Manager, TNR .....	Joseph Gieselman	
Exec Manager, Criminal Justice Planning	Roger Jeffries*	
Travis County Attorney .....	David Escamilla	
First Assistant County Attorney .	Randy Leavitt	
Executive Assistant, Civil Division .....	Jim Collins	
Director, Transactions Division .	John Hille	
Attorney, Transactions Division .	Tamara Armstrong	
Attorney, Transactions Division .	Daniel Bradford*	
Attorney, Transactions Division .	Mary Etta Gerhardt	
Attorney, Transactions Division .	Barbara Wilson	
Attorney, Transactions Division .	Jim Connolly	
Attorney, Transactions Division .	Tenley Aldredge	
Attorney, Transactions Division .	Julie Joe	
Attorney, Transactions Division .	Christopher Gilmore*	
Attorney, Transactions Division .	Stacy Wilson	
Attorney, Transactions Division .	Sarah Churchill*	
Purchasing Agent .....	Cyd Grimes, C.P.M.	
Assistant Purchasing Agent .....	Marvin Brice, CPPB	
Assistant Purchasing Agent.....	Bonnie Floyd, CPPO, CPPB, CTPM	

**CURRENT - continued**

<u>Position Held</u>	<u>Name of Individual Holding Office/Position</u>	<u>Name of Business Individual is Associated</u>
Purchasing Agent Assistant IV ..	Diana Gonzalez	
Purchasing Agent Assistant IV ..	Lee Perry	
Purchasing Agent Assistant IV ..	Jason Walker	
Purchasing Agent Assistant IV ..	Richard Villareal	
Purchasing Agent Assistant IV ..	Oralia Jones, CPPB	
Purchasing Agent Assistant IV ..	Lori Clyde, CPPB	
Purchasing Agent Assistant IV ..	Scott Wilson*	
Purchasing Agent Assistant IV ..	Jorge Talavera, CPPB	
Purchasing Agent Assistant III...	Vania Ramaekers, CPPB	
Purchasing Agent Assistant III...	Michael Long, CPPB	
Purchasing Agent Assistant III...	Rebecca Gardner	
Purchasing Agent Assistant III...	Rosalinda Garcia	
Purchasing Agent Assistant III...	Loren Breland	
Purchasing Agent Assistant II....	Donald E. Rollack	
Purchasing Agent Assistant II....	Nancy Barchus, CPPB	
HUB Coordinator .....	Sylvia Lopez	
HUB Specialist. ....	Betty Chapa	
HUB Specialist. ....	Jerome Guerrero	
Purchasing Business Analyst ....	Scott Worthington	
TNR .....		

**FORMER EMPLOYEES**

<u>Position Held</u>	<u>Name of Individual Holding Office/Position</u>	<u>Date of Expiration</u>
Purchasing Agent Assistant IV .....	Vic Chanmugam, C.P.M.....	02/07/09
Executive Assistant.....	Dan Smith .....	02/15/09

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

**ATTACHMENT B**  
**CONFLICT OF INTEREST QUESTIONNAIRE**



4 ✓

**Travis County Commissioners Court Agenda Request**

RECEIVED  
CLERK'S OFFICE

09 JAN 27 PM 4:09

Voting Session February 3, 2009  
(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 \$868,256.76, for the period of January 16, 2009 to January 22, 2009.

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
Rodney Rhoades	854-9106

**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)



## *Human Resources Management Department*

1010 Lavaca

● P.O. Box 1748

● Austin, Texas 78767

● (512) 854-9165 / FAX(512) 854-9757

January 27, 2009

TO: Members of Commissioners Court

FROM: Dan Mansour, Risk and Benefits Manager, HRMD *DM*

SUBJECT: Travis County Employee Health Benefits Fund  
Weekly Paid Claims Reimbursement vs. Annual Budgeted Claims

This week you will notice two additional documents included in our weekly request for reimbursement of paid claims to United Healthcare. The purpose of including these documents in our weekly reimbursement request is to communicate to the Court, on an ongoing basis, the financial position of the fund relative to its budget.

The first new document is the "shark" chart with the budget line in red at the \$708,314.75 axis. Weekly reimbursement is shown relative to the budget line as either less than or exceeding the budget amount. Analyzing the reimbursements, relative to the budget line, reveal that in comparison,

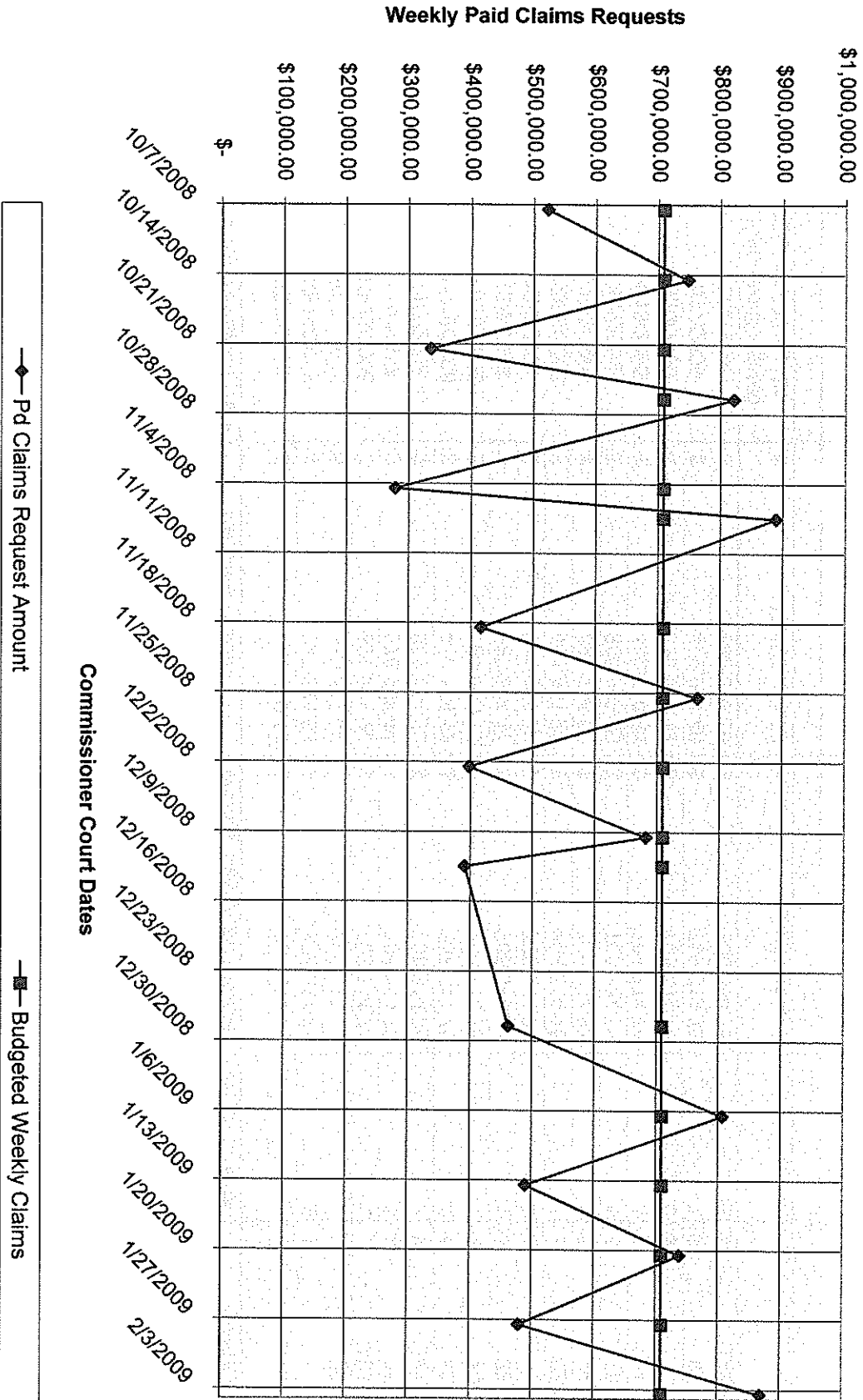
- Reimbursements less than budget are significantly less
- Reimbursements exceeding budget are generally nominal amounts
  - the exceptions are week November 11<sup>th</sup> and February 3<sup>rd</sup>

The second document shows weekly paid claim reimbursement amounts vs. budget, and large claims paid each week (large claim payments are included in the paid claim amount). The significant information on the spreadsheet is the amount of total paid claims under budget. Through 17 weeks, of the current plan year, the amount of paid claims under budget is \$1,952,109.43.

We will continue to include these documents unless the Court advises otherwise. If you have any questions or comments please contact me at X49499.

Cc: Alicia Perez, Executive Manager, Administrative Operations  
Linda Moore Smith, Director HRMD  
Cindy Purinton, Benefits Administrator  
Norman McRee, Financial Analyst Sr.

**TRAVIS COUNTY EMPLOYEE BENEFIT PLAN  
FY 09 Weekly Claims Request Amount VS Weekly Claims Budget Amount \$708,314.75**



TRAVIS COUNTY EMPLOYEE BENEFIT PLAN					
Paid Claims Vs. Budgeted Claim Amounts					
Voting Session Date	Weekly Paid Claims Request Amount	Weekly Budgeted Claims	Number of Large Claims	Total of Large Claims (Included in paid claims)	
10/7/2008	\$ 521,949.14	\$ 708,314.75	3	\$ 148,006.00	
10/14/2008	\$ 747,324.53	\$ 708,314.75	0	\$ -	
10/21/2008	\$ 335,512.06	\$ 708,314.75	2	\$ 90,581.80	
10/26/2008	\$ 821,392.23	\$ 708,314.75	1	\$ 27,830.00	
11/4/2008	\$ 278,558.66	\$ 708,314.75	1	\$ 25,794.46	
11/7/2008	\$ 889,154.23	\$ 708,314.75	3	\$ 241,152.98	
11/18/2008	\$ 416,144.12	\$ 708,314.75	1	\$ 43,401.87	
11/25/2008	\$ 764,495.13	\$ 708,314.75	1	\$ 25,086.80	
12/2/2008	\$ 398,204.17	\$ 708,314.75	1	\$ 29,800.00	
12/9/2008	\$ 681,975.72	\$ 708,314.75	0	\$ -	
12/28/2008	\$ 461,401.29	\$ 708,314.75	1	\$ 52,900.00	
12/12/2008	\$ 391,245.55	\$ 708,314.75	1	\$ 29,333.31	
1/6/2009	\$ 806,849.20	\$ 708,314.75	1	\$ 79,550.00	
1/13/2009	\$ 489,510.01	\$ 708,314.75	3	\$ 231,596.70	
1/20/2009	\$ 738,207.12	\$ 708,314.75	0	\$ -	
1/27/2009	\$ 479,061.40	\$ 708,314.75	1	\$ 52,000.00	
2/3/2009	\$ 868,256.76	\$ 708,314.75	2	\$ 122,268.15	
Paid and Budgeted Claims - 17 weeks	\$ 10,089,241.32	\$ 12,041,350.75			
Amount under budget				\$ 1,952,109.43	



**TRAVIS COUNTY  
RECOMMENDATION FOR TRANSFER OF FUNDS**

**DATE:** February 3, 2009

**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:** January 16, 2009 to January 22, 2009

**REIMBURSEMENT REQUESTED FOR THIS PERIOD:** \$868,256.76

**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 \$868,256.76.

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  
JANUARY 16, 2009 TO JANUARY 22, 2009**

- Page 1. Detailed Recommendation to Travis County Auditor for transfer of funds.
- 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: February 3, 2009  
 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: January 16, 2009  
 TO: January 22, 2009

**REIMBURSEMENT REQUESTED: \$ 868,256.76**

SUPPORTING DETAIL FOR REIMBURSEMENT REQUESTED:

NOTIFICATION OF AMOUNT OF REQUEST FROM UHC*	\$ 1,347,317.99
LESS: REIMBURSEMENTS PREVIOUSLY APPROVED BY COMMISSIONERS COURT: January 27, 2009	\$ (479,061.40)
Adjust to balance per UHC	\$ 0.17
<b>TOTAL REIMBURSEMENT REQUESTED BY UHC FOR THIS WEEK**:</b>	<b>\$ 868,256.76</b>
PAYMENTS DEEMED NOT REIMBURSABLE	\$ -
<b>TRANSFER OF FUNDS REQUESTED:</b>	<b>\$ 868,256.76</b>

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

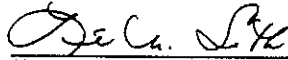
All claims over \$25,000 (2 this week totaling \$122,268.15) have been audited for data entry accuracy and the following information is correct for each claim audited: date of service, eligibility, nature of service, name of and amount billed by provider, amount billed by date and amount paid by UHC.


Fifteen percent (15%) of all claims under \$25,000 (\$133,398.81) 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 \$7,580.81.

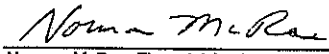
All claims submitted in this transfer have been audited to confirm accuracy of billing and legitimacy of claim under the service provisions of the health care contract and all are contractually legitimate, legally incurred and accurately billed claims.

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.

  
 Linda Moore Smith, Director Date 1-27-09

  
 Dan Mansour, Risk Manager Date 1-26-09

  
 Cindy Purinton, Benefit Contract Administrator Date 1-23-09

  
 Norman McRee, Financial Analyst Date 1/23/09

\*\* 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.

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: 2009-01-23 REQUEST AMOUNT: \$1,347,317.99

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

CALCULATION OF REQUEST AMOUNT

+ ENDING BANK ACCOUNT BALANCE FROM: 2009-01-22	\$648,742.32
- REQUIRED BALANCE TO BE MAINTAINED:	\$1,938,718.00
+ PRIOR DAY REQUEST:	\$00.00
- UNDER DEPOSIT:	\$1,289,975.68
+ CURRENT DAY NET CHARGE:	\$57,342.31
+ FUNDING ADJUSTMENTS:	\$00.00
REQUEST AMOUNT:	\$1,347,317.99

ACTIVITY FOR WORK DAY: 2009-01-16

CUST PLAN	CLAIM	NON CLAIM	NET CHARGE
0632	\$357,514.81	\$00.00	\$357,514.81
TOTAL:	\$357,514.81	\$00.00	\$357,514.81

ACTIVITY FOR WORK DAY: 2009-01-20

CUST PLAN	CLAIM	NON CLAIM	NET CHARGE
0632	\$289,361.87	\$00.00	\$289,361.87

Page: 1 of 2

UNITED HEALTHCARE CHECK REGISTER FOR TRAVIS COUNTY SUBMITTED 2009\_01\_22

CONTR_NBR	PLN_ID	TRANS_AMT	SRS_DESG_NBR	CHK_NBR	GRP_ID	CLM_ACCT_NBR	ISS_NBR	ISS_DT	TRANS_TYP_CD	TRANS_DT	WK_END_DT
701254	632	-106.55	NN	965579	AE		8	1/22/2009	200	1/20/2009	1/22/2009
701254	632	-116.32	NN	1677357	A		3	1/22/2009	200	1/20/2009	1/22/2009
701254	632	-129.72	NN	927385	AH		5	1/22/2009	200	1/20/2009	1/22/2009
701254	632	-134.89	NN	1108938	AI		3	1/22/2009	200	1/20/2009	1/22/2009
701254	632	-145.54	NN	SSN0000CAL			0	1/16/2009	600	1/23/2009	1/22/2009
701254	632	-166.88	NN	1108939	AI		3	1/22/2009	200	1/20/2009	1/22/2009
701254	632	-166.88	NN	1705427	AH		8	1/22/2009	200	1/20/2009	1/22/2009
701254	632	-166.88	NN	1881411	AA		8	1/22/2009	200	1/20/2009	1/22/2009
701254	632	-192.62	NN	1754970	AH		1	1/22/2009	200	1/20/2009	1/22/2009
701254	632	-208.15	NN	1460358	AE		8	1/22/2009	200	1/20/2009	1/22/2009
701254	632	-238.91	NN	1677445	AH		1	1/22/2009	200	1/20/2009	1/22/2009
701254	632	-239.38	NN	1499641	AH		7	1/22/2009	200	1/20/2009	1/22/2009
701254	632	-239.41	NN	1961089	AE		5	1/22/2009	200	1/20/2009	1/22/2009
701254	632	-325.88	NN	898112	AA		1	1/22/2009	200	1/20/2009	1/22/2009
701254	632	-330.31	NN	1705610	AA		6	1/22/2009	200	1/20/2009	1/22/2009
701254	632	-333.64	NN	1613183	AH		1	1/22/2009	200	1/20/2009	1/22/2009
701254	632	-360.8	NN	1103254	AH		1	1/22/2009	200	1/20/2009	1/22/2009
701254	632	-378.45	NN	1789180	AH		9	1/22/2009	200	1/20/2009	1/22/2009
701254	632	-450	NN	13	3424431	AH	1	1/20/2009	50	1/22/2009	1/22/2009

868,256.76

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

For the payment week ending: 01/22/2009

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

**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: 1/22/2009

<b>TYPE</b>	<b>MEMBER TYPE</b>	<b>TRANS_AMT</b>
<b><i>CEPO</i></b>		
	EE	
	<b>526-1145-522.45-28</b>	<b>117,805.95</b>
	RR	
	<b>526-1145-522.45-29</b>	<b>11,636.13</b>
Total CEPO		\$129,442.08
<b><i>EPO</i></b>		
	EE	
	<b>526-1145-522.45-20</b>	<b>166,708.50</b>
	RR	
	<b>526-1145-522.45-21</b>	<b>43,154.29</b>
Total EPO		\$209,862.79
<b><i>PPO</i></b>		
	EE	
	<b>526-1145-522.45-25</b>	<b>475,495.50</b>
	RR	
	<b>526-1145-522.45-26</b>	<b>53,456.39</b>
Total PPO		\$528,951.89
Grand Total		\$868,256.76

# 5

### Travis County Commissioners Court Agenda Request

Voting Session 02/03/09  
(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)





# HRMD

*Human Resources Management Department*

1010 Lavaca Street, 2<sup>nd</sup> Floor

• P.O. Box 1748

• Austin, Texas 78767

• (512) 854-9165 / FAX(512) 854-4203

**February 3, 2009**

**ITEM # :**

**DATE:** January 23, 2009

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

**VIA:** Alicia Perez, Executive Manager, Administrative Operations

**FROM:** Linda Moore Smith, Director, HRMD 

**SUBJECT:** Weekly Personnel Amendments

Attached are Personnel Amendments for Commissioners Court approval.

**Routine Personnel Actions – Pages 2 – 6.**

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
Civil Courts	72	Court Reporter	24 / \$72,082.66	24 / \$72,082.66
Constable 2	3	Court Clerk II**	15 / \$41,490.38	15 / \$41,490.38
Constable 3	10	Deputy Constable**	61 / Step 1 / \$40,950.21♦	61 / Step 1 / \$40,950.21♦
Constable 3	12	Court Clerk I	13 / Minimum / \$29,501.26	13 / Minimum / \$29,501.26
Constable 3	35	Deputy Constable	61 / Step 5 / \$44,275.30♦	61 / Step 5 / \$44,275.30♦
Sheriff	29	Phys Asst / Nurse Pract	24 / Level 4 / \$69,534.40	24 / Level 4 / \$69,534.40
* Temporary to Regular                      ** Actual vs Authorized                      ♦FY 08 Non-TCSO POPS Scale prior to 1/16/09 implementation.				

TEMPORARY APPOINTMENTS					
Dept.	Slot	Position Title	Dept. Requests Grade/Salary	HRMD Recommends Grade/Salary	**Temporary Status Type Code
Civil Courts	20002	Court Operations Officer*	16 / \$18.22	16 / \$18.22	02
County Clerk	20161	Elec Clk - Eryl Vting Clk	7 / \$10.00	7 / \$10.00	02
County Clerk	20635	Elec Clk - Eryl Vting Clk	7 / \$10.00	7 / \$10.00	02
County Clerk	23017	Elec Clk - Eryl Vting Clk	7 / \$10.00	7 / \$10.00	02
Fac Mgmt	20026	Custodian	5 / \$10.00	5 / \$10.00	02
Fac Mgmt	50057	Custodian	5 / \$10.00	5 / \$10.00	05
Fac Mgmt	50060	Custodian	5 / \$10.00	5 / \$10.00	05
Tax Collector	50053	Administrative Asst I	11 / \$12.39	11 / \$12.39	05
TCCES	50006	Counselor	15 / \$16.23	15 / \$16.23	05
TCCES	50009	Counselor	15 / \$16.23	15 / \$16.23	05
TCCES	50044	Counselor	15 / \$16.23	15 / \$16.23	05
TCCES	50146	Office Specialist	10 / \$11.58	10 / \$11.58	05
* Regular to Temporary                      **Temporary Status Type Codes: (Temporary less than 6 mos. = 02) (Project Worker more than 6 mos. = 05, includes Retirement Benefits).					

<b>CAREER LADDERS – POPS</b>						
<b>Dept.</b>	<b>Slot</b>	<b>Current Position Title/Grade</b>	<b>New Position Title/Grade</b>	<b>Current Annual Salary</b>	<b>Proposed Annual Salary</b>	<b>Comments Current HRMD Practice</b>
<b>Constable 3</b>	5	Deputy Constable* / Grd 61	Deputy Constable Sr* / Grd 63♦	\$43,439.97	\$47,308.98	Career Ladder. Peace Officer Pay Scale (POPS).
<b>Sheriff</b>	178	Corrections Officer* / Grd 81	Corrections Officer Sr / Grd 83	\$38,737.92	\$42,107.10	Career Ladder. Peace Officer Pay Scale (POPS).
<b>Sheriff</b>	396	Corrections Officer* / Grd 81	Corrections Officer Sr / Grd 83	\$38,737.92	\$42,107.10	Career Ladder. Peace Officer Pay Scale (POPS).
<b>Sheriff</b>	1182	Corrections Officer* / Grd 81	Corrections Officer Sr* / Grd 83	\$38,737.92	\$42,107.10	Career Ladder. Peace Officer Pay Scale (POPS).
<b>Sheriff</b>	1481	Corrections Officer* / Grd 81	Corrections Officer Sr* / Grd 83	\$38,737.92	\$42,107.10	Career Ladder. Peace Officer Pay Scale (POPS).
<b>Sheriff</b>	1508	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 ♦FY 08 Non-TCSO POPS Scale prior to 1/16/09 implementation.						

<b>PROMOTIONS / SALARY ADJUSTMENTS / LATERAL TRANSFERS / VOLUNTARY REASSIGNMENTS / TEMPORARY ASSIGNMENTS</b>				
<b>Dept. (From)</b>	<b>Slot – Position Title – Grade – Salary</b>	<b>Dept. (To)</b>	<b>Slot – Position Title – Grade – Salary</b>	<b>Comments</b>
<b>Comm Pct 3</b>	Slot 3 / Executive Asst* / Grd 16 / \$48,000.00	<b>Comm Pct 3</b>	Slot 4 / Executive Asst / Grd 16 / \$48,000.00	Lateral transfer. Employee transferred to different slot, same position, same department, same pay-grade, retains current pay.
<b>Constable 3</b>	Slot 7 / Office Manager Sr / Grd 21 / \$56,742.40	<b>Constable 3</b>	Slot 7 / Office Manager Sr / Grd 21 / \$58,260.80	Salary adjustment. Pay is between min and midpoint of pay grade.
<b>Constable 3</b>	Slot 12 / Court Clerk I / Grd 13 / \$30,401.26	<b>Constable 3</b>	Slot 16 / Court Clerk I / Grd 13 / \$30,401.26	Lateral transfer. Employee transferred to different slot, same position, same department, same pay grade, retains current pay.
* Actual vs Authorized				

<b>PROMOTIONS / SALARY ADJUSTMENTS / LATERAL TRANSFERS / VOLUNTARY REASSIGNMENTS / TEMPORARY ASSIGNMENTS</b>				
<b>Dept. (From)</b>	<b>Slot – Position Title – Grade – Salary</b>	<b>Dept. (To)</b>	<b>Slot – Position Title – Grade – Salary</b>	<b>Comments</b>
<b>Constable 3</b>	Slot 16 / Court Clerk I / Grd 13 / \$30,401.26	<b>Constable 3</b>	Slot 16 / Court Clerk I / Grd 13 / \$36,138.96	Salary adjustment. Pay is at midpoint of pay grade.
<b>Constable 3</b>	Slot 16 / Court Clerk I / Grd 13 / \$36,138.96	<b>Constable 3</b>	Slot 6 / Court Clerk II / Grd 15 / \$42,205.49	Promotion. Pay is at midpoint of pay grade.
<b>Constable 3</b>	Slot 13 / Court Clerk I / Grd 13 / \$32,078.82	<b>Constable 3</b>	Slot 13 / Court Clerk I / Grd 13 / \$33,041.18	Salary adjustment. Pay is between min and midpoint of pay grade.
<b>Constable 3</b>	Slot 14 / Court Clerk I / Grd 13 / \$33,628.47	<b>Constable 3</b>	Slot 14 / Court Clerk I / Grd 13 / \$34,637.32	Salary adjustment. Pay is between min and midpoint of pay grade.
<b>Constable 3</b>	Slot 15 / Court Clerk II / Grd 15 / \$38,291.34	<b>Constable 3</b>	Slot 15 / Court Clerk II / Grd 15 / \$39,440.08	Salary adjustment. Pay is between min and midpoint of pay grade.
<b>Constable 3</b>	Slot 18 / Court Clerk I / Grd 18 / \$32,558.05	<b>Constable 3</b>	Slot 18 / Court Clerk I / Grd 18 / \$33,534.79	Salary adjustment. Pay is between min and midpoint of pay grade.
<b>Constable 3</b>	Slot 29 / Court Clerk II / Grd 15 / \$39,874.00	<b>Constable 3</b>	Slot 29 / Court Clerk II / Grd 15 / \$41,070.22	Salary adjustment. Pay is between min and midpoint of pay grade.
<b>Constable 3</b>	Slot 6 / Court Clerk II / Grd 15 / \$42,205.49	<b>Constable 2</b>	Slot 7 / Office Manager Sr / Grd 21 / \$56,742.40	Employee promoted from pay grade 15 to 21. HRMD reviewed supporting documents. Pay is at level 4.
<b>Constable 3</b>	Slot 33 / Deputy Constable Sr / Grd 63♦ / \$47,308.98	<b>Constable 2</b>	Slot 2 / Chief Deputy Constable / Grd 23 / \$75,636.08	Promotion. Transition from Peace Officer Pay Scale to Classified Pay Scale. Pay is between midpoint and max of pay grade.
<b>Constable 5</b>	Slot 70 / Accountant Assoc / Grd 13 / \$32,410.04	<b>Constable 2</b>	Slot 10 / Deputy Constable / Grd 18 / \$40,950.21 (Authorized slot is green-circled)	Promotion.
<b>Constable 4</b>	Slot 16 / Court Clerk I / Grd 13 / \$32,880.79	<b>Constable 4</b>	Slot 26 / Accountant Assoc / Grd 13 / \$32,880.79	Lateral transfer. Employee transferred to different slot, different position, same department, same pay grade, retains current pay.
<b>* Actual vs Authorized ♦FY 08 Non-TCSO POPS Scale prior to 1/16/09 implementation.</b>				

<b>PROMOTIONS / SALARY ADJUSTMENTS / LATERAL TRANSFERS / VOLUNTARY REASSIGNMENTS / TEMPORARY ASSIGNMENTS</b>				
<b>Dept. (From)</b>	<b>Slot – Position Title – Grade – Salary</b>	<b>Dept. (To)</b>	<b>Slot – Position Title – Grade – Salary</b>	<b>Comments</b>
<b>County Clerk</b>	Slot 113 / Business Consultant I / Grd 27 / \$85,920.20	<b>County Clerk</b>	Slot 78 / IT Dept Div Mgr / Grd 29 / \$98,374.33	Promotion. Pay is between min and midpoint of pay grade.
<b>Criminal Justice Planning</b>	Slot 3 / Planner* / Grd 18 / \$51,685.00	<b>Criminal Justice Planning</b>	Slot 3 / Planner* / Grd 18 / \$52,108.50	Salary adjustment. Pay is between midpoint and max of pay grade.
<b>District Clerk</b>	Slot 60002 / Records Analyst / Grd 17 / \$38,648.90	<b>Records Mang &amp; Comm Resrc</b>	Slot 52 / Archivist / Grd 19 / \$46,904.00	Promotion. Pay is between min and midpoint of pay grade.
<b>Juvenile Court</b>	Slot 502 / Assoc Judge / Magistrate / Ref / Grd 97 / \$106,575.00	<b>Civil Courts</b>	Slot 57 / Assoc Judge / Magistrate / Ref / Grd 97 / \$105,000.00	Lateral transfer. Employee transferred to different slot, same position, different department, same pay grade.
<b>Sheriff</b>	Slot 61 / Sergeant Corrections / Grd 88 / \$76,707.07	<b>Sheriff</b>	Slot 1153 / Sergeant Corrections / Grd 88 / \$76,707.07	POPS lateral transfer. Employee transferred to different slot, same position, same department, same pay grade, retains current pay.
<b>Sheriff</b>	Slot 62 / Sergeant Law Enforcement / Grd 76 / \$87,028.03	<b>Sheriff</b>	Slot 19 / Lieutenant Law Enforcement / Grd 77 / \$101,131.06	Promotion. Peace Office Pay Scale (POPS).
<b>Sheriff</b>	Slot 164 / Cert Peace Officer Sr / Grd 84 / \$54,758.91	<b>Sheriff</b>	Slot 150 / Deputy Sheriff Law Enforcement* / Grd 72 / \$53,292.93	Voluntary job change. Peace Office Pay Scale (POPS).
<b>Sheriff</b>	Slot 172 / Deputy Sheriff Sr Law Enfrmnt / Grd 74 / \$67,318.99	<b>Sheriff</b>	Slot 357 / Detective Law Enforcement / Grd 75 / \$79,292.93	Promotion. Peace Office Pay Scale (POPS).
<b>Sheriff</b>	Slot 250 / Corrections Officer Sr* / Grd 83 / \$58,092.94	<b>Sheriff</b>	Slot 557 / 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.
<b>Sheriff</b>	Slot 357 / Detective Law Enforcement / Grd 75 / \$79,292.93	<b>Sheriff</b>	Slot 62 / Sergeant Law Enforcement / Grd 76 / \$85,775.04	Promotion. Peace Office Pay Scale (POPS).
<b>* Actual vs Authorized</b>				

<b>PROMOTIONS / SALARY ADJUSTMENTS / LATERAL TRANSFERS / VOLUNTARY REASSIGNMENTS / TEMPORARY ASSIGNMENTS</b>				
<b>Dept. (From)</b>	<b>Slot – Position Title – Grade – Salary</b>	<b>Dept. (To)</b>	<b>Slot – Position Title – Grade – Salary</b>	<b>Comments</b>
<b>Sheriff</b>	Slot 766 / Cert Peace Officer Sr / Grd 84 / \$57,629.10	<b>Sheriff</b>	Slot 548 / Cert Peace Officer Sr / Grd 84 / \$57,629.10	POPS lateral transfer. Employee transferred to different slot, same position, same department, same pay grade, retains current pay.
<b>Sheriff</b>	Slot 860 / Corrections Officer Sr* / Grd 83 / \$44,275.92	<b>Sheriff</b>	Slot 1774 / Corrections Officer Sr* / Grd 83 / \$44,275.92	POPS lateral transfer. Employee transferred to different slot, same position, same department, same pay grade, retains current pay.
<b>Sheriff</b>	Slot 1192 / Cadet* / Grd 80 / \$33,750.91	<b>Sheriff</b>	Slot 879 / Cadet* / Grd 80 / \$33,750.91	Error Correction on Pers. Amend 1/27/09. Slot number changed for New Hire.
<b>Sheriff</b>	Slot 1153 / Sergeant Corrections / Grd 88 / \$83,681.10	<b>Sheriff</b>	Slot 61 / Sergeant Corrections / Grd 88 / \$83,681.10	POPS lateral transfer. Employee transferred to different slot, same position, same department, same pay grade, retains current pay.
<b>Sheriff</b>	Slot 1567 / Corrections Officer* / Grd 81 / \$38,737.92	<b>Sheriff</b>	Slot 766 / Corrections Officer* / Grd 81 / \$38,737.92	POPS lateral transfer. Employee transferred to different slot, same position, same department, same pay grade, retains current pay.
<b>* Actual vs Authorized</b>				

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

\_\_\_\_\_  
**Samuel T. Biscoe, County Judge**

\_\_\_\_\_  
**Ron Davis, Commissioner, Pct. 1**

\_\_\_\_\_  
**Sarah Eckhardt, Commissioner, Pct. 2**

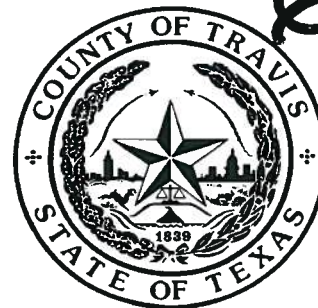
\_\_\_\_\_  
**Karen L. Huber, Commissioner, Pct. 3**

\_\_\_\_\_  
**Margaret Gomez, Commissioner, Pct. 4**

Last Updated 1-30-09 at 1:27pm

# TRAVIS COUNTY COMMISSIONERS COURT

## AGENDA REQUEST



**VOTING SESSION:** February 3, 2009

I. Request made by: Roger Jefferies 

Requested topic:

CONSIDER AND TAKE APPROPRIATE ACTION ON AN INVITATION FROM THE URBAN INSTITUTE FOR TRAVIS COUNTY TO APPLY FOR TECHNICAL ASSISTANCE THROUGH A JAIL POPULATION REDUCTION INITIATIVE.

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 must be affected by or involved with this request. Send a copy of this Agenda Request and backup to them:

Judge Bob Perkins (331<sup>st</sup> District Court), 854-9443

Judge David Crain (County Court at Law #3), 854-9244

Rosemary Lehmberg (Travis County District Attorney), 854-9401

David Escamilla (Travis County Attorney, 854-9415)

Sheriff Greg Hamilton (Travis County Sheriff's Office), 854-9770

Maj. Darren Long (Travis County Sheriff's Office), 854-9348

Irma Guerrero (Travis County Pretrial Services), 854-3101

Dr. Geraldine Nagy (Travis County Community Supervision and Corrections Department), 854-7694

Debra Hale (Criminal Courts Administration), 854-9432

DeDe Bell (Travis County Auditor), 854-7827

- 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

**AGENDA REQUEST DEADLINE:**

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

RECEIVED  
COUNTY JUDGE'S OFFICE  
09 JAN 27 PM 4:56

**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 12:00 p.m. on Tuesdays for the next week's meeting. Late or incomplete requests may be deferred to the next meeting






## **JUSTICE & PUBLIC SAFETY DIVISION**

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

### **MEMORANDUM**

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

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

**Date:** February 3, 2009

**SUBJECT:** **AGENDA ITEM REQUEST TO APPROVE AN INVITATION TO TRAVIS COUNTY FROM THE URBAN INSTITUTE TO APPLY FOR TECHNICAL ASSISTANCE THROUGH THEIR *JAIL POPULATION REDUCTION INITIATIVE*.**

---

Attached for your approval is a completed application requesting technical assistance for jail population management through the Urban Institute. This program, known as the *Jail Population Reduction Initiative*, is funded by the United States Department of Justice (Bureau of Justice Assistance).

Travis County was invited to apply for this initiative, along with twenty-three other jurisdictions throughout the country. Participation in this initiative will potentially strengthen ongoing collaborations within Travis County, evaluate the sustainability of current jail population management initiatives, and encourage new programming and efforts to address future jail population issues. We have identified key Travis County stakeholders to participate in this initiative and solicited their approval.

Please note that no cash award will be given to Travis County, should our application be accepted. Assistance will be provided in the form of analyzing programs and data, developing a strategic plan, implementing responses to any recommendation made within the strategic plan, and providing ongoing feedback and evaluations.

**We are respectfully requesting approval of the application and a signature from the County Judge. The application will then be submitted electronically to the Urban Institute on or before Monday, February 9, 2009.**

February 3, 2009

Ms. Jocelyn Fontaine  
The Urban Institute  
2100 M Street, N.W.  
Washington, D.C. 20037

Dear Ms. Fontaine,

Please see the attached application for the *Jail Population Reduction Initiative*, submitted by Travis County, Texas.

Through the Urban Institute's proposed technical assistance, Travis County hopes to achieve a stronger and more successful countywide collaboration which will address jail population issues and to better utilize data for monitoring trends and decision making. Travis County also aspires to a better understanding of the impacts which current initiatives have on our jail population and how we can sustain their effectiveness in the future.

If you have any questions about this submission, please do not hesitate to contact me at 512-854-9555 or Mr. Roger Jefferies, Executive Manager of Justice and Public Safety, at 512-854-4415. Thank you.

Sincerely,

Samuel T. Biscoe  
Travis County Judge



**URBAN INSTITUTE JAIL POPULATION REDUCTION INITIATIVE  
TRAVIS COUNTY, TEXAS - APPLICATION RESPONSES**

**Problem Statement and Vision**

**1. Strengths and Challenges**

Travis County's criminal justice system currently benefits from ongoing collaboration and communication among various agencies and departments which directly and indirectly affect the jail population. Innovative and targeted programs addressing the jail population have been initiated over the years, supported by decisive county leaders and a history of cutting-edge, "outside the box" thinking. Currently, the jail population has been below projections providing the opportunity to evaluate these initiatives and plan for the future growth while not in a crisis mode.

Regarding strengths, Travis County has access to and reports a tremendous amount of current, relevant data around various criminal justice populations and systems. In addition, the county has a strong history of collaboration in both criminal justice and non-criminal justice areas to achieve goals. Also, over the past few years, several initiatives have been launched to address jail population issues with apparent success.

Countering those strengths, the county faces challenges as well. For example, criminal justice stakeholders could benefit from a stronger, more robust collaboration specifically around jail population issues. We could better utilize the wealth of data collected and reported on the criminal justice system to understand the influences on the jail population and for decision making. We could better document and report on the effectiveness and sustainability of the many jail population reduction initiatives funded and implemented over the years to determine if they will continue to be effective to manage future growth.

## **2. Vision of Impact**

As a result of a strategy developed through the Jail Population Reduction Initiative, Travis County's vision would be for a stronger, more successful countywide collaboration addressing jail population issues; better utilization of data for monitoring trends and initiatives and for decision making; and a better understanding of the impacts that current initiatives have on the county's jail population now and how they can sustain their effectiveness in the future. With assistance from the Urban Institute, Travis County can also examine potential reinvestments that could be made as a result of our successes to enhance current initiatives or begin new public safety interventions.

### **Overview of System Statistics**

#### **3. Annual jail bookings and admissions**

In the Travis County Jail, there were 61,084 total bookings in fiscal year (October-September) 2007 and 60,362 total bookings in fiscal year 2008. In fiscal year (FY) 2007, the total number of admissions (specifically, those who remained in jail for three or more days) was 26,123; in FY 2008, there were 25,499. The total number of unique admissions in FY 2007 was 45,061, while the total number of unique admissions in FY 2008 was 44,490.

#### **4. Annual Jail Releases**

The total number of jail releases (in less than three days) was 35,524 in FY 2007 and 34,615 in FY 2008. The total number of releases after three or more days in jail was 25,847 in FY 2007 and 25,594 in FY 2008. The combined total of releases in FY 2007 was 61,371 and 60,209 in FY 2008. The total number of unique releases in FY 2007 was 45,554 and 45,009 in FY 2008.

#### **5. Average Daily Population**

The average daily population for FY 2007 was 2,646. The average daily population for FY 2008 was 2,502 (a 5.4% decrease).

#### **6. Average Length of Stay**

The average length of stay in FY 2007 was 40 days and 39 days in fiscal year 2008.

## **7. Composition of the Jail Population**

Based on a snapshot of the jail population on January 19, 2009, the composition of the jail population was 65% pretrial inmates, 13% of inmates sentenced to serve jail time, and 5% of sentenced inmates awaiting transfer to a state or other facility.

## **8. Jail Population Relative to Design Capacity**

Since 2007, the design capacity for the Travis County Jail has been 3,055 inmates. The average daily population at the end of December 2008 was 2,139, indicating during the month 70% of the jail was in use at any time; however, the population fluctuated between 65% and 73% of capacity during the month.

## **9. Jail Population Relative to Design Capacity in the next 5-10 Years**

Currently, there is an additional building being constructed at the Travis County Correctional Complex (TCCC) while others have been demolished there due to age, resulting in a capacity of 3,166 inmates. The latest population projections from the Travis County Sheriff's Office are (annual average daily population): 2,624 in FY 2009; 2,676 in FY 2010; 2,446 in FY 2011; 2,482 in FY 2012; 2,585 in FY 2013; 2,609 in FY 2014; 2,641 in FY 2015; 2,573 in FY 2016; 2,630 in FY 2017; and 2,657 in FY 2018. While these projections are below current capacity, they do not take into account the need for additional space during seasonal peaks, need for scheduled and unscheduled maintenance and repair, and unanticipated influences on the jail population in the future.

## **10. Other Statistics**

The Travis County Jail population is made up of equal parts Caucasian, African American, and Hispanic; 33.2%, 34.1%, and 32.6% respectively (according to the most recent available data from 2006). Approximately 28% of the jail is made up of violent offenders, 30% is made up of drug related offenders, and 16% are those with alcohol related crimes. It is estimated at any given time, inmates with a mental illness equate to 20%. Inmates being held on a probation or parole warrant also equate to 25% of the population. Re-arrest statistics are available for the breakdown of violent,

drug related, and alcohol offenders for the time period of April 1, 2006, through June 30, 2006. Of the 13,296 inmates released from custody in this quarter, 34.5% (4,585) were re-arrested and booked on new charges within the following two years. Of this 4,585, there were 10,465 unique bookings – making the average 2.3 subsequent arrests per inmate. Fourteen percent of the unique bookings were for violent offenses, 23% were for drug related crimes, and 41% were for alcohol related offenses.

### **Previous and Current Efforts**

#### **11. Previous and recent current efforts to manage or reduce Travis County's jail population include:**

- The **Jail Reduction Docket** is a jail call which expedites disposition of misdemeanor offenses as a result of a guilty plea or no contest. It began as a pilot project in May 2003 and was implemented in August 2003.
- Travis County's **DWI Court** is a specialized court based on a model focusing on collaboration between judges, attorneys, probation, treatment providers, and offenders. The local program began in April 2008.
- The Travis County **Adult Drug Diversion Court** was founded in 1993. It is a specialized court for non-violent, felony offenders with a substance abuse problem who were arrested for drug related charges.
- Travis County's **Pretrial Services** makes recommendations to courts regarding eligibility for release on personal recognizance bond and conditions that should be a requirement of release.
- The Travis County **Mental Health Public Defenders Office (MHPDO)** went online in April 2007. The Office provides misdemeanor representation to mentally ill defendants with an Axis I diagnosis and intensive social service case management to mentally ill defendants.
- The goals of the misdemeanor **Mental Health Dockets** are to quickly identify and dispose of cases, link offenders to mental health services, and reduce jail days.

- The **Rocket Docket and Missile Docket** expedites third and fourth degree felony cases through the courts. The dockets started in 2002 and 2004, respectively, and are designed to move low level, normally pled, felony drug and property suspects more rapidly through the court system.
- The Austin Police Department (APD) **Drug Lab Interlocal Agreement** went into effect in 2007. The agreement calls for Travis County to fund an additional chemist within APD's Drug Lab whose primary responsibility is to manage the backlog of drug cases set on Travis County's Rocket Docket. The goal is to return the results of drug testing to the District Attorney's (DA's) office within 14 days of arrest.
- **Project Recovery** is a joint program between Travis County, the City of Austin, and the Austin/Travis County Mental Health and Mental Retardation, created in 2006. It provides services to those arrested for chronic Criminal Trespass or enhanced Public Intoxication, both Class B misdemeanors.
- **House Bill 2391 (Release to Summons)** allows a peace officer to issue a citation and summons instead of arresting an individual. The offenses affected by HB 2391 are Possession of Marijuana; Criminal Mischief; Graffiti; Theft by Check; Theft of Service; and Driving with an Invalid License. The policy has been implemented by the Travis County Sheriff's Office; APD anticipates implementing it in early 2009.
- The Travis County **Community Supervision and Corrections Department (CSCD)** is responsible for supervising adults on court-ordered probation and monitoring their compliance with the conditions set forth by the court.
- **Criminal Justice Planning (CJP)** is a county department tasked with facilitating the planning and implementation of countywide initiatives for the enhancement of public safety and has historically provided administrative support to the JSCC and JOTF.

## 12. Success of Efforts (#11), Challenges Faced, Actions Taken to Improve

- In FY 2007, 71% of all cases set on the **Jail Reduction Docket** were disposed of; the disposal rate increased to 72% in FY 2008. Challenges faced by this docket include understanding the impact the number of individuals on the docket has on the jail population.
- Currently, there are over 20 participants in the **DWI Court**. Due to newness of this program (2008), success and completion rates are unavailable. As the program develops and expands, the main hurdle faced has been funding for treatment and necessary staffing.
- The **Adult Drug Diversion Court** is able to serve 300 participants. By the structure of the program, graduations, and discharges, the program is able to serve clients without a wait list.
- In FY 2007 and FY 2008, 60% of eligible defendants in **Pretrial Services** were granted personal bonds. The department is developing a risk assessment screening tool to make use of the most appropriate available resources and information in the personal bond recommendation process. Pretrial Services typically faces staff retention challenges due to high turnover and the demands of increased caseloads.
- The **MHPDO** is the first, stand-alone office of its kind in the country and is anticipated to serve over 300 offenders per year. The Office is currently being evaluated by Texas A & M.
- **Misdemeanor Mental Health Dockets** are new in Travis County (2008); therefore, the program success and completion rates are unavailable. As the program develops and expands, the main hurdle will be funding for treatment and necessary staffing.
- The District Attorney's **Rocket Docket and Missile Docket** expedites low-level felony cases through the courts. The time between arrest and indictment for Rocket Docket cases decreased from 35 days to 17 days in FY 2007. The time between arrest and indictment for Missile Docket cases decreased from 79 days to 38 days in FY 2007. The main challenge of this program is turnaround time for drug specimen testing from APD's Drug Lab.



- To address the turnaround time issue surrounding the Rocket and Missile dockets, the Austin Police Department **Drug Lab Interlocal Agreement** was developed to successfully decrease the backlog of drug cases which await test results. Fiscal year to date, the average Rocket Docket backlog is 39; the same point last year, the average backlog was 117. Chemist turnover and the duration of training within the lab remain the primary challenges faced by this program.
- **Project Recovery** has served more than 90 participants since its inception. Arrest rates and jail bed days for participants have both decreased after admission into the program. Currently, funding for the program is split between the City of Austin and Travis County.
- **House Bill 2391 (Release to Summons)** took effect on September 1, 2007. This bill did not mandate compliance and is used sporadically throughout jurisdictions in Texas, including locally. The initiative, as implemented by Travis County Sheriff's Office, has resulted in 119 cases receiving a citation and summons to appear (in lieu of arrest and booking) since December 1, 2008.
- **CSCD** has over the past two years instituted the Travis Community Impact Supervision (TCIS) initiative. The goal of TCIS is to develop, test, implement and document organization-wide changes directed at improving assessment, supervision, sanctioning, staff training and quality control policies. Travis is an "incubator site" to determine the best strategies to strengthen probation.
- During the FY 2008 budget negotiations, **CJP** received one additional full time employee (FTE), a senior planner, to primarily focus on jail overcrowding, including being the lead on certain projects and initiatives.

### **13. Financial and/or Community Resources Used for Past Efforts**

Travis County has contributed the following dollars toward these initiatives: \$69,600 for a chemist at the APD Drug Laboratory; \$150,000 for Project Recovery; and \$250,000 for the MHPDO in year two of the multi-year grant with the Texas Task Force on Indigent Defense.

#### **14. Availability of Untapped Resources**

Travis County compiles a great amount of data relevant to criminal justice populations and programs. This is an underutilized resource for local, collective decision-making around criminal justice populations. An additional untapped resource is a strong history of collaboration to solve common problems in Travis County. While there is a committee that monitors the jail population and its fluctuations, it is not as robust as it could be about planning for future trends and assessing the sustainability of existing initiatives. We anticipate that a stronger collaboration around criminal justice issues, specifically the jail population, would result in better system wide outcomes and more effective resource allocation in the future.

#### **15. Jail Construction Projects**

Jail construction is currently underway at the Travis County Correctional Complex (TCCC). Construction on a new building began in April 2007 and is slated for completion in 2009. Jail capacity will increase from 3,055 to 3,166.

#### **16. Organizations which have collaborated on Jail Population Issues**

The following agencies and organizations have collaborated on jail population issues in Travis County: Austin Criminal Defense Lawyers Association; City of Austin Municipal Court Judges; City of Austin Police Department; County Attorney's Office; County Clerks Office; Criminal Courts Administration; District Attorney's Office; State of Texas Health and Human Services Commission; Texas Department of Criminal Justice Parole Division; Travis County Commissioners Court; Travis County Community Supervision and Corrections Department; Travis County Court at Law Judges; Travis County District Clerk's Office; Travis County District Court Judges; Travis County Information and Telecommunication Services; Travis County Justice and Public Safety (including Criminal Justice Planning, Counseling and Education Services, and the Mental Health Public Defenders Office); Travis County Planning and Budget Office; Travis County Pretrial Services; and the Travis County Sheriff's Office.

## **17. Criminal Justice Council that Works on Criminal Justice Issues**

Travis County has worked to address jail population issues for over 20 years in various forums. Most recently, an entity known as the Justice System Coordinating Committee (JSCC) has been monitoring the jail population and recommending strategies to reduce overcrowding. The JSCC came about as a result of technical assistance from the National Institute of Corrections (NIC) in 2006. Prior to the JSCC, the jail population was monitored by an entity known as the Jail Overcrowding Task Force (JOTF). The JOTF was convened by the county to help develop strategies to control the jail population and was responsible for many of the initiatives that are still in place today.

An entity known as the Community Justice Council, required by Texas law to provide guidance to local community corrections agencies, is also present and active in Travis County. The CJC has representation from most city and county criminal justice agencies and has historically taken on a role as the county's principal collaboration around broader criminal justice issues.

## **18. Has Your Jurisdiction Received Any Grants or Technical Assistance that Relates to Jail Population?**

In November 2004, Travis County requested a local system assessment from the Criminal Justice Institute. The assessment began in March 2005 and was completed in June 2005. Recommendations stemming from this assessment resulted in several ongoing jail overcrowding initiatives. In 2005, the NIC conducted an evaluation of the JOTF and issued several recommendations which would encompass issues other than simply the jail population. There are no current grants or technical assistance being sought other than this application.

**Administration**

**19. Name of Local Leader, Title, Agency and Role of who would Spearhead the Initiative**

This effort will be headed by Mr. Roger Jefferies, Executive Manager of Travis County Justice and Public Safety. Criminal Justice Planning, a department within Justice and Public Safety, has been tasked by the Travis County Commissioners Court with planning and facilitating countywide criminal justice initiatives. As an Executive Manager over this department, Mr. Jefferies is an appropriate selection to spearhead this initiative.

**20. Name, Title, Agency and Role of the Person who would Serve as On-Site Project Coordinator**

The on-site project coordinator for this project will be Ms. Cathy McClaugherty, a senior planner with Criminal Justice Planning. Ms. McClaugherty's primary job function is the undertaking of any programming involving jail overcrowding and the jail population; therefore, at least 50% of her time would be devoted to this initiative.

**21. Names/Titles and Signatures of Key Stakeholders Involved**

Greg Hamilton, Sheriff, Travis County \_\_\_\_\_

Rosemary Lehmborg, Travis County District Attorney \_\_\_\_\_

David Escamilla, Travis County Attorney \_\_\_\_\_

Judge Bob Perkins, 331<sup>st</sup> District Court \_\_\_\_\_

Judge David Crain, Travis County Court at Law # 3 \_\_\_\_\_

Major Darren Long, Travis County Sheriff's Office \_\_\_\_\_

Geraldine Nagy, Travis County CSCD \_\_\_\_\_

Irma Guerrero, Travis County Pretrial Services \_\_\_\_\_

Roger Jefferies, Executive Manager, Justice and Public Safety \_\_\_\_\_

**THE URBAN INSTITUTE** 2100 M STREET, N.W. / WASHINGTON D.C. 20037

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**Nancy La Vigne, Ph.D.**  
Senior Research Associate

phone: 202-261-5763  
fax: 202-659-8985  
email: [nlavigne@ui.urban.org](mailto:nlavigne@ui.urban.org)

January 13, 2009

Mr. Samuel Biscoe  
County Judge  
Travis County Commissioners Court  
P.O. Box 1748  
Austin, TX 78767

Dear Judge Biscoe:

The Urban Institute, in consultation with an advisory group of national experts on jail population management, has identified your jurisdiction as a potential candidate for participation in the newly launched Jail Population Reduction Initiative, a project funded by the United States Department of Justice's Bureau of Justice Assistance.

The overarching goal of the *Jail Population Reduction Initiative* is to develop a comprehensive strategy to reduce local jail populations in an effort to redirect resources towards more effective and enduring public safety interventions in the community. It will call upon participating jurisdictions to reduce their jail populations by developing and implementing a local, data-driven, and collaborative strategic plan. An overview of the project can be found in Attachment A.

If your jurisdiction is selected to participate in this initiative, it will receive the following assistance. First, the Urban Institute will work with you to analyze the factors contributing to jail overcrowding in order to develop a strategic plan to reduce the jail population in a manner that fits the specific needs of your jurisdiction. Second, the Urban Institute will provide your jurisdiction with technical assistance to implement a series of measures to achieve the goals identified in the strategic plan. Meanwhile, the Urban Institute will engage in an ongoing evaluation of your initiative, providing feedback on your progress and offering suggestions on how to alter specific components of the effort to improve efficiency and effectiveness. While no cash award would be allocated to your jurisdiction for participation in this initiative, it is our hope that the type of in-kind assistance described above will provide the information and guidance needed to achieve significant jail population reductions.

The success of this initiative depends on your willingness to fully commit and participate if selected. Foremost, you must be willing to consider significant and enduring changes to your jurisdiction's criminal justice system, which may entail adapting local criminal justice policies, procedures, and/or budget allocations. Logistically, participation will require that you convene regularly with an active group of key local decision makers and stakeholders. Additionally, you must identify a staff member to serve as an on-site coordinator, who would be expected to devote approximately half of his or her time coordinating the efforts of stakeholders, engaging in

routine program administration activities, and communicating data and information to the Urban Institute.

We invite you to submit your application for the *Jail Population Reduction Initiative* by answering the questions in Attachment B of this letter. These questions request a description of your current jail population, a statement of what you hope to accomplish through your participation, a history of programs and collaborative efforts to reduce jail populations in your jurisdiction, and a plan for how you would staff and implement the initiative. We also ask you to identify key stakeholders who will take part in the initiative. Stakeholders will vary by jurisdiction; they may include elected officials, jail administrators, local law enforcement, judges, prosecutors, defense attorneys, community corrections administrators, pre-trial services staff, and community service providers. To confirm their willingness to participate, please include their names, titles, agency affiliations, and signatures at the end of your application.

The application is due via email to [adwyer@urban.org](mailto:adwyer@urban.org) by 5pm EST on Monday, February 9, 2009. If you have any questions about the initiative or the application process, please contact Jocelyn Fontaine, project director, at 202-261-5798 or [jfontaine@urban.org](mailto:jfontaine@urban.org).

Sincerely,

Nancy La Vigne  
Principal Investigator, Jail Population Reduction Initiative

**ATTACHMENT A**  
**JAIL POPULATION REDUCTION INITIATIVE**

***Project Overview***

The Urban Institute (UI) will partner with three jurisdictions to develop, implement, and evaluate a local data-driven, collaborative, strategic plan to achieve meaningful reductions in their jail populations and to guide the reinvestment of jail reduction savings into more proactive public safety measures in the community. UI will identify sites that demonstrate the leadership, willingness, and readiness to engage in this ambitious strategic planning process. Baseline analyses of past and current community and criminal justice resources, population characteristics, and practices affecting the jail population levels will enable UI to guide local planners in the development of a comprehensive jail reduction plan as well as a list of feasible justice reinvestment alternatives. UI will evaluate the strategic planning process in each site, documenting their challenges and successes. Findings will be disseminated through (1) a practitioner-oriented publication designed to guide jurisdictions through the jail reduction and reinvestment planning process; (2) a series of three policy briefs; and (3) a presentation at a national conference. UI will coordinate with the Bureau of Justice Assistance, the American Jail Association, the National Institute of Corrections, the National Association of Counties, the Pre-Trial Justice Institute, and the JFA Institute on this project.

## ATTACHMENT B

### JAIL POPULATION REDUCTION INITIATIVE APPLICATION QUESTIONS

The following questions are designed to help us understand your local jail population within the larger public safety and criminal justice policy context in your community. Please provide detailed answers, using specific data where requested. This application should be submitted by the highest level elected official in your jurisdiction (e.g., county executive, county administrator, county judge). **It is due via email by 5pm EST on Monday, February 9, 2009 and should not exceed 10 pages (double spaced, 12 point font) in length. Submissions should be emailed to [adwyer@urban.org](mailto:adwyer@urban.org).**

#### Problem Statement and Vision

1. Please describe the strengths and challenges associated with your jail system and how these fit into your jurisdiction's larger criminal justice system. Also include any specific information related to your jail population, including its projected growth over time.
2. Describe your vision of how this program will impact your criminal justice system.

#### Overview of System Statistics

Please provide the following statistics on your jail system:

3. Annual jail bookings and admissions
  - total number of bookings
  - total number of admissions
  - total number of unique<sup>1</sup> admissions
4. Annual jail releases
  - total number of releases
  - total number of unique<sup>1</sup> releases
5. Average daily jail population
6. Average length of jail stay
7. Composition of jail population
  - % of pre-trial detainees
  - % of inmates sentenced to serve jail time
  - % of sentenced inmates awaiting transfer to state or other facility
8. Jail population relative to rated design capacity
9. Projected jail population relative to rated design capacity over next 5-10 years

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<sup>1</sup> Accounting for individuals who enter and exit the jail more than once during the course of a year.



10. Any other statistics you may have on the nature of your population (e.g., % of population with mental health issues; % of individuals cycling in and out of jail more than twice a year; % of admissions due to probation and/or parole revocation, distribution of inmates by offense type).

#### Previous and Current Efforts

11. Please describe your previous and current efforts to manage or reduce your jail population. This may include programs targeted at jail admissions, sentence lengths, alternatives to incarceration, community reentry, crime prevention, and recidivism reduction.
12. Please describe the degree to which these efforts have been successful, the challenges you have encountered, and any actions you have taken to ameliorate the situation for the future.
13. What financial or community resources have you used in previous attempts to manage and/or reduce your jail population?
14. What untapped resources do you have access to in order to reduce jail populations?
15. Do you have any jail construction projects planned or underway?
16. What organizations or departments have collaborated on jail population issues?
17. Is there a criminal justice council that works on criminal justice issues in your community? Which issues? Who leads it? Who is involved?
18. Has your jurisdiction received any grants or technical assistance that relate to your jail population? Are any grant or technical assistance requests currently pending? If yes, please describe your plan for managing multiple projects, including the allocation of staff time.

#### Administration

19. Please specify a local leader who would spearhead the initiative, including his or her name, title, agency, and the reason for their selection.
20. Please specify the name, title, agency, and current role of the person who would serve as your on-site project coordinator. Describe how much time they would devote to the initiative project and how it relates to their other job responsibilities.
21. Please provide the names and signatures of key stakeholders who would be involved in implementing the initiative.

# TRAVIS COUNTY COMMISSIONERS COURT AGENDA REQUEST



**VOTING SESSION:** February 3, 2009

I. Request made by: Roger Jefferies, J&PS *R*

Requested topic: RECEIVE AND TAKE APPROPRIATE ACTION ON THE STATUS OF THE TRAVIS STATE JAIL VISITATION CENTER CONSTRUCTION PROJECT

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 must be affected by or involved with this request. Send a copy of this Agenda Request and backup to them:  
Roger El-Khoury, Facilities Management  
Jim Barr, Facilities Management  
Harvey Davis, Housing Corporation  
Kimberly Pierce, CJP

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 12:00 p.m. on Tuesdays for the next week's meeting. Late or incomplete requests may be deferred to the next meeting

# CRIMINAL JUSTICE PLANNING DEPARTMENT

Law Update - 30\_09 crj1-2709

P.O. Box 1748, Austin, TX 78767, (512) 854-4415, FAX (512) 854-4417



## MEMORANDUM

**To:** Commissioners Court

**Through:** Roger Jefferies, Executive Manager, Justice and Public Safety

**From:** Kimberly Pierce, Manager, CJP *KJP*

**Date:** January 27, 2009

**Subject:** Travis State Jail Visitation Center

The Travis State Jail Visitation Center is near completion (see Attachment A, pictures of the Visitation Center). The total cost thus far for the construction of the Visitation Center is \$274,698. There are a few areas in which need to be complete in order for the Texas Department of Criminal Justice (TDCJ) to begin utilizing the Center. First, the parking lot surrounding the Visitation Center must be paved, stripped and handicap parking spots be identified and then secondly, the Visitation Center must become American Disability Act (ADA) compliant i.e., a handicap ramp must be built. Neither of these items was noted within the original Scope of Work or contract with TDCJ (see Attachment B).

TDCJ originally thought that Texas Department of Transportation (TxDOT) would lay the parking lot "in-kind" considering its long lasting relationship through several initiatives, however given the current state funding situation, that option is no longer viable. TDCJ has received two bids from TxDot on how much it will cost for the parking lot; \$5,350 to lay asphalt and \$7,900 to lay concrete. The estimate for the concrete does not include striping, car stops, or signage. The estimate for the asphalt/blacktop includes striping and car stops, but not signs (see Attachment C, parking lot lay-out). There is no requirement for handicap rails in the parking lot. Without these two issues being resolved, the Texas Department of Licensing and Regulation (TDLR) will not inspect and certify the Visitation Center preventing TDCJ to begin utilizing for weekend visitation. When these two issues are resolved, Travis County will then formally donate the Visitation Center to TDCJ.

For historical purposes, when the Travis State Jail was built in 1995, the issue of where family members would wait during weekend visitation, especially during extreme heat and colder months, was not thoroughly thought out. It was brought to staffs attention during February 2005, when temperatures hovered near freezing, that family members often times waited in their cars or in long lines waiting to see their loved ones who were incarcerated. Staff immediately met

with TDCJ officials on ways to correct the situation eventually leading to a discussion in July 2005 that Travis County would fund a Visitation Center following a private donation from a citizen within Travis County. Judge Biscoe met with the Board of Criminal Justice in January 2006 which led to the creation of a Memorandum or Understanding (MOU) with TDCJ. Since that time, staff (CJP, the Housing Corporation and Facilities Management) has been working diligently on creating Request for Proposals (RFP), accepting bids, creating contracts and overseeing this project. Although this project has taken longer than expected, both Travis County and TDCJ are excited to see its near completion and to begin using the Center for its intended purpose.

Staff seeks the Commissioners Courts guidance on how to fund the remainder of this project. If Travis County chooses to fund the completion of this project internally, the cost estimates may change depending on which vendor Facilities Management chooses to hire; the estimates associated with this agenda requests are quotes received from TDCJ through Texas Department of Transportation.

cc:

Roger El-Khoury, Facilities Management  
Jim Barr, Facilities Management  
Richard Avery, Facilities Management  
Harvey Davis, Housing Corporation  
Cindy Finnegan, CJP  
Warden E. Howell, Travis State Jail

Last Updated 1-30-09 at 1:27pm



Last Updated 1-30-09 at 1:27pm



Last Updated 1-30-09 at 1:27pm



State Jail Visitor Center  
Travis County, Texas

**SCOPE OF SERVICES****1.0 PROJECT BACKGROUND**

- 1.1 The State Jail Visitor Center building is to be located at the Travis County State Jail, 8101 FM 969, Austin, Texas 78724. The selected site is a vacant field on the West side of the property adjacent to the perimeter road. The precise location is yet to be determined but generally it will be closest to the Northwest corner of the perimeter fence.
- 1.2 Project to be constructed under a General Contract, procured by the Corporation (CORP), using plans prepared by professional staff of the Travis County Facilities Management Department (FMD).
- 1.3 The building is one story, approximately 1815 sq. ft. and consists of a large waiting room, two restrooms, two offices, a janitor closet and two small storage closets.
- 1.4 Construction will be wood framed on concrete slab foundation with cement fiberboard siding and metal standing seam roof. Heating and cooling will be provided by two central heat pump units. Appliances will be electric. Utilities will be provided from the jail compound. Sanitary sewer will flow to a nearby lift station that pumps to the sewer main along FM 969.

**2.0 SCOPE OF SERVICES****2.1 FMD will provide the following Design Phase services:**

- 2.1.1 Prepare Construction Documents (CD's) which will include plans with specifications indicating sizes, materials, quantities and finishes required for a General Contractor (GC) to construct the project. The CD's will be based upon design drawings and information approved by TDCJ staff and the Travis County Judge.
- 2.1.2 Submit the CD's to TDCJ for review and approval.
- 2.1.3 Submit energy code calculations to TDCJ in compliance with State of Texas regulations.

**2.2 FMD will provide the following Construction Phase services:**

- 2.2.1 Review GC bids or proposals, obtained by COPR, for the purpose of advising on cost, scope and schedule.
- 2.2.2 Assist CORP with advice on contract documents and general industry standards as applicable to construction projects.



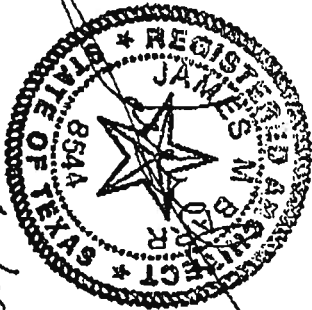
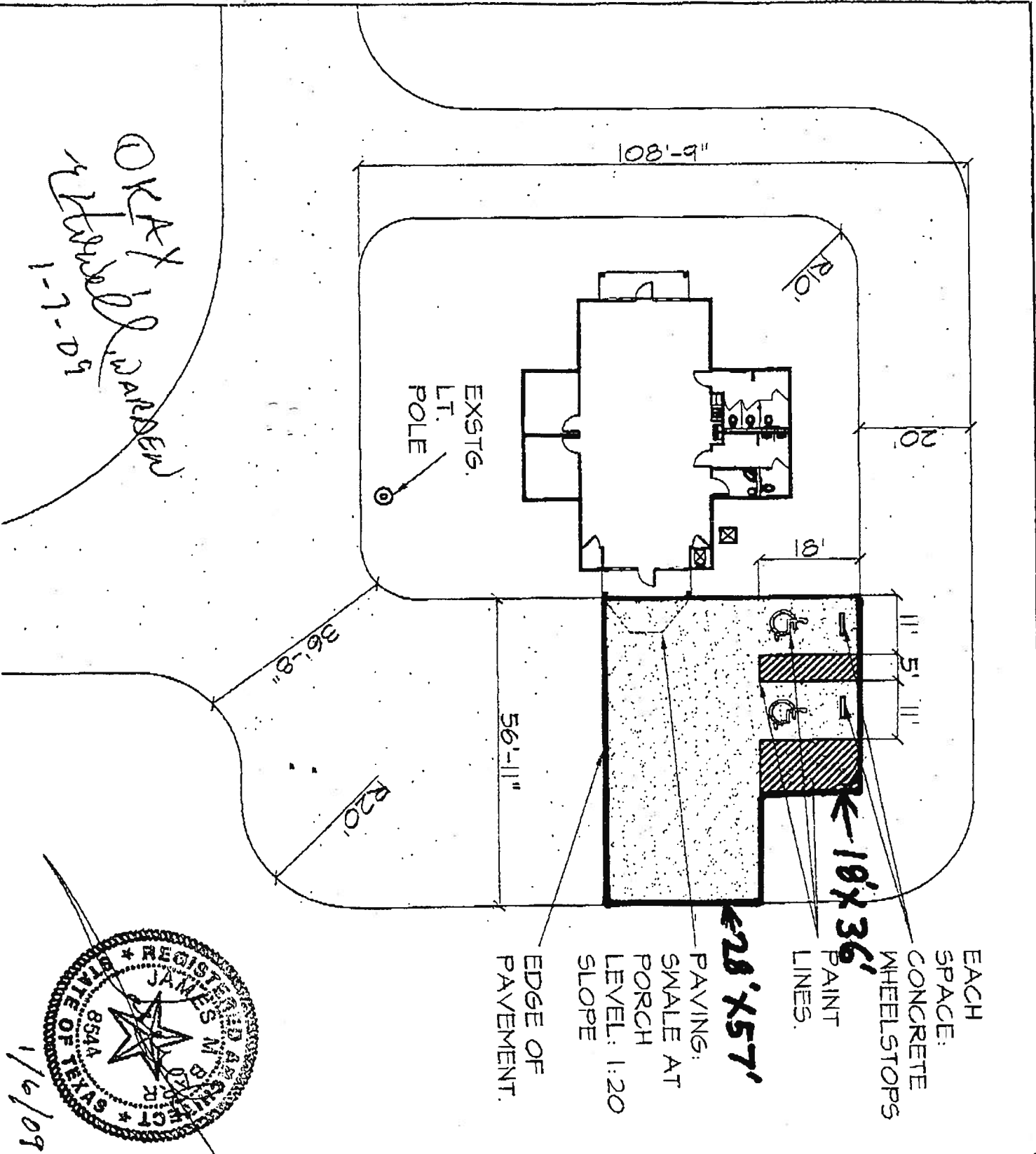
State Jail Visitor Center  
Travis County, Texas

- 2.2.3 Provide interpretation and response to questions raised during the bidding or negotiation phase pertaining to the CD's prepared by FMD.
- 2.2.4 Obtain approval by the Texas Department of Criminal Justice (TDCJ) of the design and CD's.
- 2.2.5 Periodically inspect the construction work by the GC for compliance with the CD's. In addition to general site visits and inspections the following milestones will be inspected.
  - 2.2.5.1 Foundation layout
  - 2.2.5.2 Foundation excavation and reinforcing steel placement
  - 2.2.5.3 Concrete placement and finishing
  - 2.2.5.4 Below grade utility layout and excavation
  - 2.2.5.5 Utility installation
  - 2.2.5.6 Framing
  - 2.2.5.7 Wall closure
  - 2.2.5.8 Roofing inspection
  - 2.2.5.9 Finishes
  - 2.2.5.10 Equipment and Fixtures installation
  - 2.2.5.11 Utility testing
  - 2.2.5.12 Paving and flatwork
  - 2.2.5.13 Landscape
- 2.2.6 FMD will review GC payment applications for completion percentage, verify stored materials as applicable to the payment application and advise CORP on payments to the GC.
- 2.2.7 Services to be provided by others:
  - 2.2.7.1 Locating and negotiating with prospective GC's
  - 2.2.7.2 Executing contract with GC

State Jail Visitor Center  
Travis County, Texas

- 2.2.7.3 Managing funds and dispersing funds to GC
- 2.2.7.4 Sewer line tie-in from the existing Lift Station to within 5 ft. of the new building.
- 2.2.7.5 Underground electrical service from the existing Jail facility to within 5 ft. of the new building.
- 2.2.7.6 Telephone and computer service connection. Cabling within the walls and ceilings of the new building will be provided as part of the project but service and activation of service is excluded.
- 2.2.7.7 Site lighting except for exterior lighting fixtures mounted on the new building.
- 2.2.7.8 Signage not installed on the building.

OKAY  
1-7-09  
J. M. ARDEN



FACILITIES  
MANAGEMENT  
DEPARTMENT

Roger A. El Khoury, M.B., P.E., Director  
1010 Lavaca, Suite 400  
P.O. Box 1748  
Austin, Texas 78767  
(512)854-8681



TRAVIS COUNTY STATE JAIL  
VISITOR CENTER

AUSTIN, TEXAS

SHEET NO.

C10



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

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

8

Approved by: \_\_\_\_\_

*Bonnie Floyd 1-28-09*

**Voting Session: Tuesday, February 3, 2009**

**REQUESTED ACTION:** DECLARE LISTING OF EQUIPMENT AS SURPLUS AND SELL AT PUBLIC AUCTION PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (FIXED ASSETS)

***Points of Contact:***

- Purchasing:** Ron Dube, Fixed Assets Mgr., Dan Rollie, Fixed Assets Warehouse Mgr., and Patricia Estrada, Administration
- County Attorney (when applicable):** John Hille
- County Planning and Budget Office:** Leroy Nellis
- County Auditor's Office:** Susan Spataro and Jose Palacios
- Other:** N/A

- **Purchasing Recommendation and Comments:** Purchasing recommends approval of requested action. This procurement action met the compliance requirements as outlined by the statutes.
- The court will note that some of the items on the list have purchase dates of 1984 through 2009 with an acquisition method of F/A which means "Found At Inventory". That does not necessarily mean the items were bought during those years and now they are no longer useable. In nearly every case, the year reflects when the item was found within the department and entered into the HTE tracking system. Despite our best efforts, not all departments totally comply with our inventory policies and procedures.
- Pursuant to Section 263.151, declare the attached list of equipment as Surplus Property.

APPROVED ( ) DISAPPROVED ( )

BY COMMISSIONERS COURT ON

\_\_\_\_\_

DATE

\_\_\_\_\_

COUNTY JUDGE

LOT#	AQ	TYPE	YEAR	TAG	IMP	DESCRIPTION	SERIAL	COST	INS	DEPT	DIV	P.O.	ASSET	LOC.	STA	FUND
LOT#001	PO	PRT	2002	105069	0	PRINTERS, ZEBRA BARCODE	47404800	\$0.00	\$355.00	20	20	224493	56552	TCAUC3	A	8001
LOT#001	PO	PRT	2002	105071	0	PRINTERS, ZEBRA BARCODE	47404809	\$0.00	\$355.00	20	20	224493	56554	TCAUC3	A	8001
LOT#001	PO	PRT	2002	105084	0	PRINTERS, ZEBRA BARCODE	47404787	\$0.00	\$355.00	20	20	224493	56531	TCAUC3	A	8001
LOT#001	PO	PRT	2002	105087	0	PRINTERS, ZEBRA BARCODE	47404799	\$0.00	\$355.00	20	20	224493	56534	TCAUC3	A	8001
LOT#001	PO	PRT	2002	105093	0	PRINTERS, ZEBRA BARCODE	47397374	\$0.00	\$355.00	20	20	224493	56540	TCAUC3	A	8001
LOT#001	PO	PRT	2003	121434	0	ZEBRA TLP2844 PRINTER	41A040301121	\$0.00	\$308.11	20	20	272775	69339	TCAUC3	A	8001
LOT#001	PO	PRT	2003	121437	0	ZEBRA TLP2844 PRINTER	41A040301166	\$0.00	\$308.11	20	20	272775	69342	TCAUC3	A	8001
LOT#001	PO	PRT	2004	121442	0	PRINTER, ZEBRA/ELTRON TLP2844 PSA THERMAL TRANSFER	41A040400110	\$0.00	\$375.00	20	20	276441	69451	TCAUC3	A	8001
LOT#001	PO	PRT	2004	121575	0	PRINTER, ZEBRA/ELTRON TLP2844 PSA THERMAL TRANSFER	42A034500318	\$0.00	\$375.00	20	60	276441	69457	TCAUC3	A	8001
LOT#001	PO	PRT	2004	121577	0	PRINTER, ZEBRA/ELTRON TLP2844 PSA THERMAL TRANSFER	42A034500279	\$0.00	\$375.00	20	60	276441	69459	TCAUC3	A	8001
LOT#001	PO	PRT	2004	121578	0	PRINTER, ZEBRA/ELTRON TLP2844 PSA THERMAL TRANSFER	42A034700166	\$0.00	\$375.00	20	60	276441	69460	TCAUC3	A	8001
LOT#001	PO	PRT	2006	127832	0	PRINTER, DIRECT THERMAL-TRANSFER BARCODE, ZEBRA	41A053801760	\$0.00	\$343.00	20	0	329544	77747	TCAUC3	A	8001
LOT#001	PO	PRT	2006	127833	0	PRINTER, DIRECT THERMAL-TRANSFER BARCODE, ZEBRA	41A053801802	\$0.00	\$343.00	20	0	329544	77748	TCAUC3	A	8001
LOT#001	PO	PRT	2006	127834	0	PRINTER, DIRECT THERMAL-TRANSFER BARCODE, ZEBRA	41A053800113	\$0.00	\$343.00	20	0	329544	77749	TCAUC3	A	8001
LOT#001	PO	PRT	2006	127835	0	PRINTER, DIRECT THERMAL-TRANSFER BARCODE, ZEBRA	41A053801768	\$0.00	\$343.00	20	0	329544	77750	TCAUC3	A	8001
LOT#001	PO	PRT	2006	127839	0	PRINTER, DIRECT THERMAL-TRANSFER BARCODE, ZEBRA	41A053801709	\$0.00	\$343.00	20	0	329544	77754	TCAUC3	A	8001
LOT#001	PO	PRT	2006	127840	0	PRINTER, DIRECT THERMAL-TRANSFER BARCODE, ZEBRA	41A053801756	\$0.00	\$343.00	20	0	329544	77755	TCAUC3	A	8001
LOT#001	PO	PRT	2006	127841	0	PRINTER, DIRECT THERMAL-TRANSFER BARCODE, ZEBRA	41A053801763	\$0.00	\$343.00	20	0	329544	77756	TCAUC3	A	8001
LOT#002	PO	PRT	2002	102709	0	PRINTER, DESKTOP LABEL & RECEIPT, ZEBRA	47452615	\$0.00	\$374.76	20	60	239107	60661	TCAUC3	A	8001
LOT#002	PO	PRT	2002	105060	0	PRINTERS, ZEBRA BARCODE	47404806	\$0.00	\$355.00	20	20	224493	56543	TCAUC3	A	8001
LOT#002	PO	PRT	2002	105061	0	PRINTERS, ZEBRA BARCODE	47404813	\$0.00	\$355.00	20	20	224493	56544	TCAUC3	A	8001
LOT#002	PO	PRT	2002	105063	0	PRINTERS, ZEBRA BARCODE	47404812	\$0.00	\$355.00	20	20	224493	56546	TCAUC3	A	8001
LOT#002	PO	PRT	2002	105064	0	PRINTERS, ZEBRA BARCODE	47404779	\$0.00	\$355.00	20	20	224493	56547	TCAUC3	A	8001
LOT#002	PO	PRT	2002	105065	0	PRINTERS, ZEBRA BARCODE	47404782	\$0.00	\$355.00	20	20	224493	56548	TCAUC3	A	8001
LOT#002	PO	PRT	2002	105072	0	PRINTERS, ZEBRA BARCODE	47404808	\$0.00	\$355.00	20	20	224493	56555	TCAUC3	A	8001
LOT#002	PO	PRT	2002	105073	0	PRINTERS, ZEBRA BARCODE	47404810	\$0.00	\$355.00	20	20	224493	56556	TCAUC3	A	8001
LOT#002	PO	PRT	2002	105074	0	PRINTERS, ZEBRA BARCODE	47404797	\$0.00	\$355.00	20	20	224493	56557	TCAUC3	A	8001
LOT#002	PO	PRT	2002	105077	0	PRINTERS, ZEBRA BARCODE	47404786	\$0.00	\$355.00	20	20	224493	56560	TCAUC3	A	8001
LOT#002	PO	PRT	2002	105078	0	PRINTERS, ZEBRA BARCODE	47404780	\$0.00	\$355.00	20	20	224493	56561	TCAUC3	A	8001
LOT#002	PO	PRT	2002	105079	0	PRINTERS, ZEBRA BARCODE	47404793	\$0.00	\$355.00	20	20	224493	56562	TCAUC3	A	8001
LOT#002	PO	PRT	2002	105081	0	PRINTERS, ZEBRA BARCODE	47404781	\$0.00	\$355.00	20	20	224493	56564	TCAUC3	A	8001
LOT#002	PO	PRT	2002	105082	0	PRINTERS, ZEBRA BARCODE	47404788	\$0.00	\$355.00	20	0	224493	56565	TCAUC3	A	8001
LOT#002	PO	PRT	2002	105083	0	PRINTERS, ZEBRA BARCODE	47404790	\$0.00	\$355.00	20	20	224493	56566	TCAUC3	A	8001
LOT#002	PO	PRT	2002	105086	0	PRINTERS, ZEBRA BARCODE	47404783	\$0.00	\$355.00	20	20	224493	56533	TCAUC3	A	8001
LOT#002	PO	PRT	2002	105089	0	PRINTERS, ZEBRA BARCODE	47404798	\$0.00	\$355.00	20	20	224493	56536	TCAUC3	A	8001
LOT#002	PO	PRT	2002	105090	0	PRINTERS, ZEBRA BARCODE	47404794	\$0.00	\$355.00	20	20	224493	56537	TCAUC3	A	8001
LOT#002	PO	PRT	2004	121574	0	PRINTER, ZEBRA/ELTRON TLP2844 PSA THERMAL TRANSFER	42A034602730	\$0.00	\$375.00	20	60	276441	69456	TCAUC3	A	8001
LOT#002	PO	PRT	2005	124726	0	ZEBRA LP 2844 LABEL PRINTER	42A051501581	\$0.00	\$340.00	20	0	315639	75245	TCAUC3	A	8001
LOT#003	N/A	N/A	N/A	N/A	N/A	21 LIGHT BARS	N/A	N/A	N/A	N/A	N/A	N/A	N/A	TCAUC3	N/A	N/A
LOT#004	N/A	N/A	N/A	N/A	N/A	19 LIGHT BARS	N/A	N/A	N/A	N/A	N/A	N/A	N/A	TCAUC3	N/A	N/A
LOT#005	N/A	N/A	N/A	N/A	N/A	21 LIGHT STICKS	N/A	N/A	N/A	N/A	N/A	N/A	N/A	TCAUC3	N/A	N/A
LOT#006	N/A	N/A	N/A	N/A	N/A	22 LIGHT STICKS	N/A	N/A	N/A	N/A	N/A	N/A	N/A	TCAUC3	N/A	N/A
LOT#007	N/A	N/A	N/A	N/A	N/A	12 LIGHT BARS	N/A	N/A	N/A	N/A	N/A	N/A	N/A	TCAUC3	N/A	N/A
LOT#008	N/A	N/A	N/A	N/A	N/A	3 CAR CAGE DIVIDERS	N/A	N/A	N/A	N/A	N/A	N/A	N/A	TCAUC3	N/A	N/A
LOT#009	PO	CAM	2000	100437	0	PATROL CAR VIDEO SYSTEMS, CAMERA	NEED	\$0.00	\$2,307.50	37	50	187879	60265	TCAUC3	A	8013
LOT#009	PO	COP	2001	102535	0	DOCKING STATION #DSPDDSCF27IPS TO INCLUDE	P27-009468	\$0.00	\$907.00	37	50	203586	60736	TCAUC3	A	8001
LOT#009	PO	COP	2001	102767	0	DOCKING STATION #DSPDDSCF27IPS TO INCLUDE	P27-009486	\$0.00	\$907.00	37	28	203586	60852	TCAUC3	A	8001
LOT#009	PO	COP	2001	102771	0	DOCKING STATION #DSPDDSCF27IPS TO INCLUDE	P27-009483	\$0.00	\$907.00	37	28	203586	60860	TCAUC3	A	8001
LOT#009	PO	COP	2001	102776	0	DOCKING STATION #DSPDDSCF27IPS TO INCLUDE	P27-009455	\$0.00	\$907.00	37	5	203586	60870	TCAUC3	A	8001
LOT#009	PO	COP	2001	102780	0	DOCKING STATION #DSPDDSCF27IPS TO INCLUDE	P27-009489	\$0.00	\$907.00	37	28	203586	60878	TCAUC3	A	8001







# TRAVIS COUNTY PURCHASING OFFICE

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

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

9

Approved by: \_\_\_\_\_

*Cyd V. Grimes 1/23/09 MB*

**Voting Session: Tuesday, February 3, 2009**

**REQUESTED ACTION:** APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 6 ) TO INTERLOCAL CONTRACT NO. IL040149ML, LIMESTONE COUNTY, FOR INMATE HOUSING SERVICES.(SHERIFF)

**Points of Contact:**

**Purchasing:** Michael Long

**Department:** Sheriff Greg Hamilton; Major Darren Long, Travis County Sheriff's Office

**County Attorney (when applicable):** Jim Connolly

**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 Agreement allows Travis County to transport inmates to the Limestone County Detention Center for secure custody, care and safekeeping. Limestone County will provide housing, care, meals and routine medical services for such inmates on the same basis as it provides for its own inmates. Limestone County Detention Center is in Groesbeck, Texas, which is operated by CiviGenics Texas, Inc.

The department agrees that before use of Limestone County services, Court approval will be sought and funding identified.

Modification No. 6 will extend the Contract through March 7, 2010.

Modification No. 5 extended the Contract through March 7, 2009.

Modification No. 4 increased the per diem rate from \$40.00 to \$44.00 per man-day as allowed in Article V section 5.3

Modification No. 3 extended the Contract through March 7, 2008.

Modification No. 2 extended the Contract through March 7, 2007.

Modification No. 1 extended the contract through March 7, 2006 as allowed in Article III section 3.02.



**Contract Expenditures:** Within the last 12 months \$115.39 has been spent against this contract. Cost per inmate is \$44.00 per day.

Not applicable

➤ **Contract-Related Information:**

Award Amount: as needed  
Contract Type: (Professional Services Agreement)  
Contract Period: March 8, 2005-March 7, 2006

➤ **Contract Modification Information:**

Modification Amount: No change  
Modification Type: Amendment  
Modification Period: March 8, 2009 - March 7, 2010

➤ **Solicitation-Related Information:**

Solicitations Sent: N/A Responses Received: N/A  
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.: N/A
- Funding Account(s)
- Comments: **Department will seek approval and verify funding before services are used under contract.**

➤ **Statutory Verification of Funding:**

Contract Verification Form: Funds Verified \_\_ Not Verified \_\_ by Auditor.



JAMES N. 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

Date: January 12, 2009

**MEMORANDUM**

**To:** Mike Long, Purchasing

**From:** Maria Wedhorn TCSO Financial Analyst

**Subj:** Limestone County – contract IL040149ML

The Travis County Sheriff's Office would like to exercise the option to renew Contract IL040149ML, vendor #57949- Limestone County, for one additional year.

The contract will continue to be funded out of line item 001-3735-583-6015

If you have any additional questions, please contact me at 854-4474



*Safety, Integrity, Tradition of Service*

ISSUED BY: PURCHASING OFFICE 314 W. 11TH ST., RM 400 AUSTIN, TX 78701	PURCHASING AGENT ASST: Michael Long TEL. NO: (512) 854-4850 FAX NO: (512) 854-9185	DATE PREPARED: <b>January 12, 2009</b>
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ISSUED TO: Limestone County 200 West State Street Ste 101 Groesbeck, TX 76642	MODIFICATION NO.: <p style="text-align: center; font-size: 1.2em;"><b>6</b></p>	EXECUTED DATE OF ORIGINAL CONTRACT: <b>March 8, 2004</b>
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ORIGINAL CONTRACT TERM DATES: 3/8/04 - 3/7/05 CURRENT CONTRACT TERM DATES: 3/8/09 - 3/7/10

**FOR TRAVIS COUNTY INTERNAL USE ONLY:**  
 Original Contract Amount: \$0.00 Current Modified Amount \$0.00

**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.

Upon execution of this modification, the contract is modified as provided below:

1. As allowed in Article III section 3.02, the new contract period begins March 8, 2009 and extends through March 7, 2010. The per diem rate of \$44.00 per man per day remains unchanged.

**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>LIMESTONE COUNTY</u> BY: <u><i>Daniel Burkeen</i></u> SIGNATURE BY: <u>DANIEL BURKEEN</u> PRINT NAME TITLE: <u>COUNTY JUDGE</u> ITS DULY AUTHORIZED AGENT	<input type="checkbox"/> DBA <input type="checkbox"/> CORPORATION <input type="checkbox"/> OTHER DATE: <p style="font-size: 1.2em;"><u>1/16/09</u></p>
---	--

TRAVIS COUNTY, TEXAS BY: <u><i>Cyd V. Grimes</i></u> CYD V. GRIMES, C.P.M., TRAVIS COUNTY PURCHASING AGENT	DATE: <p style="font-size: 1.2em;"><u>1/23/09</u></p>
--	--

TRAVIS COUNTY, TEXAS BY: _____ SAMUEL T. BISCOE, TRAVIS COUNTY JUDGE	DATE:
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# TRAVIS COUNTY PURCHASING OFFICE

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

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

10

*Cyd V. Grimes 1/23/09*

Approved by: \_\_\_\_\_

**Voting Session: Tuesday, February 3, 2009**

**REQUESTED ACTION:** APPROVE CONTRACT AWARD FOR CONSTRUCTION SERVICES FOR THE HOWARD LANE I PROJECT, IFB NO. B090058-LP, TO THE LOW BIDDER, JOE BLAND CONSTRUCTION, LP. (TNR)

**Points of Contact**

**Purchasing:** J. Lee Perry

**Department:** TNR, Joe Gieselman, Executive Manager;  
Steve Manilla, Public Works Director; Chiddi N’Jie, Project Manager

**County Attorney (when applicable):** John Hille

**County Planning and Budget Office:** Leroy Nellis

**County Auditor’s Office:** Susan Spataro, Jose Palacios

**Other:**

RECEIVED  
COUNTY JUDGE’S OFFICE  
09 JAN 27 PM 3:47

- **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 Howard Lane I Project includes roadway widening from the existing two lane rural roadway to a four-lane urban design section (curb and gutter) with sidewalks and dedicated bicycle lanes, subsurface storm sewer system, a new two-lane bridge, and associated utility relocations. The section of Gregg Lane being improved will be renamed as Howard Lane.
- On December 23, 2008 Travis County received bids from ten (10) vendors in response to IFB No. B090058-LP, Howard Lane I Project. The bids ranged from \$8,368,144.82 to \$13,533,168.20 while the engineer’s estimate was \$12,879,681.22.
- TNR has reviewed the bids and recommends with Purchasing’s concurrence, award to Joe Bland Construction, LP. for a total contract amount of \$8,368,144.82.

**Contract Expenditures:** Within the last 12 months \$0.00 has been spent against this contract.

Not applicable

➤ **Contract-Related Information:**

Award Amount: \$8,368,144.82

Contract Type: Construction

Contract Period: 300 Working Days

**Contract Modification Information:**

Modification Amount: N/A (Firm Amount) (Add'l. comments)

Modification Type: N/A

Modification Period: N/A

➤ **Solicitation-Related Information:**

Solicitations Sent: 30 Responses Received: 10

HUB Information: Vendor is not a HUB % HUB Subcontractor: 25.00%

➤ **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: N/A

**Funding Information:**

Purchase Requisition in H.T.E.: 442042

**Funding Account(s):**

Account Number	Amt.
473-4931-808-8164	\$3,000,000.00
508-4931-808-8164	\$4,890,183.62
475-4993-750-6099	\$477,961.20
Total	\$8,368,144.82

Comments: N/A

➤ **Statutory Verification of Funding:**

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

STATE OF TEXAS §

COUNTY OF TRAVIS §

This Agreement for Construction Services (the "Construction Contract" or "Contract") is made and entered into this day by and between Travis County, Texas, a political subdivision of the State of Texas (the "County") and JOE BLAND CONSTRUCTION, LP, (the "Contractor") and shall be binding upon their respective executors, administrators, heirs, successors, and assigns.

WHEREAS, the County desires to enter into a contract for the construction of HOWARD LANE I PROJECT in Travis County, Texas, in accordance with the provisions of state statutes and conforming to the Contractor's Notice of Construction, Bid Proposal (including the Bidding Documents, Bid Form, and any Addenda or Amendments thereto), General Conditions, Supplementary Conditions, and the Specifications and Plans marked HOWARD LANE I PROJECT (IFB NO. B090058-LP), all of which are incorporated herein;

WHEREAS, the Contractor has been engaged in and now does comparable work and represents that he/she is fully equipped, competent, and capable of performing the above- desired and outlined work, and is ready and willing to perform such work in accordance with all provisions of the abovementioned Specifications and Plans marked (IFB NO. B090058-LP)

NOW THEREFORE, in consideration of the County's promise to pay the amount below as totaled in the Bid Proposal hereto attached and made part of this Contract, the Contractor agrees to do at his own proper cost and expense all the work necessary for the construction of HOWARD LANE I PROJECT in Travis County, Texas in accordance with the provisions of the aforementioned Contractor's Notice of Construction, the Bid Proposal as awarded by the Commissioners Court, and the Specifications and Plans marked (IFB NO. B090058-LP) to the satisfaction of the Executive Manager of the Transportation and Natural Resources Department of Travis County, Texas.

This contract document, the Contractor's Notice of Construction, the Bid Proposal (including the Bidding Documents, the Bid Form, and any Addenda or Amendments thereto), and the Specifications and Plans marked (IFB NO. B090058-LP) represent the entire and integrated contract between the County and the Contractor and supersedes all prior negotiations, representations, or agreements, either oral or written. This Contract may be amended only by written instrument signed by both the County and the Contractor.

The said Contractor further agrees to be available for work within fourteen (14) calendar days, and to complete the within 460 working days, after receiving a written "Notice to Proceed".

Travis County, Texas, in consideration of the full and true performance of the said work by said Contractor, hereby agrees and binds itself to pay to said Contractor the total contract amount of \$8,368,144.82 consisting of \$983,604.00 for materials to be incorporated into the Project or completely consumed at the job site and services required by or integral to the performance of the contract and \$7,384,540.82 for all other charges, including the cost of other services, overhead, materials which do not become part of the finished project or are reusable, and machinery or equipment and its accessory, repair, or replacement parts, and in the manner provided for, within thirty (30) calendar days from the receipt of an acceptable invoice. This division of the contract amount is made for sales tax purposes only. The Contractor shall maintain internal records to verify the

Contract No. 09K00031LP

HOWARD LANE I PROJECT

division. The Contractor shall make these records available upon the request of the Travis County Auditor.

This contract shall be construed according to the laws of the State of Texas. The performance for this Contract shall be in Travis County, and venue for any action will lie in Travis County, Texas. The Contractor warrants that the completed project shall be adequate for the purposes intended.

Notwithstanding anything to the contrary herein, if Contractor is delinquent in payment of taxes at the time of invoicing, Contractor hereby assigns any payments to be made for service rendered under this Contract to the Travis County Tax Assessor-Collector for the payment of said delinquent taxes.

NO OFFICIAL, EMPLOYEE, AGENT, OR REPRESENTATIVE OF THE COUNTY HAS ANY AUTHORITY, EITHER EXPRESSED OR IMPLIED, TO AMEND THIS CONTRACT, EXCEPT SUCH EXPRESS AUTHORITY AS MAY BE GRANTED BY THE COMMISSIONERS COURT OF THE COUNTY.

The forfeiture provisions of the contract imposed pursuant to the Travis County Ethics Policy may be waived in whole or in part by the Travis County Commissioners Court.

EXECUTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, YEAR \_\_\_\_\_.

TRAVIS COUNTY, TEXAS

JOE BLAND CONSTRUCTION, LP.  
CONTRACTOR NAME

BY: \_\_\_\_\_  
TRAVIS COUNTY JUDGE

BY:  \_\_\_\_\_  
Joe Bland  
President, Bland, Inc.  
General Partner

APPROVED AS TO FORM:  \_\_\_\_\_  
TRAVIS COUNTY ATTORNEY

APPROVED: \_\_\_\_\_  
COUNTY PURCHASING AGENT

CERTIFIED FUNDS ARE AVAILABLE  
\_\_\_\_\_  
COUNTY AUDITOR, TRAVIS COUNTY

Joe Bland

IFB No. B090058-LP  
 Howard Lane I Project  
 Addendum II, Attachment III  
 Page 10 of 36

CONTRACT NO. 09K00058LP

**A. ROADWAY IMPROVEMENTS BASE BID**

Bid Item	Spec. Item No.	Bid Quan.	Unit	Description	Unit Price	Amount
1	100	141	STA	Preparing Right of Way per STA.	\$ <u>500</u>	\$ <u>70,500</u>
2	110	1	LS	Excavation (Channel E), Complete and In Place per LS.	\$ <u>1,800</u>	\$ <u>1,800</u>
2A	110	1	LS	Excavation (Channel F), Complete and In Place per LS.	\$ <u>1,200</u>	\$ <u>1,200</u>
2B	110	1	LS	Excavation (Channel F1), Complete and In Place per LS.	\$ <u>1,150</u>	\$ <u>1,150</u>
2C	110	1	LS	Excavation (Channel F2), Complete and In Place per LS.	\$ <u>950</u>	\$ <u>950</u>
2D	110	1	LS	Excavation (Channel J), Complete and In Place per LS.	\$ <u>81</u>	\$ <u>81</u>
3				DELETED	\$ _____	\$ _____
4	340	627	SY	Dense-Graded Hot-Mixed Asphalt (Type "C") (2-inch) (Bridge deck) complete and in place. per SY.	\$ <u>8.42</u>	\$ <u>5,279.34</u>
5	340	2,925	SY	Dense-Graded Hot-Mixed Asphalt (Type "C") (2-inch) (Temporary Pavement), including maintenance, complete and in place. per SY.	\$ <u>7.51</u>	\$ <u>21,966.75</u>
6	340	2,925	SY	Dense-Graded Hot-Mixed Asphalt (Type "A") (5-inch) (Temporary Pavement), including maintenance, complete and in place. per SY.	\$ <u>19.92</u>	\$ <u>58,266.00</u>
7	160	330	LF	Drilled Shaft Foundations, Drill Shaft (36-inch), complete and in place. per LF.	\$ <u>185.55</u>	\$ <u>61,231.50</u>
8	420	128	LF	Concrete Structures, Class C Concrete (24" Dia Column) complete and in place. per LF.	\$ <u>129</u>	\$ <u>16,512</u>



Replaces page 11 of 36, from Addendum 2

Bid Item	Spec. Item No.	Bid Quan.	Unit	Description	Unit Price	Amount
9	420	22	CY	Concrete Structures, Class C Concrete (Bridge Abutment), complete and in place. per CY.	\$ <u>681.50</u>	\$ <u>14,993</u>
10	420	23	CY	Concrete Structures, Class C Concrete (Bent.), complete and in place. per CY.	\$ <u>883.65</u>	\$ <u>20,323.95</u>
10A	420	160	CY	Concrete Structures, Class C Concrete (MSE Wall Capping Slab), complete and in place. per CY.	\$ <u>80</u>	\$ <u>12,800</u>
10B	420	10.1	CY	Concrete Structures, Class S Concrete (Shear Key and Diaphragm), complete and in place. per CY.	\$ <u>435</u>	\$ <u>4,393.50</u>
11	422	67	CY	Reinforced Concrete Slab (Sidewalk), complete and in place per CY.	\$ <u>306</u>	\$ <u>20,502</u>
12	422	105	CY	Reinforced Concrete Slab (Approach slab), complete and in place per CY.	\$ <u>292</u>	\$ <u>30,660</u>
13	423	8,619	SF	Retaining Wall (Ty RW-1(L)C), Permanent MSE Walls, (SF of face) complete and in-place. per SF.	\$ <u>40</u>	\$ <u>344,760</u>
14	425	1,710	LF	Prestressed Concrete Member, Box Beam (5B 20), complete in-place. per LF.	\$ <u>144</u>	\$ <u>246,240</u>
15	426	650	LF	Prestressed, Post-Tension Cable, complete in-place. per LF.	\$ <u>19</u>	\$ <u>12,350</u>
16	430	6	CY	Extending Concrete Structure, Class C Concrete for Ext. Str. (Bent.), complete and in-place. per CY.	\$ <u>770</u>	\$ <u>4,620</u>
17	430	5	CY	Extending Concrete Structure, Class C Concrete for Ext. Str. (Abut.), complete and in-place. per CY.	\$ <u>1029</u>	\$ <u>5,145</u>
18	432	14	CY	Common Stone Riprap, Type R, complete and in-place per CY.	\$ <u>118</u>	\$ <u>1,652</u>
19	432	188	CY	Grouted Stone Riprap, Type F, complete and in-place per CY.	\$ <u>175</u>	\$ <u>32,900</u>

Replaces page 12 of 36, from Addendum 2

Bid Item	Spec. Item No.	Bid Quan.	Unit	Description	Unit Price	Amount
20	432	77	CY	Mortared Stone Riprap, Type F, complete and in-place per CY.	\$ <u>252</u>	\$ <u>19,404</u>
20A	432	72	CY	Dry Stone Riprap, Protection, complete and in-place per CY.	\$ <u>269</u>	\$ <u>19,368</u>
21	434	120	EA	Elastometric Bearing, complete and in-place, per EA.	\$ <u>45</u>	\$ <u>5,400</u>
22	450	181	LF	Railing (TY T501), complete and in-place, per LF.	\$ <u>50</u>	\$ <u>9,050</u>
23	450	1002	LF	Railing (TY C502), complete and in-place, per LF.	\$ <u>20</u>	\$ <u>20,040</u>
24	450	261	LF	Pedestrian Rail (TY D), complete and in place per LF.	\$ <u>71</u>	\$ <u>18,531</u>
25	454	220	LF	Seal Expansion Joints (1-inch), complete and in-place, per LF.	\$ <u>188</u>	\$ <u>41,360</u>
26	462	180	LF	Concrete Box Culvert, (4'x3'), including Excavation and Backfill, complete and in place, per LF.	\$ <u>305</u>	\$ <u>54,900</u>
27	462	100	LF	Concrete Box Culvert, (6'x5'), including Excavation and Backfill, complete and in place, per LF.	\$ <u>305</u>	\$ <u>30,500</u>
28	462	336	LF	Concrete Box Culvert, (6'x4'), including Excavation and Backfill, complete and in place, per LF.	\$ <u>225</u>	\$ <u>75,600</u>
29	464	60	LF	Reinforced Concrete Pipe, 12", Class III, including Excavation and Backfill, complete and in place, per LF.	\$ <u>41</u>	\$ <u>2,460</u>
29A	464	785	LF	Reinforced Concrete Pipe, 48", Class III, including Excavation and Backfill, complete and in place, per LF.	\$ <u>105</u>	\$ <u>82,425</u>
29B	464	49	LF	Reinforced Concrete Pipe, 42", Class III, including Excavation and Backfill, complete and in place, per LF.	\$ <u>105</u>	\$ <u>5,145</u>

Bid Item	Spec. Item No.	Bid Quan.	Unit	Description	Unit Price	Amount
30	464	490	LF	Reinforced Concrete Pipe, 36", Class III, including Excavation and Backfill, complete and in place. per LF.	\$ <u>65</u>	\$ <u>31,850</u>
31	464	1,855	LF	Reinforced Concrete Pipe, 30", Class III, including Excavation and Backfill, complete and in place. per LF.	\$ <u>44</u>	\$ <u>81,620</u>
32	464	2,552	LF	Reinforced Concrete Pipe, 24", Class III, including Excavation and Backfill, complete and in place. per LF.	\$ <u>33.50</u>	\$ <u>85,492</u>
33	464	3,903	LF	Reinforced Concrete Pipe, 18", Class III, including Excavation and Backfill, complete and in place. per LF.	\$ <u>25.60</u>	\$ <u>99,916.80</u>
34	465	2	EA	Inlet, Grated, 6' x 6' IL-H-G (all depths), complete and in place. per EA.	\$ <u>4970</u>	\$ <u>9,940</u>
35	465	5	EA	Inlet, Grated, 5' x 5' IL-H-G (all depths), complete and in place. per EA.	\$ <u>4205</u>	\$ <u>21,325</u>
36	465	3	EA	Inlet, Grated, 4' x 4' IL-H-G (all depths), complete and in place. per EA.	\$ <u>2855</u>	\$ <u>8,565</u>
37	466	1	EA	Headwalls, 2-4'X3' PW, installed, complete and in-place. per EA.	\$ <u>6005</u>	\$ <u>6,005</u>
38	466	1	EA	Headwalls, 2-4'X3' PW, Modified, installed, complete and in-place. per EA.	\$ <u>7155</u>	\$ <u>7,155</u>
39	466	1	EA	Headwalls, 6'X5' PW, Modified, installed, complete and in-place. per EA.	\$ <u>15,525</u>	\$ <u>15,525</u>
40	466	1	EA	Headwalls, 36" PW, Modified, installed, complete and in-place. per EA.	\$ <u>9346</u>	\$ <u>9,346</u>
41	466	1	EA	Headwalls, 3-30" CH-PW-S-30, installed, complete and in-place. per EA.	\$ <u>5655</u>	\$ <u>5,655</u>

Bid Item	Spec. Item No.	Bid Quan.	Unit	Description	Unit Price	Amount
42	466	1	EA	Headwalls, 30" PW, Modified, installed, complete and in-place. per EA.	\$ <u>9115</u>	\$ <u>9115</u>
43	466	1	EA	Headwalls, 3-36" CH-PW-0, installed, complete and in-place. per EA.	\$ <u>8346</u>	\$ <u>8346</u>
44	466	1	EA	Headwalls, 3-36" CH-PW-0, Modified, installed, complete and in-place. per EA.	\$ <u>8346</u>	\$ <u>8346</u>
45	466	1	EA	Wingwalls, 3-30" CH-FW-30, installed, complete and in-place. per EA.	\$ <u>6685</u>	\$ <u>6685</u>
46	466	1	EA	Wing Walls, 6'X5' FW-0, Modified, installed, complete and in-place. per EA.	\$ <u>2570</u>	\$ <u>2570</u>
47	466	1	EA	Wing Walls, 6'X4' FW-0, installed, complete and in-place. per EA.	\$ <u>4960</u>	\$ <u>4960</u>
48	466	1	EA	Wing Walls, 24", CH-FW-0, installed, complete and in-place. per EA.	\$ <u>4515</u>	\$ <u>4515</u>
49	467	1	EA	Safety End Treatment, 6'x4' SETB-PD, complete and in place. per EA. ..	\$ <u>7130</u>	\$ <u>7130</u>
49A	467	1	EA	Safety End Treatment, 48" SETP-PD, complete and in place. per EA.	\$ <u>4655</u>	\$ <u>4655</u>
50	467	2	EA	Safety End Treatment, 2-36" SETP-PD, complete and in place. per EA.	\$ <u>6835</u>	\$ <u>13670</u>
51	467	3	EA	Safety End Treatment, 24" SETP-PD, complete and in place. per EA.	\$ <u>2365</u>	\$ <u>7095</u>
52	467	2	EA	Safety End Treatment, 18" SETP-PD, complete and in place. per EA.	\$ <u>1699</u>	\$ <u>3398</u>

Bid Item	Spec. Item No.	Bid Quan.	Unit	Description	Unit Price	Amount
53	467	6	EA	Safety End Treatment, 12" SETP-PD, complete and in place. per EA.	\$ <u>755</u>	\$ <u>4530</u>
54	473	48	LF	Drain Pipe (Galv steel tube - HSS 6x3x3/16), complete and in place per LF.	\$ <u>15</u>	\$ <u>720</u>
55				DELETED	\$ _____	\$ _____
56	496	1	LS	Removal of existing propane tanks and auxiliary items at proposed staging area per LS.	\$ <u>2500</u>	\$ <u>2,500</u>
57	500	1	LS	Mobilization per LS.	\$ <u>500,000</u>	\$ <u>500,000</u>
58	529	27,500	LF	Concrete Curb and Gutter, Type II, complete and in place. per LF.	\$ <u>7</u>	\$ <u>192,500</u>
59	529	5,370	LF	Concrete Curb (Ribbon Curb), 12-inch wide, complete and in place. per LF.	\$ <u>6.50</u>	\$ <u>34,905</u>
60	529	13,700	SF	Concrete Valley Gutter at Intersections, complete and in place. per SF.	\$ <u>4</u>	\$ <u>54,800</u>
61	529	1,350	SF	Concrete Swale, complete and in place. per SF.	\$ <u>5</u>	\$ <u>6750</u>
62	530	37,502	SF	Driveways, Concrete, 6-inches deep, complete and in place. per SF.	\$ <u>3.30</u>	\$ <u>123,756.60</u>
63	530	750	SF	Driveways, Gravel, match existing depth, 6-inches deep minimum, complete and in place. per SF.	\$ <u>2</u>	\$ <u>1,500</u>
64	530	800	SF	Driveways, Asphalt section per plans, 1.5" Type C and 8" Type A, complete and in place. per SF.	\$ <u>15</u>	\$ <u>12,000</u>

Bid Item	Spec. Item No.	Bid Quan.	Unit	Description	Unit Price	Amount
65	531	154,900	SF	Concrete Sidewalks, 6-foot wide, 4-inches deep, complete and in place. per SF.	\$ <u>350</u>	\$ <u>54,215.00</u>
66	531	1	EA	Curb Ramp, Type 1, complete and in place per EA.	\$ <u>370</u>	\$ <u>370</u>
67	531	1	EA	Curb Ramp, Type 2, complete and in place per EA. ..	\$ <u>850</u>	\$ <u>850</u>
68	531	28	EA	Curb Ramp, Type 6, complete and in place per EA.	\$ <u>620</u>	\$ <u>17,360</u>
69	531	1	EA	Curb Ramp, Type 8, complete and in place per EA.	\$ <u>550</u>	\$ <u>550</u>
70	531	1	EA	Curb Ramp, Type 21, complete and in place per EA.	\$ <u>650</u>	\$ <u>650</u>
71	536	950	SY	Concrete Median, complete and in place per SY.	\$ <u>34</u>	\$ <u>32,300</u>
72	540	250	LF	Metal W-Beam Guard Fence (Post Type), complete and in place per LF.	\$ <u>21.20</u>	\$ <u>5,300</u>
73	540	4	EA	Metal Beam Guard Fence Transition, complete and in place per EA.	\$ <u>1240</u>	\$ <u>4960</u>
74	542	1,215	LF	Removing Metal Beam Guard Fence per LF.	\$ <u>1.50</u>	\$ <u>1822.50</u>
75	544	4	EA	Guardrail End Treatment SGT(7), complete and in place. per EA.	\$ <u>2500</u>	\$ <u>10,000</u>
76	560	23	EA	Mailbox Installation (Single), complete and in place. per EA.	\$ <u>135</u>	\$ <u>3105</u>

Bid Item	Spec. Item No.	Bid Quan.	Unit	Description	Unit Price	Amount
77	658	6	EA	Install Object Marker(OM-2) Assembly, complete and in place per EA.	\$ <u>45</u>	\$ <u>270</u>
78	658	12	EA	Install Delinaetor (D-DY) Assembly, Complete and in place per EA.	\$ <u>55</u>	\$ <u>660</u>
79	666	27,096	LF	Reflectorized pavment marking Type I&II(W) (8") (SLD), complete and in-place. per LF.	\$ <u>.52</u>	\$ <u>14,089.92</u>
80	666	174	LF	Reflectorized pavment marking Type I&II (W) (24") (SLD), complete and in-place. per LF.	\$ <u>5.90</u>	\$ <u>1,026.60</u>
81	666	27,272	LF	Reflectorized pavment marking Type I&II (W) (4") (DSD), complete and in-place. per LF.	\$ <u>.36</u>	\$ <u>9,817.92</u>
82	666	16,522	LF	Reflectorized pavment marking Type I&II (Y) (4") (DSD), complete and in-place. per LF.	\$ <u>.36</u>	\$ <u>5947.92</u>
83	666	20,643	LF	Reflectorized pavment marking Type I&II (Y) (4") (SLD), complete and in-place. per LF.	\$ <u>.35</u>	\$ <u>7,225.05</u>
84	666	816	LF	Reflectorized pavment marking Type I&II (W) (12") (SLD), complete and in-place. per LF.	\$ <u>3.25</u>	\$ <u>2652</u>
85	666	1,803	LF	Reflectorized pavment marking Type I&II (W) (8") (SLD), complete and in-place. per LF. ...	\$ <u>.52</u>	\$ <u>937.56</u>
86	666	54	EA	Solid White Arrow, installed, complete and in-place. per EA.	\$ <u>110</u>	\$ <u>5940</u>
87	666	192	LF	Reflectorized pavement marking, Type I&II (Y) (24") (SLD), complete and in-place. per LF.	\$ <u>6.10</u>	\$ <u>1,171.20</u>
88	666	11	EA	Solid White Arrow Word ("ONLY"), installed, complete and in-place. per EA.	\$ <u>115</u>	\$ <u>1265</u>

Bid Item	Spec. Item No.	Bid Quan.	Unit	Description	Unit Price	Amount
89	666	111	EA	Solid White Arrow for Bike Lane, installed, complete and in-place. per EA.	\$ <u>65</u>	\$ <u>7215</u>
90	666	32	EA	Solid White Bike Symbol, installed, complete and in-place. per EA.	\$ <u>100</u>	\$ <u>3200</u>
91	666	836	LF	Reflectorized pavement marking, Type I&II (W) (8") (DSD) (BIKE), complete and in-place. per LF.	\$ <u>.85</u>	\$ <u>710.60</u>
92	672	345	EA	Reflectorized Pavement Markers, II-AA, Complete and in place per EA.	\$ <u>2.85</u>	\$ <u>983.25</u>
93	672	416	EA	Reflectorized Pavement Marker, I-C, Complete and in place per EA.	\$ <u>2.85</u>	\$ <u>1185.60</u>
93A	COA 506S M5	2	EA	Standard Pre-cast Manhole w/Pre-cast Base, 6-ft dia., all depths, complete and in place per EA.	\$ <u>5380</u>	\$ <u>10,760</u>
94	COA 506S M5	2	EA	Standard Pre-cast Manhole w/Pre-cast Base, 5-ft dia., all depths, complete and in place per EA.	\$ <u>3870</u>	\$ <u>7740</u>
95	COA 506S M4	6	EA	Standard Pre-cast Manhole w/Pre-cast Base, 4-ft dia., all depths, complete and in place per EA.	\$ <u>2,290</u>	\$ <u>13,740</u>
96	COA 508S-130R	1	EA	Inlet, Recessed, 30-ft (all depths), complete and in place. per EA.	\$ <u>15,640</u>	\$ <u>15,640</u>
97	COA 508S-120R	8	EA	Inlet, Recessed, 20-ft (all depths), complete and in place. per EA.	\$ <u>52,010</u>	\$ <u>416,080</u>
98	COA 508S-115R	2	EA	Inlet, Recessed, 15-ft (all depths), complete and in place. per EA.	\$ <u>3,950</u>	\$ <u>7,900</u>
99	COA 508S-110R	26	EA	Inlet, Recessed, 10-ft (all depths), complete and in place. per EA.	\$ <u>3,030</u>	\$ <u>78,780</u>



Bid Item	Spec. Item No.	Bid Quan.	Unit	Description	Unit Price	Amount
100	COA 509S-1	10,028	LF	Trench Excavation Safety Protection (all depths), complete and in place per LF.	\$ .50	\$ 5014
101	COA 604S-B	18.6	AC	Non-Native Seeding for Erosion Control, Cellulose Fiber Mulch (includes fertilizer application and vegetative watering), complete and in place. per AC.	\$ 1171.50	\$ 21,789.90
102	COA 605S-A-1A	19,514	SY	Soil Retention Blanket, Class 1, Type A, complete and in place per SY. ..	\$ 1	\$ 19514
103	COA 605S-A-2F	8,207	SY	Soil Retention Blanket, Class 2, Type F, complete and in place per SY.	\$ 1	\$ 8207
104	COA 605S-A-2G	1,398	SY	Soil Retention Blanket, Class 2, Type G, complete and in place per SY.	\$ 5	\$ 6,990
105	COA 610S-A	5,684	LF	Protective Fencing Type A Chain Link Fence, complete and in place. per LF.	\$ 2.10	\$ 11,936.40
106	COA 610S-C	100	EA	Protective Fencing Type C, 2"x4" Wood Planking (quantity allowance), complete and in place. per EA.	\$ 75	\$ 7,500
107	SP-COA 610-E	100	EA	Bark Mulch for tree root protection (quantity allowance). Complete and In-Place per EA.	\$ 150	\$ 15,000
108	COA 622S-A	950	LF	Diversion Dike, Temporary, Complete and In Place per LF.	\$ 6	\$ 5700
109	COA 628S-C	37	EA	Filter Curb Inlet Protection (New Inlet), complete and in place per EA.	\$ 65	\$ 2405
110	COA 628S-D	4	EA	Filter Curb Inlet Protection (Existing Inlet), complete and in place per EA.	\$ 65	\$ 260
111	SP COA 628S-AI	86	EA	Filter Area Inlet Protection (New Inlet), complete and in place per EA.	\$ 65	\$ 5590

Bid Item	Spec. Item No.	Bid Quan.	Unit	Description	Unit Price	Amount
112	COA 639S-18	885	LF	Rock Berm, w/ 18-inch dia. Rocks, complete and in place. per LF.	\$ 16	\$ 14,160
113	COA 639S-36	468	LF	Rock Berm, Severe, w/ 36-inch dia. Rocks, complete and in place. per LF.	\$ 20	\$ 9,360
114	COA 641S	15	EA	Stabilized Construction Entrance, complete and in place. per EA.	\$ 650	\$ 9,750
115	COA 642S	15,127	LF	Silt Fence, complete and in place. per LF.	\$ 1.60	\$ 24,203.20
116				DELETED	\$ _____	\$ _____
117				DELETED	\$ _____	\$ _____
118				DELETED	\$ _____	\$ _____
119				DELETED	\$ _____	\$ _____
120				DELETED	\$ _____	\$ _____
121				DELETED	\$ _____	\$ _____
122				DELETED	\$ _____	\$ _____
123				DELETED	\$ _____	\$ _____

Bid Item	Spec. Item No.	Bid Quan.	Unit	Description	Unit Price	Amount
124	SP COA 803S-LS	1	LS	Barricades, Signs and Traffic Handling, including roadway maintenance per LS.	\$ <u>150,000</u>	\$ <u>150,000</u>
125	SP COA 824	93	EA	Traffic Signs (Break-away), including Aluminum Sign, complete and in place per EA.	\$ <u>385</u>	\$ <u>35,805</u>
126	COA 834S-C	4	EA	Traffic Signal Pull Boxes, Type C, Complete and In Place per EA.	\$ <u>3400</u>	\$ <u>13,600</u>
127	COA 835S-LT4	345	LF	Installing Traffic Signal Conduit with Conduit 4 inch in diamete, Sch 40 PVC, Complete and In Place per LF.	\$ <u>33</u>	\$ <u>11,385</u>
128	SS-03-A	1	LS	Construction Photography and Video. Complete per LS.	\$ <u>1162.53</u>	\$ <u>1162.53</u>
129	SS-03-B	1	LS	Post-Construction Photography and Video. Complete per LS.	\$ <u>1162.53</u>	\$ <u>1162.53</u>
130	SS-04-L	1	LS	Water Quality Pond System L, Splitter box and Weir, complete and in place. per LS.	\$ <u>130,500</u>	\$ <u>130,500</u>

**A. SUBTOTAL ROADWAY IMPROVEMENTS  
 BASE BID AMOUNT (ITEMS 1 through 130)**

\$ 4,516,650.12

**B. WATERLINE BASE BID**

Bid Item	Spec. Item No.	Bid Quan.	Unit	Description	Unit Price	Amount
W-1	COA 504S-3W	44	EA	Adjusting Water Valve Boxes to Grade, Complete and In Place per EA.	\$ <u>560</u>	\$ <u>24640</u>
W-2	SP COA 504S-FHW	8	EA	Adjusting Fire Hydrants to Grade, Complete and In Place per EA.	\$ <u>1075</u>	\$ <u>8600</u>
W-3	SP COA 504S-ARVW	4	EA	Adjusting Air Release Valve to Grade, Complete and In Place per EA.	\$ <u>70</u>	\$ <u>3040</u>
W-4	COA 505-B	50	LF	Encasement Pipe, 30-inch dia. ASTM A134 Steel (minimum 3/8" thickness)(all depths), including Excavation and Backfill, complete and in place. per LF.	\$ <u>210</u>	\$ <u>10,500</u>
W-5	COA 506S-4WW	1	EA	Major Manhole Height Adjustment, 4' Dia. (Air Release Valve Manhole), Complete and In Place per EA.	\$ <u>1400</u>	\$ <u>1400</u>
W-6	COA 509S-1W	2,187	LF	Trench Excavation Safety Protection (all depths), complete and in place. per LF.	\$ <u>.50</u>	\$ <u>1093.50</u>
W-7	COA 510-AW6	170	LF	Pipe, 6-inch dia. Ductile iron (all depths), including Excavation and Backfill, complete and in place. per LF.	\$ <u>48</u>	\$ <u>8160</u>
W-8	COA 510-AW16	1,627	LF	Pipe, 16-inch dia. Ductile iron (all depths), including Excavation and Backfill, complete and in place. per LF.	\$ <u>48.10</u>	\$ <u>78258.70</u>
W-9	SP COA 510-A-16-RW	510	LF	Factory Restrained Joint Pipe, 16" dia., Class 250 Ductile Iron, (all depths) including Excavation and Backfill per LF.	\$ <u>54.35</u>	\$ <u>27,718.50</u>

Bid Item	Spec. Item No.	Bid Quan.	Unit	Description	Unit Price	Amount
W-10	COA 510-AW16CP	510	LF	Carrier Pipe with Factory Restrained Joints, 16-inch dia. Ductile iron (all depths), including Insulators in Encasement Pipe, complete and in place. per LF.	\$ <u>270</u>	\$ <u>137,700</u>
W-11	SP COA 510-BWSL6	2	EA	Installing Single, Long (greater than 25' length) Water Lateral Service to Existing or New Pipe (1 1/2" Dia. Copper Water Service) to (6" dia. Ductile Iron Pipe), Complete and In Place per EA.	\$ <u>1900</u>	\$ <u>3,800</u>
W-12	SP COA 510-BWSL12	2	EA	Installing Single, Long (greater than 25' length) Water Lateral Service to Existing or New Pipe (1 1/2" Dia. Copper Water Service) to (16" dia. Ductile Iron Pipe), Complete and In Place per EA.	\$ <u>2150</u>	\$ <u>4300</u>
W-13	SP COA 510-BWSS16	11	EA	Installing Single, Short (less than 25' length) Water Lateral Service to Existing or New Pipe (1 1/2" Dia. Copper Water Service) to (16" dia. Ductile Iron Pipe), Complete and In Place per EA.	\$ <u>1300</u>	\$ <u>14,300</u>
W-14	SP COA 510-BWSL16	7	EA	Installing Single, Long (greater than 25' length) Water Lateral Service to Existing or New Pipe (1 1/2" Dia. Copper Water Service) to (16" dia. Ductile Iron Pipe), Complete and In Place per EA.	\$ <u>2331.50</u>	\$ <u>16,320.50</u>
W-15	SP COA 510-BWDL12	2	EA	Installing Double, Long (greater than 25' length) Water Lateral Service to Existing or New Pipe (1 1/2" Dia. Copper Water Service) to (12" dia. Ductile Iron Pipe), Complete and In Place per EA.	\$ <u>2425</u>	\$ <u>4850</u>
W-16	SP COA 510-BWSPL	1	EA	Installing Special Single Long Water Lateral Service from New Pipe at approx roadway station 106+25 to approx roadway sta 112+00 (1 1/2" Dia. Copper Water Service) to (16" dia. Ductile Iron Pipe), Complete and In Place per EA.	\$ <u>1780</u>	\$ <u>1780</u>
W-17	SP COA 510-BWABD	26	EA	Abandon Existing Water Service, Complete and In Place per EA.	\$ <u>385</u>	\$ <u>10,010</u>
W-18	COA 510-JW6	1	EA	Wet Connections, 6" dia x 6" dia, Complete and In Place per EA.	\$ <u>3000</u>	\$ <u>3,000</u>

Bid Item	Spec. Item No.	Bid Quan.	Unit	Description	Unit Price	Amount
W-19	COA 510-JW16	1	EA	Wet Connections, 16" dia x 16" dia, Complete and In Place per EA.	\$ 4200	\$ 4200
W-20	COA 510-KW	0.65	TON	Ductile Iron Fittings 4 inch through 24 inch, complete and in place per TON.	\$ 21,000	\$ 13,650
W-21	COA 511S-A6	9	EA	Valves, Gate, 6" Diameter, Complete and In Place per EA.	\$ 742	\$ 6,678
W-22	COA 511S-A16	6	EA	Valves, Gate, 16" Diameter, Complete and In Place per EA.	\$ 456	\$ 2,736
W-23	COA 511S-B	15	EA	Fire Hydrants, Complete and In Place per EA.	\$ 3091	\$ 46,365
W-24	SP COA 511S-Bsal	8	EA	Salvage Existing Fire Hydrant per EA.	\$ 840	\$ 6720
W-25	COA 511S-C	21	EA	Reflectorized Pavement Markers per EA.	\$ 21	\$ 441
W-26	COA 511S-F	4	EA	Automatic Combination Air/Vacuum Release Valve Assembly, 1" Diameter per EA.	\$ 2650	\$ 10,600
W-27	SP COA 511S-Frel	2	EA	Relocate Existing Automatic Combination Air/Vacuum Release Valve Assembly per EA.	\$ 1250	\$ 2,500

**B. SUBTOTAL WATERLINE BASE BID AMOUNT (ITEMS W-1 through W-27 \$ 477,961.20**

**C. PAVEMENT BASE BID**

Bid Item	Spec. Item No.	Bid Quan.	Unit	Description	Unit Price	Amount
P-1	110	49,748	CY	Excavation (Roadway) (Haul-off), Plan Quantity per CY.	<sup>pe</sup> \$ <u>3.75</u>	\$ <u>186,555</u>
P-2	110	18,036	CY	Excavation (Roadway) (Re-Use), Plan Quantity per CY.	\$ <u>3.55</u>	\$ <u>64,027.80</u>
P-3	132	18,036	CY	Embankment, Type D, (Final) (Density Controlled), Plan Quantity per CY.	\$ <u>5.20</u>	\$ <u>93,787.20</u>
P-4	247	103,650	SY	Flexible Base, Type A, Grade 1, 18-inch depth, Density Controlled, from Sta 12+00 to end, complete and in place. Per SY.	\$ <u>6.35</u>	\$ <u>658,177.50</u>
P-5	260	3,430	TON	Lime, Hydrated Lime Slurry 9% by weight complete and in place including materials, delivery, equipment, labor, tools, and incidentals. per TON	\$ <u>115</u>	\$ <u>394,450.</u>
P-5A	260	116,400	SY	Lime Treatment, for Materials Used As Subgrade (road mixed) 8" Depth, (Density Controlled), complete and in place. per SY..	\$ <u>1.15</u>	\$ <u>133,860</u>
P-6	310	26,050	GAL	Prime Coat (AE-P) , complete and in-place (0.25 Gal per SY), Plan Quantity. Per GAL.	\$ <u>3.28</u>	\$ <u>85,444</u>
P-7	340	9,400	SY	Dense-Graded Hot-Mixed Asphalt (Type "A") (9-inch) from Sta 0+00 to 12+00, complete and in place. Per SY.	\$ <u>31.66</u>	\$ <u>297,604</u>
P-8	340	8,200	SY	Dense-Graded Hot-Mixed Asphalt (Type "C") (3-inch) from Sta 0+00 to 12+00, complete and in place. Per SY.	\$ <u>10.94</u>	\$ <u>89,708</u>
P-9	340	96,000	SY	Dense-Graded Hot-Mixed Asphalt (Type "C") (4-inch) from Sta 12+00 to end, complete and in place. Per SY.	\$ <u>14.27</u>	\$ <u>1,369,920</u>

C. SUBTOTAL PAVEMENT BASE BID AMOUNT (ITEMS P-1 through P-9) \$ 3,373,533.50

TOTAL BASE BID (A + B + C) \$ 8,368,144.82

Eight million three hundred sixty eight thousand one hundred forty four Dollars and  
 (Print or Type Dollar Amount)

eighty two Cents  
 (Print or Type Cents Amount)

TAX EXEMPT TOTAL	\$	NON-TAX EXEMPT TOTAL	\$
Tax exempt costs are the total cost of materials incorporated into the project or completely consumed at the job site and services required by or integral to the performance of the Contract.		Non-Tax exempt costs are all other charges, including the cost of labor, overhead, and materials which do not become part of the project or are not completely consumed at the job site.	

**NOTE: The sum of the tax exempt and non-tax exempt costs must equal the Total Base Bid Amount.**



**ALTERNATES**

**C1A. ALTERNATE #C1A [PAVEMENT OPTION A]**

Bid Item	Spec. Item No.	Bid Quan.	Unit	Description	Unit Price	Amount
P-0 SUM OF P-1 through P-9	NA	-1	-	C. Pavement Base Bid Amount (Items P-1 through P-9).	\$ _____	\$ _____
PA-1	110	23,206	CY	Excavation (Roadway) (Haul-off), Plan Quantity per CY.	<u>\$ 3.75</u>	<u>\$ 87,622.50</u>
PA-2	110	22,024	CY	Excavation (Roadway) (Re-Use), Plan Quantity per CY.	<u>\$ 3.55</u>	<u>\$ 78,185.20</u>
PA-3	132	22,024	CY	Embankment, Type D, (Final) (Density Controlled), Plan Quantity per CY.	<u>\$ 5.20</u>	<u>\$ 114,524.80</u>
PA-4	260	3,430	TON	Lime, Hydrated Lime Slurry 9% by weight complete and in place including materials, delivery, equipment, labor, tools, and incidentals. per TON	<u>\$ 115</u>	<u>\$ 394,450</u>
PA-4A	260	116,400	SY	Lime Treatment, for Materials Used As Subgrade (road mixed) 8" Depth, (Density Controlled), complete and in place. per SY..	<u>\$ 1.15</u>	<u>\$ 133,860</u>
PA-5	318	26,050	GAL	Tack Coat , complete and in-place, (0.25 Gal per SY), Plan Quantity. per GAL.	<u>\$ 3.03</u>	<u>\$ 78,931.50</u>
PA-6	340	113,000	SY	Dense-Graded Hot-Mixed Asphalt (Type "A") (9-inch), complete and in place. per SY.	<u>\$ 32.12</u>	<u>\$ 3629,560</u>
PA-7	340	104,200	SY	Dense-Graded Hot-Mixed Asphalt (Type "C") (3-inch), complete and in place. per SY.	<u>\$ 10.84</u>	<u>\$ 1,129,528</u>

**TOTAL ALTERNATE CIA**  
**(Items P-0 AND PA-1 through PA-10)**

\$ 2,152,528.50

\_\_\_\_\_ Dollars and  
(Print or Type Dollar Amount)

\_\_\_\_\_ Cents  
(Print or Type Cents Amount)

<b>TAX EXEMPT TOTAL</b>	<b>\$</b>	<b>NON-TAX EXEMPT TOTAL</b>	<b>\$</b>
Tax exempt costs are the total cost of materials incorporated into the project or completely consumed at the job site and services required by or integral to the performance of the Contract.		Non-Tax exempt costs are all other charges, including the cost of labor, overhead, and materials which do not become part of the project or are not completely consumed at the job site.	

***NOTE: The sum of the tax exempt and non-tax exempt costs must equal the Total Base Bid Amount.***

**C1B. ALTERNATE #C1B [PAVEMENT OPTION B]**

Bid Item	Spec. Item No.	Bid Quan.	Unit	Description	Unit Price	Amount
P-0 SUM OF P-1 through P-9	NA	-1		C. Pavement Base Bid Amount (Items P-1 through P-9).	<u>\$ 1</u>	<u>\$ 3,373,533.50</u>
PB-1	110	37,756	CY	Excavation (Roadway) (Haul-off), Plan Quantity per CY.	<u>\$ 3.75</u>	<u>\$ 141,585</u>
PB-2	110	19,365	CY	Excavation (Roadway) (Re-Use), Plan Quantity per CY.	<u>\$ 3.55</u>	<u>\$ 68,745.75</u>
PB-3	132	19,365	CY	Embankment, Type D, (Final) (Density Controlled), Plan Quantity per CY.	<u>\$ 5.20</u>	<u>\$ 100,698</u>
PB-4	247	103,700	SY	Flexible Base, Type A, Grade 1, 13.5-inch depth, Density Controlled, from Sta 12+00 to end, complete and in place. per SY.	<u>\$ 6.35</u>	<u>\$ 658,495</u>
PB-5	260	3,430	TON	Lime, Hydrated Lime Slurry 9% by weight complete and in place including materials, delivery, equipment, labor, tools, and incidentals. per TON	<u>\$ 115</u>	<u>\$ 394,450</u>
PB-5A	260	116,400	SY	Lime Treatment, for Materials Used As Subgrade (road mixed) 8" Depth, (Density Controlled), complete and in place. per SY.	<u>\$ 1.15</u>	<u>\$ 133,860</u>
PB-6	310	26,050	GAL	Prime Coat (AE-P) , complete and in-place (0.25 Gal per SY), Plan Quantity. per GAL.	<u>\$ 3.28</u>	<u>\$ 85,444</u>
PB-7	340	9,400	SY	Dense-Graded Hot-Mixed Asphalt (Type "A") (9-inch) from Sta 0+00 to 12+00, complete and in place. per SY.	<u>\$ 33.73</u>	<u>\$ 317,062</u>

Bid Item	Spec. Item No.	Bid Quan.	Unit	Description	Unit Price	Amount
PB-8	340	8,200	SY	Dense-Graded Hot-Mixed Asphalt (Type "C") (3-inch) from Sta 0+00 to 12+00, complete and in place. per SY.	\$ 11.24	\$ 92,168
PB-9	340	96,000	SY	Dense-Graded Hot-Mixed Asphalt (Type "C") (4-inch) from Sta 12+00 to end, complete and in place. per SY.	\$ 14.27	\$ 1,369,920
PB-10	SS-05	113,000	SY	GEOGRID Reinforcing Layer (Tensar BX1 100 or approved equal), complete and in place, Plan Quantity. per SY.	\$ 4.82	\$ 544,660

**TOTAL ALTERNATE C1B**  
**(Items P-0 AND PB-1 through PB-10)**

\$ 533,524.<sup>25</sup>

\_\_\_\_\_ Dollars and  
 (Print or Type Dollar Amount)

\_\_\_\_\_ Cents  
 (Print or Type Cents Amount)

TAX EXEMPT TOTAL	\$	NON-TAX EXEMPT TOTAL	\$
Tax exempt costs are the total cost of materials incorporated into the project or completely consumed at the job site and services required by or integral to the performance of the Contract.		Non-Tax exempt costs are all other charges, including the cost of labor, overhead, and materials which do not become part of the project or are not completely consumed at the job site.	

**NOTE: The sum of the tax exempt and non-tax exempt costs must equal the Total Base Bid Amount.**

Replaces page 31 of 36, from Addendum 2

**\*\*Items 29 - 33, from Section A, are repeated here for your convenience, to ensure sub-total of these items is correct when utilizing them in Alternate D that follows on the next page.**

Bid Item	Spec. Item No.	Bid Quan.	Unit	Description	Unit Price	Amount
29	464	60	LF	Reinforced Concrete Pipe, 12", Class III, including Excavation and Backfill, complete and in place. per LF.	\$ 41	\$ 2460
29A	464	785	LF	Reinforced Concrete Pipe, 48", Class III, including Excavation and Backfill, complete and in place. per LF.	\$ 105	\$ 82425
29B	464	49	LF	Reinforced Concrete Pipe, 42", Class III, including Excavation and Backfill, complete and in place. per LF.	\$ 105	\$ 5145
30	464	490	LF	Reinforced Concrete Pipe, 36", Class III, including Excavation and Backfill, complete and in place. per LF.	\$ 65	\$ 31850
31	464	1855	LF	Reinforced Concrete Pipe, 30", Class III, including Excavation and Backfill, complete and in place. per LF.	\$ 44	\$ 81620
32	464	2,552	LF	Reinforced Concrete Pipe, 24", Class III, including Excavation and Backfill, complete and in place. per LF.	\$ 33.50	\$ 85412
33	464	3,903	LF	Reinforced Concrete Pipe, 18", Class III, including Excavation and Backfill, complete and in place. per LF.	\$ 25.60	\$ 99916.80

**Sub-TOTAL FOR USE IN ALTERNATE D THAT FOLLOWS  
 (From Section A, Items 29 through 33)**

\$ 388,908.80

Replaces page 32 of 36, from Addendum 2  
**D. CMP Pipe (Alternate to RCP)**

Bid Item	Spec. Item No.	Bid Quan.	Unit	Description	Unit Price	Amount
D-0 (Sum of 29-33)	464	-1	LS	SubTotal RCP in Alternate D Items above)	\$ <u>-1</u>	\$ <u><del>33,353.57</del></u>
D-29	460	60	LF	Reinforced Concrete Pipe, 12", Class III, including Excavation and Backfill, complete and in place, per LF.	\$ <u>41</u>	\$ <u>2460</u>
D-29A	460	785	LF	Aluminized Steel Type II, M36, Spiral Rib Type IR Corrugated Metal Pipe, 48", including Excavation and Backfill, complete and in place, per LF.	\$ <u>81</u>	\$ <u>63885</u>
D-29B	460	49	LF	Aluminized Steel Type II, M36, Spiral Rib Type IR Corrugated Metal Pipe, 42", including Excavation and Backfill, complete and in place, per LF.	\$ <u>102</u>	\$ <u>4998</u>
D-30	460	490	LF	Aluminized Steel Type II, M36, Spiral Rib Type IR Corrugated Metal Pipe, 36", including Excavation and Backfill, complete and in place, per LF.	\$ <u>65</u>	\$ <u>31850</u>
D-31	460	1855	LF	Aluminized Steel Type II, M36, Spiral Rib Type IR Corrugated Metal Pipe, 30", including Excavation and Backfill, complete and in place, per LF.	\$ <u>46</u>	\$ <u>85330</u>
D-32	460	2,352	LF	Aluminized Steel Type II, M36, Spiral Rib Type IR Corrugated Metal Pipe, 24", including Excavation and Backfill, complete and in place, per LF.	\$ <u>37</u>	\$ <u>87024</u>
D-33	464	3,510	LF	Aluminized Steel Type II, M36, Spiral Rib Type IR Corrugated Metal Pipe, 18", including Excavation and Backfill, complete and in place, per LF.	\$ <u>30</u>	\$ <u>105300</u>
D-34	464	393	LF	Reinforced Concrete Pipe, 18", Class III, including Excavation and Backfill, complete and in place, per LF.	\$ <u>25.60</u>	\$ <u>10,060.80</u>
D-35	464	200	LF	Reinforced Concrete Pipe, 24", Class III, including Excavation and Backfill, complete and in place, per LF.	\$ <u>33.50</u>	\$ <u>6700</u>

228908.8  
~~33,353.57~~  
 DB

Replaces page 33 of 36, from Addendum 2

TOTAL ALTERNATE D (Items D-0 AND D- 29 through D-35) \$

58,399.<sup>00</sup>  
~~2,976,225.70~~

FIFTY EIGHT THOUSAND THREE HUNDRED NINETY  
(Print or Type Dollar Amount) Dollars and 00

No. Cents  
(Print or Type Cents Amount)

TAX EXEMPT TOTAL	\$	NON-TAX EXEMPT TOTAL	\$
Tax exempt costs are the total cost of materials incorporated into the project or completely consumed at the job site and services required by or integral to the performance of the Contract.		Non-Tax exempt costs are all other charges, including the cost of labor, overhead, and materials which do not become part of the project or are not completely consumed at the job site.	

**NOTE: The sum of the tax exempt and non-tax exempt costs must equal the Total Base Bid Amount.**

\* This page must be completed in its entirety.

**BID TOTALS**

INDIVIDUAL SECTIONS SUB-TOTALS	DESCRIPTION	SUB-TOTAL AMOUNT
A	Roadway Improvements Base Bid	4516650.12
B	Waterline	477,961.20
C	Pavement Base Bid	<del>3373533.50</del> <del>536,114.52</del>
C1A	Pavement Alternate 1A	2152528.50
C1B	Pavement Alternate 1B	533524.25
D	CMP Pipe Alternate	58,399.00

BID SUB-TOTALS A+B+C = Base Bid	TAX EXEMPT COSTS	NON-TAX EXEMPT COSTS	BID TOTALS
Base Bid	8368,144.82		
Base Bid + C1A			
Base Bid + C1B			
Base Bid + D			
Base Bid + C1A + D			
Base Bid + C1B + D			



Travis County reserves the right to award a contract or contracts to the lowest responsive bidder or bidders, to award entire programs or portions of programs, or to award no contract at all, at the discretion of the County Commissioners Court.

**BASE BID**

The Bidder is (check one of the following and insert information requested),

- A. A corporation organized and existing under the laws of the State of \_\_\_\_\_; or
- B. A partnership organized and existing under the laws of the State of Texas; or
- C. An individual doing business under an assumed name registered under the laws of the State of \_\_\_\_\_:

Has complied with Instructions to Bidders, examined the Bidding Documents dated NOVEMBER 2008 is familiar with all the conditions relating to the proposed project, and has received Addenda Numbers 1 through 3, and has included their provisions in the Bid upon these premises.

**ATTACHMENTS**

The undersigned has attached the following, which are a condition of the bid:

1. Attachment 4: Ethics Affidavit-Statement of Compliance with the Travis County Ethics Policy (including: Exhibit A: List of Key Contracting Persons and EXHIBIT B: Contractor Acknowledgement)
2. Attachment 5: Safety Record Questionnaire
3. Attachment 6: Storm water Pollution Prevention Plan Compliance Agreement
4. Attachment 7: Environmental Compliance and Safety Record Questionnaire
5. Attachment 8: HUB Subcontracting Participation Declaration Form
6. Attachment 9: Determination of Good Faith Effort Checklist
7. Attachment 15: Certificate of Secretary (if Bidder is a corporation)
8. Bid Guaranty (Bid Bond or casher's check) Certification

**SIGNATURES**

**A. IF BIDDER IS AN INDIVIDUAL:**

By: \_\_\_\_\_  
(Signature of individual authorized to sign) (Printed name of individual)


Doing Business as: \_\_\_\_\_

Business Address \_\_\_\_\_

Telephone No: \_\_\_\_\_

Submitted on: \_\_\_\_\_, 20\_\_

**B. IF BIDDER IS A PARTNERSHIP:**

By:  \_\_\_\_\_  
(Signature of person(s) authorized to sign) (Printed name of person(s))

Joe Bland  
President, Bland, Inc.  
General Partner

(General partner) Bland, Inc.

(General partner) \_\_\_\_\_

(General partner) \_\_\_\_\_

Business Address 13111 Dessau Rd Austin, TX 78754

Telephone No: (12) 821-2808

Submitted on: Nov. 23, 2008

**C. IF BIDDER IS A CORPORATION:**

By: \_\_\_\_\_  
(Corporation name)

\_\_\_\_\_  
(State of incorporation)

By: \_\_\_\_\_  
(Signature of person authorized to sign) (Printed name of person authorized to sign)

\_\_\_\_\_  
(title)

Corporate seal

Attest:

(Secretary)

Business Address \_\_\_\_\_

Telephone No: \_\_\_\_\_

Submitted on: \_\_\_\_\_, 20\_\_

**TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT**

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 W. 13th St.  
Eleventh Floor  
P.O. Box 1748  
Austin, Texas 78767  
(512) 854-9383  
FAX (512) 854-4626



*Lee*  
*1/15/09*

RECEIVED  
TRAVIS COUNTY  
2009 JAN 15 AM 8:49  
PURCHASING  
OFFICE

**MEMORANDUM**

January 6, 2009

TO: Marvin Bryce, Assistant Agent

FROM: *Steve Manilla*, PE, Public Works Director

SUBJECT: Award of Construction Contract  
Howard Lane I Road and Drainage Improvement Project (AKA Gregg Lane)  
IFB No. B090058-LP  
Contract No. 09K00058LP

**Project Description**

The Howard Lane I Road and Drainage Improvements project is funded with money from the 1997, 2001, and 2005 Bond Projects Funds. It is located in the Northeast sector of Travis County traversing both Precincts 1 and 2, from Dessau Lane to Cameron Road, along what is currently known as Gregg Lane, for the most part. Gregg Lane is a two-lane rural road (with roadside drainage ditches). The proposed improvements, in compliance with the current CAMPO plan, includes roadway widening from the existing two lane rural roadway to a four-lane urban design section (curb and gutter) with sidewalks and dedicated bicycle lanes, subsurface storm sewer system, a new two-lane bridge, and associated utility relocations. The section of Gregg Lane being improved will be renamed as Howard Lane.

**Requested Agenda Item**

TNR hereby requests the Purchasing Department to place the following item on the Commissioners' Court Agenda for a January 20, 2009 hearing date.

**Requested Motion: Consider and take appropriate action on the recommendation to award the construction contract for the Howard Lane I Road and Drainage Improvements Project to Joe Bland Construction.**

**Summary and Recommendations**

Upon tabulating and reviewing the bids received by the Purchasing Department for the Howard Lane I Road and Drainage Improvement Project, TNR finds the low bid at \$8,368,144.82 to be

complete. Subject to Purchasing Department's findings of responsiveness, and in accordance with Chapter 262 (c) of the Texas Local Government Code, TNR recommends that the low bidder, Joe Bland Construction (13111 Dessau Road, Texas, 78754), be awarded the contract for the construction of Howard Lane I Road and Drainage Improvements.

### **Bid Review**

A copy of both a bid summary table and the complete bid tabulation is attached to this memorandum as Exhibits "C" and "D", respectively.

Nine bids with three alternates (allowing for six possible options) were received with each awardable option amount ranging from a low of \$8,368,144.82 to a high of \$13,533,168.20. The low bid of \$8,368,144.82 is \$546,345.78 lower than the next low bid, and it is \$4,511,536.40 lower than the Engineer's \$12,879,681.22 opinion of probable construction cost. The current economic condition may be a major reason why the bids received were significantly lower than previously estimated. This low bid amount also includes the cost of relocating and extending an existing waterline which is being paid for by the City of Austin (City) under an Interlocal Agreement between the County and the City, a copy of this interlocal agreement is attached as Exhibit "E" - Interlocal Agreement. The County's share of the total bid price is \$7,890,183.62, and the City's share is \$477,961.20, for a total contract amount of \$8,368,144.82.

### **Budgetary And Fiscal Impact**

The Howard Lane I Road and Drainage Improvements project is funded with money from the 1984 and 2005 Bond Projects Funds. A copy of the budgetary and tracking information is attached as Exhibit "B" - TNR Financial Memo. This project was bid in partnership with the City for the relocation and extension of an existing waterline within the County's right-of-way under the authority of an interlocal agreement between the City and the County. The design and construction cost for this waterline relocation is being paid for by the City under the provisions of the interlocal agreement. For your convenience, a copy of this interlocal agreement is attached as Exhibit "E" - Interlocal Agreement. The City's waterline related items were separated from the base bid so that the County can maintain a separate and parallel transparent invoicing and accounting system, a single contractor responsible for coordinating all construction activities associated with the waterline and the rest of the road construction work, which in turn will minimize potential conflicts, delays, and unnecessary duplication of costs.

As is with most roadway construction, especially one in an urban environment with adjacent residential properties, unknown or unforeseen field conditions may necessitate the execution of change orders. Typically, depending on the complexity and potential for unforeseen field conditions, a 10 to 20% contingency, is budgeted to address that. Therefore, in addition to the actual bid totals, the budgeted amount for each agency includes a contingency amount and an amount for construction material testing through an independent material testing laboratory under a separate contract. Any amount not consumed on the project may be returned for use on other projects at the Court's discretion. Any remaining balance belonging to the City will also be returned to them.

The total contract amount is \$ 8,368,144.82; with \$7,890,183.62 from the County and \$477,961.20 from the City.

The following table is a budgetary and agency funding summary:

<b>Agency</b>	<b>Item Description</b>	<b>Amount</b>
<b>County</b>	<b>Bid</b>	<b>\$7,890,183.62</b>
	Material Testing (estimated at 2% of Bid)	\$157,803.67
	Subtotal	\$8,047,987.29
	8% Contingency	\$643,838.98
	<b>County's total projected cost</b>	<b>\$8,691,826.27</b>
<b>City</b>	<b>Bid</b>	<b>\$477,961.20</b>
	Material Testing (estimated at 2% of Bid)	\$9,559.22
	Subtotal	\$487,520.42
	10% Contingency	\$48,752.04
	<b>City's total escrow amount</b>	<b>\$536,272.46</b>
<b>County + City</b>	<b>Total projected cost</b>	<b>\$9,228,098.74</b>

The City has been notified of the bids, and in accordance with Sect 8.b (II) of the Interlocal Agreement, the City is to deposit the money into an escrow account with the County within 21 days (January 30, 2009 in this case) of notification of the receipt of the bids. The total amount requested from the City is \$536,272.47.

The funds are encumbered under requisition # 442042. A copy of the budgetary and tracking information is attached as Exhibit "B" - TNR Financial Memo.

**Project Background Summary**

The Howard Lane I Road and Drainage Improvement project is funded with money from the 1984 and 2005 Bond Projects Funds. It is located in the Northeast sector of Travis County traversing both Precincts 1 and 2, from Dessau Lane to Cameron Road, along what is currently known as Gregg Lane, for the most part. Gregg Lane is a two-lane rural road (with roadside drainage ditches). The proposed improvements, in compliance with the current CAMPO plan, includes roadway widening from the existing two lane rural roadway to a four-lane urban design section (curb and gutter) with sidewalks and dedicated bicycle lanes, subsurface storm sewer system, a new two-lane bridge, and associated utility relocations. The City's portion of this contract is the relocation of an existing waterline made necessary because of the County's proposed road improvements. The City is paying for all costs related to their waterline relocation and extension under an approved interlocal agreement between the County and the City, a copy of this interlocal agreement is attached as Exhibit "E" - Interlocal Agreement. Combining both projects under one contract (and therefore a single prime contractor) is expected to eliminate potential conflicts between multiple contractors, which improves efficiency and reduce total project cost and construction duration.

The road will be opened to traffic throughout the construction period except for some periods throughout the project when one lane at a time may be opened to traffic. Adequate traffic control and detour signs will be in place to guide motorists. Due to this provision and the complex

nature of the multiple phasing of the work, the project is expected to take about twenty four months, depending on the weather and unforeseen field conditions. Through direct mails and emails, neighborhood groups are being kept abreast of the bid process and have been notified that construction will start in February. In addition, about one week prior to the start of construction, a flashing sign board will be placed on the site notifying motorists of the construction start date.

The current economic condition may be a major reason why the bids received were much lower than previously expected. Because of these lower prices, it is very likely that the contractor may complete the project in a shorter time than allotted. The utility companies are currently underway with their utility relocations to make way for the road improvements. No significant impact is expected from them on the roadway construction duration.

### **Contract award Timeline**

We ask that this item be placed on the Court's agenda for a January 20, 2009 hearing date. Please note that in accordance with the contract documents used in the solicitations for bids, these bids expire 90 days after the bid opening date of December 23, 2008, unless otherwise agreed to by both the County and the Contractor.

If approved by the Court, please ask the Construction Procurement Specialist to coordinate with TNR Project Manager Chiddi N'Jie on a date to issue the Notice-to-Proceed to the contractor.

If you need additional information, you may call Chiddi at ext. 47585 or me at ext. 49429.

### **Attachments:**

1. Exhibit "A" - Project Location Map
2. Exhibit "B"- TNR Financial Memo
3. Exhibit "C" – Bid Summary
4. Exhibit "D" – Bid Tabulation
5. Exhibit "E" – Interlocal Agreement

### **Copy:**

Lee Perry, Construction Procurement Specialist  
Cynthia McDonalds, Financial  
Donna Williams-Jones, Financial  
Brunilda Cruz, Financial  
Steve Sun, PE, CIP  
Chiddi N'Jie, PE, CIP

**EXHIBIT "C" - Bid Summary**

Howard Ln I Roadway Improvements IFB No. B090058-LP Contract No. 09K00058LP Bid Tabulation (Bid Date: 12-23-08)
--

**Bid Amount For Base Bid Items and Each Alternative**

Bid Components Identification	Bid Section Description	Enginner's	Joe Bland	Cash Constr	RGM	Ross	Chasco	Knife River	JC Evans	Austin R&B	Capital Excav	James Constr
A	Roadway Base Bid	\$ 5,817,419.22	\$ 4,516,650.12	\$ 4,225,550.70	\$ 4,369,858.60	\$ 4,611,435.20	\$ 4,281,426.70	\$ 5,854,875.56	\$ 4,957,525.26	\$ 5,981,693.57	\$ 5,036,576.50	\$ 7,116,653.20
B.	COA Waterline Base Bid	\$ 965,846.00	\$ 477,961.20	\$ 366,923.50	\$ 400,121.00	\$ 513,849.00	\$ 398,882.00	\$ 414,765.70	\$ 316,366.00	\$ 402,790.00	\$ 438,642.65	\$ 460,221.00
C	Pavement Base Bid	\$ 6,606,652.00	\$ 3,373,533.50	\$ 4,322,016.40	\$ 4,408,659.80	\$ 4,664,866.00	\$ 4,647,206.80	\$ 4,543,587.00	\$ 4,177,325.74	\$ 5,106,105.00	\$ 4,793,969.98	\$ 4,654,044.00
C1A	Pavement Alternate 1A	\$ (510,236.00)	\$ 2,272,528.50	\$ 1,040,264.20	\$ 1,458,760.00	\$ 1,562,707.00	\$ 1,304,124.80	\$ 1,477,724.40	\$ 1,551,972.84	\$ 991,408.00	\$ 1,767,627.02	\$ 1,238,268.00
C1B	Pavement Alternate 1B	\$ (267,240.00)	\$ 533,554.25	\$ 48,539.10	\$ (22,104.95)	\$ 3,366.00	\$ (75,065.95)	\$ 113,026.85	\$ (61,791.26)	\$ (86,408.00)	\$ 62,360.52	\$ (100,692.00)
D	CMP Pipe Alternate	\$ -	\$ 8,399.00	\$ 14,504.00	\$ (22,057.00)	\$ (86,994.00)	\$ 21,112.00	\$ 2,972.00	\$ 18,475.00	\$ (25,114.00)	\$ 50,362.00	\$ 63,982.00

**BID OPTIONS (COMBINATIONS)**

Option Identification	Option Components	Bidder										
		Engineer's	Joe Bland	Cash Constr	RGM	Ross	Chasco	Knife River	JC Evans	Austin R&B	Capital Excav	James Constr
Option 1 - Base Bid Option	Base Bid	\$ 13,389,917.22	\$ 8,368,144.82	\$ 8,914,490.60	\$ 9,178,639.40	\$ 9,790,150.20	\$ 9,327,515.50	\$ 10,813,228.26	\$ 9,451,217.00	\$ 11,490,588.57	\$ 10,269,189.13	\$ 12,230,918.20
Option 2 - Pavement Alternative A	Base Bid + C1A	\$ 12,879,681.22	\$ 10,640,673.32	\$ 9,954,754.80	\$ 10,637,399.40	\$ 11,352,857.20	\$ 10,631,640.30	\$ 12,290,952.66	\$ 11,003,189.84	\$ 12,481,996.57	\$ 12,036,816.15	\$ 13,469,186.20
Option 3 - Pavement Alternative B	Base Bid + C1B	\$ 13,122,677.22	\$ 8,901,699.07	\$ 8,963,029.70	\$ 9,156,534.45	\$ 9,793,516.20	\$ 9,252,449.55	\$ 10,926,255.11	\$ 9,389,425.74	\$ 11,404,180.57	\$ 10,331,549.65	\$ 12,130,226.20
Option 4 - Option 1 with CMP Pipe	Base Bid + D	\$ 13,389,917.22	\$ 8,376,543.82	\$ 8,928,994.60	\$ 9,156,582.40	\$ 9,703,156.20	\$ 9,348,627.50	\$ 10,816,200.26	\$ 9,469,692.00	\$ 11,465,474.57	\$ 10,319,551.13	\$ 12,294,900.20
Option 5 - Option 2 with CMP Pipe	Base Bid + C1A + D	\$ 12,879,681.22	\$ 10,649,072.32	\$ 9,969,258.80	\$ 10,615,342.40	\$ 11,265,863.20	\$ 10,652,752.30	\$ 12,293,924.66	\$ 11,021,664.84	\$ 12,456,882.57	\$ 12,087,178.15	\$ 13,533,168.20
Option 6 - Option 3 with CMP Pipe	Base Bid + C1B + D	\$ 13,122,677.22	\$ 8,910,098.07	\$ 8,977,533.70	\$ 9,134,477.45	\$ 9,706,522.20	\$ 9,273,561.55	\$ 10,929,227.11	\$ 9,407,900.74	\$ 11,379,066.57	\$ 10,381,911.65	\$ 12,194,208.20
Bid Spread (Difference from low bid)		\$ 4,511,536.40	0 (Low Bid)	\$ 546,345.78	\$ 810,494.58	\$ 1,422,005.38	\$ 959,370.68	\$ 2,445,083.44	\$ 1,083,072.18	\$ 3,122,443.75	\$ 1,901,044.31	\$ 3,862,773.38

Indicates Option With Lowest Bid From Respective Bidder



# TRAVIS COUNTY PURCHASING OFFICE

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

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

Approved by: \_\_\_\_\_

*Cyd V. Grimes 1/26/09*

**Voting Session: Tuesday, February 3, 2009**

**REQUESTED ACTION: APPROVE MODIFICATION NO. 1 TO CM060077LC, IDENTIX, INCORPORATED, FOR PURCHASE/MAINTENANCE OF LIVESCAN PALM SCANNERS. (TCSO)**

***Points of Contact:***

**Purchasing:** Lori Clyde, 854-4205

**Department:** TCSO, Lt. Robin Osborn, 854-4809; Maria Wedhorn, 854-4474; Capt. Peggy Hill; Greg Hamilton, Sheriff

**County Attorney (when applicable):** James Connolly

**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.

In 2005, the Texas Department of Public Safety (DPS) deployed LiveScan equipment throughout the State of Texas. The Central Booking Facility (CBF) received two LiveScan units to electronically capture fingerprints, biographical data and arrest information and electronically send it to the Austin Police Department (APD) and DPS. At that time, a sole source purchase was approved to purchase palm scanners to send electronic palm images to APD as was required by the interlocal agreement with the City.

At this time, TCSO recommends purchasing the LiveScan Booking Station with integrated full-hand scanning. This unit is to be installed in the CBF Bonding area to automate their process to APD and comply with CJIS requirements. CBF Bonding anticipates an increase in walk-ins that are summoned due to House Bill 2391. The County's cost for the full-hand scanning booking station with warranty upgrade and extended maintenance is \$40,041.00. The extended maintenance will co-terminate with the existing contract.

- **Contract Expenditures:** Within the last 12 months \$0.00 has been spent against this contract.

Not applicable



➤ **Modification-Related Information:**

Modification Amount: \$40,041.00 Fixed Amount

Modification Type: Amendment

Modification Period: February 3, 2009 – December 31, 2010

➤ **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.: 458356
- Funding Account(s) 001-3735-824-8055, 001-3735-824-5001
- Comments:

➤ **Statutory Verification of Funding:**

Contract Verification Form: Funds Verified \_\_\_\_\_ Not Verified \_\_\_\_\_ by Auditor.



JAMES N. 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

Date: January 6, 2009

**MEMORANDUM**

**To:** Lori Clyde, Purchasing

**From:** Maria Wedhorn TCSO Financial Analyst

**Subj:** Live Scan Booking Station with Integrated Full Hand scanning with Warranty and Maintenance

The Travis County Sheriff's Office request a modification to Contract CM060077LC, vendor #51231- Identix , to include the Full Hand Scanner with Warranty and Maintenance.

The requisition information is as follows:

Req# 458356 Vendor: Identix. Amount: \$40,041.00

If you have any additional questions, please contact me at 854-4474



*Safety, Integrity, Tradition of Service*

PURCHASE REQUISITION NBR: 0000458356

STATUS: AUDITOR APPROVAL

REQUISITION BY: RON RIZZATO 854-5395

REASON: CAPITAL SOLE SOURCE LIVE SCAN CPT HILL 854-9345

DATE: 12/10/08

SHIP TO LOCATION: CENTRAL BOOKING

SUGGESTED VENDOR: 51231 IDENTIX

DELIVER BY DATE: 1/15/09

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	LIVE SCAN TO INCLUDE THE FOLLOWING TP-3800XCH-ED \$29495.00, TP-COMX-NECFTP \$170.00, TP-COMX PRNTRK \$170.00, TP-CSTX-TX301 \$170.00, TP-HWOK-ADINIC2 \$153.00, TP-IAT-1DAY \$1620.00 FREIGHT \$400.00 COMMODITY: POLICE EQUIP & SUPPLIES SUBCOMMOD: PRISONER ID.EQUIP&SUPPLIE	1.00	EA	32178.0000	32178.00	
2	3800XCH-W24 WARRANTY UPGRADE COMMODITY: EQUIPMENT MAINT/GENERAL SUBCOMMOD: MAINTENANCE AGREEMENTS	1.00	EA	7863.0000	7863.00	
				REQUISITION TOTAL:	40041.00	

-----  
A C C O U N T I N F O R M A T I O N  
-----

LINE #	ACCOUNT	PROJECT	%	AMOUNT
1	00137358248055	DBB001	100.00	32178.00
2	00137358245001	DBB001	100.00	7863.00
				40041.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

**Lori Clyde - Re: Identix**

---

**From:** Robin Osborn  
**To:** Lori Clyde; Maria Wedhorn; Peggy Hill  
**Date:** 1/22/2009 9:45 AM  
**Subject:** Re: Identix

---

Lori,  
I left you a long rambling message also...but

This purchase is for the all exact same functions we have in the two units currently located in Central Booking Facility (CBF). The new one being requested takes the ten finger print card with charge information and biographical information for DPS required for arrest reporting in addition to the hand/palm scanned image to APD per the CBF inter-local. To reiterate - the unit being purchased to be placed in Bonding is a replica of the complete functionality of the ones in CBF to include the portions DPS purchased (TCSO only purchased hand/palm scanners to add to the two in CBF).

This unit is a sole source purchase because it must use the existing interface and file transfers protocols as well as administrative works stations that provide the inmate charge and biographical data and package this data and get it to DPS. It also allows for APD to "take" the files/images and place them in their local APFIS database (per inter-local requirements) as well as forward the mandatory data to DPS for statutorily required arrest reporting. To go with another vendor would require additional interface costs and perhaps FTE's at TCSO and/or APD to manage a new workstation to administer the separate files that would be created.

The purpose of the third LiveScan unit in Bonding is to meet the increasing demands of walk-throughs (person turning themselves in on warrants that do not go into CBF) and summons releases. Summons releases are issued on charges that are statutorily required to be reported to DPS. Because the summons is issued by the "arresting" officer on the scene no actual custodial arrest occurs the person does not go to jail. Part of this person's appearance for their court date on the summons is to appear at JP5, go to Pretrial services and report to Bonding to be printed so the arrest can be reported. The County Attorney has advised us that these persons are not under arrest and cannot be taken into CBF (jail) to use the existing units for this purpose. Even if this was not the case there are operational issues concerning staffing and work flow efficiencies that make the third unit in the location the person reports to a necessity to keep up with work load demands.

I hope this helps. I'll only be in the office until about 12:30 before I head out for a meeting. Page me if you need more information and I'll get back with you as soon as I can. Pager: 935-1279

>>> Peggy Hill 1/21/2009 1:48 PM >>>

Actually, it's CBF - not TCJ.

>>> Maria Wedhorn 01/21/09 1:47 PM >>>

Lori, I was able to talk with Capt. Hill and here is the information she was able to share.

The full scanner is a new machine to place in the TCJ Bonding area to automate their process to APD and comply with CJIS requirements. TCJ Bonding anticipates an increase in walk ins that are summoned due to House Bill 2391.

>>> Lori Clyde 1/21/2009 10:45 AM >>>

Here is the draft of the agenda. Since the recommendation memo did not have many details, I guessed the reason for purchasing the full-hand scanner. Please review the body and make sure what I have written is correct. If it isn't, please send me an email with the correct information and I'll make the changes.

Thanks,  
Lori

TRAVIS COUNTY

1/21/09  
17:43:03

Fiscal Year 2009

Account Balance Inquiry

Account number . . . . :	1-3735-824.50-01
Fund . . . . . :	001 GENERAL FUND
Department . . . . . :	37 SHERIFF
Division . . . . . :	35 CORRECTIONS BUREAU
Activity basic . . . . :	82 CAPITAL AQUISITION FUNDS
Sub activity . . . . . :	4 CORRECTIONS & REHAB
Element . . . . . :	50 REPR & MTNC-SERVCS PURCHD
Object . . . . . :	01 MAINTENANCE AGREEMENTS

Original budget . . . . . :	0	
Revised budget . . . . . :	7,863	01/07/2009
Actual expenditures - current . . . . . :	.00	
Actual expenditures - ytd . . . . . :	.00	
Unposted expenditures . . . . . :	.00	
Encumbered amount . . . . . :	.00	
Unposted encumbrances . . . . . :	.00	
Pre-encumbrance amount . . . . . :	7,863.00	
Total expenditures & encumbrances:	7,863.00	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

TRAVIS COUNTY

1/21/09  
17:43:06

Fiscal Year 2009

Account Balance Inquiry

Account number . . . . :	1-3735-824.80-55
Fund . . . . . :	001 GENERAL FUND
Department . . . . . :	37 SHERIFF
Division . . . . . :	35 CORRECTIONS BUREAU
Activity basic . . . . :	82 CAPITAL AQUISITION FUNDS
Sub activity . . . . . :	4 CORRECTIONS & REHAB
Element . . . . . :	80 CAPITAL EQMT
Object . . . . . :	55 LAW ENFORCEMENT EQUIPMENT

Original budget . . . . . :	0	
Revised budget . . . . . :	32,178	01/21/2009
Actual expenditures - current . . . . . :	.00	
Actual expenditures - ytd . . . . . :	.00	
Unposted expenditures . . . . . :	.00	
Encumbered amount . . . . . :	.00	
Unposted encumbrances . . . . . :	.00	
Pre-encumbrance amount . . . . . :	32,178.00	
Total expenditures & encumbrances: . . . . . :	32,178.00	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

MODIFICATION OF CONTRACT NUMBER: CM060077LC Purch/Maint Identix Palm Scanners PAGE 1 OF 1 PAGES

ISSUED BY: PURCHASING OFFICE 314 W. 11TH ST., RM 400 AUSTIN, TX 78701	PURCHASING AGENT ASST: <b>Lori Clyde</b> TEL NO: (512) 854-9700 FAX NO: (512) 854-9185	DATE PREPARED: <b>January 8, 2009</b>
ISSUED TO: <b>Identix, Incorporated</b> <b>5705 W Old Shakopee Road</b> <b>Bloomington, MN 55437</b> <b>Attn: Justin Boothe</b>	MODIFICATION NO.:  <b>1</b>	EXECUTED DATE OF ORIGINAL CONTRACT:  <b>December 13, 2005</b>
ORIGINAL CONTRACT TERM DATES: <u>December 13, 2005-December 31, 2010</u> CURRENT CONTRACT TERM DATES: <u>December 13, 2005-December 31, 2010</u>		

**FOR TRAVIS COUNTY INTERNAL USE ONLY:**  
Original Contract Amount: \$ 46,000.00 Current Modified Amount \$ 86,041.00.

**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 mentioned contract is hereby modified to add the following products and services:

- |   |        |                    |
|---|--------|--------------------|
| 1) TP-3800XCH-ED - Touchprint™ 3800 enhanced definition Live Scan Booking Station with integrated Full-hand scanning: includes appliance and full-hand scanning deck standalone cabinet desktop PC Cheetah board application software with Accucapture™ slap to roll matching. Windows XP O/S and 29.5" deck. 1 year 9 to 5 on-site warranty service included.                            | 1 each | \$29,495.00        |
| 2) 3800XCH-W24 - Warranty Upgrade 24/7  | 1 year | \$ 1,063.00        |
| 3) 3800XCH-M24 - Annual 24/7 Maintenance  | 1 year | \$ 6,800.00        |
| 4) TP-COMX-NECFTP – NATMS AFIS protocol support w/FTP: Compression support package with FTP provides support for NEC NATMS protocol communications over TCP/IP/FTP wide area network connections with WSQ compression .   | 1 each | \$ 170.00          |
| 5) TP-COMX-PRINTRK – Printrak AFIS w/FTP protocol: Support provides software support for Printrak AFIS FTP-based communications protocol w/ WSQ compression.  | 1 each | \$ 170.00          |
| 6) TP-CSTX-TX301 – TP3000 XP Texas customization  | 1 each | \$ 170.00          |
| 7) TP-HWOK-ADLNIC2 – TouchPrint Ethernet PCI based 10/100 Lan adapter for local area network topology. To be used with the TP-3500 and TP-3800 cabinet style livescan systems; works with both the XP and Linux O/S   | 1 each | \$ 153.00          |
| 8) TP-IAT-1DAY - Installation and Training; One Day: Standard one day on-site installation and training service. Includes installation and training to be completed in one business day. Training for Operators (up to 6 people) and for System Managers (up to 4 people). Recommended for TP-3000 TP-3100 and TP-3500 series livescan systems. Includes travel and all related expenses. | 1 each | \$ 1,620.00        |
| 9) FREIGHT  | 1 each | \$ 400.00          |
| <b>TOTAL PRICE OF MODIFICATION</b>  |        | <b>\$40,041.00</b> |

**Note to Vendor:**

- [ X ] 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>Identix Incorporated</u>	<input type="checkbox"/> DBA
BY: <u>Justin W. Boothe Sr.</u> SIGNATURE	<input checked="" type="checkbox"/> CORPORATION
BY: <u>Justin W. Boothe Sr.</u> PRINT NAME	<input type="checkbox"/> OTHER
TITLE: <u>Regional Sales Manager</u> ITS DULY AUTHORIZED AGENT	DATE: <u>1/9/2009</u>

TRAVIS COUNTY, TEXAS	DATE:
BY: <u>Cyd V. Grimes</u> CYD V. GRIMES, C.P.M., TRAVIS COUNTY PURCHASING AGENT	<u>1/26/09</u>

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. 11<sup>th</sup> Street, Room 400 Austin, Texas 78701 (512) 854-9700 Fax (512) 854-9185

Approved by: \_\_\_\_\_

*Cyd V. Grimes 1/29/09*

**Voting Session: Tuesday, February 3, 2009**

**REQUESTED ACTION:** CONSIDER AND TAKE APPROPRIATE ACTION REGARDING EVALUATION COMMITTEE'S RECOMMENDATION FOR APPROVAL OF SHORT-LISTED FIRMS AS A RESULT OF QUALIFICATION STATEMENTS RECEIVED IN RESPONSE TO (RFQ) NO. Q090041-RV, TRAVIS COUNTY CENTRAL CAMPUS STUDY FOR A STRATEGIC NEEDS ANALYSIS AND FACILITIES MASTER PLAN.

***Points of Contact:***

**Purchasing:** Richard Villareal

**Department:** Travis County Commissioners Court Special Assistant, Christian Smith

**County Attorney (when applicable):** John Hille, Director, Transactions; Tenley Aldredge, Asst. County Attorney; Gary Martin, Asst. County Attorney

**County Planning and Budget Office:** Rodney Rhoades, Belinda Powell

**County Auditor's Office:** Susan Spataro and Jose Palacios

**Other:** Alicia Perez, Executive Manager, Roger A. El Khoury, M.S., P.E., Director; Leslie Stricklan, RA

➤ **Purchasing Recommendation and Comments:**

Subject RFQ closed on January 5, 2009. Eleven responses (Qualification Statements), one of which was disqualified due to non-responsiveness, were received in response to the solicitation. The Evaluation Committee, made up of two representatives from Facilities Management, the Special Assistant to the Commissioners Court, and one from PBO. All responses were highly competitive; however, there was a clear break in the combined scores between the top three firms and the remaining consultants. The Evaluation Team was therefore able to determine that only the top three firms HOK (Hellmuth, Obata & Kassabaum), Dallas, TX; Broaddus and Associates, Austin, TX; and PBS&J, Austin, TX would be short listed.

Oral interviews with these three firms will be conducted on February 25, 2009 (Evaluation Committee), February 26, 2009 (Commissioners Court) and February 27, 2009 (Judicial Leadership), pending scheduling. All interviews with the Commissioners Court and the Judicial Leadership will also be heard by the Evaluation Committee. The oral presentation by the Evaluation Committee will be based on pre-established questions developed under the leadership of the Purchasing Agent. Members of the Commissioners Court and the



Judicial Leadership will be asked to provide feedback to the Evaluation Committee on their analysis and determinations.

Once the Evaluation Committee rescores the firms, the Purchasing Agent will then make a recommendation to the Commissioners Court to begin formal negotiations with that firm, including price.

The Evaluation Committee is requesting authorization to conduct oral interviews with the three short listed firms.

➤ **Solicitation-Related Information:**

Solicitations Sent: N/A Responses Received: N/A  
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.:
- Funding Account(s):
- Comments:

➤ **Statutory Verification of Funding:**

Contract Verification Form: Funds Verified \_\_\_\_ Not Verified \_\_\_\_ by Auditor.

REQUIRED ACTION

- 1. Short List Approval: \_\_\_\_\_ Approved \_\_\_\_\_ Disapproved
- 2. Commence Negotiations: \_\_\_\_\_ Approved \_\_\_\_\_ Disapproved  
(In Rank Order after Oral Presentations)

\_\_\_\_\_  
Samuel T. Biscoe  
County Judge

\_\_\_\_\_  
Date

Richard Villereal



# Special Assistant to the Commissioners Court

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

## BACK-UP TO AGENDA ON FEBRUARY 3, 2009

January 26, 2009

To: Members of the Commissioners Court

Re: Short List of Consultants for Downtown Master Plan

Dear Colleagues:

I am extremely pleased to report that the Evaluation Team for the Downtown Master Plan Study has come to a joint conclusion on the top three consultants for this study. Eleven firms presented detailed proposals that were reviewed in considerable depth and independently scored. There was a clear break in the combined scores between the top three firms and the remaining consultants. The Evaluation Team was therefore able to quickly come to a joint decision on the following top three firms:

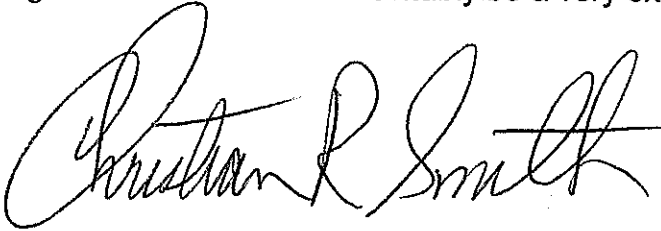
- Hellmuth, Obata + Kassabaum (HOK), led by Pamela Owens Adams and Linda Bernauer and teamed with DWA/DSA and Roma Design Group, among others;
- Broaddus and Associates, led by Dr. James Broaddus and Stephen Coulston and teamed with Ricci Greene Associates and Wiginton Hooker Jeffrey Architects (WHJA), among others; and
- PBS & J, led by Chuck Croslin and teamed with Carter Goble Lee (CGL), Wallace Roberts Todd (WRT), and HKS, among others.

I am very confident that you will be extremely pleased with the depth of experience, demonstrated record of successful results, and distinguished portfolios that all three of these teams bring to the table. While almost all of the proposals were impressive, I know I echo the sentiments of others when I opine that these three are among the "best of the best". The task, of course, will be to choose which among these three top firms will receive this commission.

You are being asked to approve this short list of firms at your meeting on Tuesday, February 3 in preparation for interviews with the Commissioners Court, the judiciary, and the Evaluation Team. After consultations with Judge Biscoe and Judge Dietz, we recommend that these interviews occur on Wednesday, Thursday and Friday, February 25, 26 and 27. Judge Biscoe has agreed to set aside Thursday February 26 from 1:30 to 5:00 in the Commissioners Courtroom as a work session solely dedicated to interviewing these three firms. Judge Dietz has agreed to coordinate with his judicial colleagues for interviews the next day, on Friday, February 27. This means that the Evaluation Team could have its interviews on Wednesday February 25. Further details are included in the attachment entitled "Next Steps in the Process to Select a Consultant for the Downtown Master Planning Study".

RECEIVED  
TRAVIS COUNTY  
2009 JAN 27 AM 10:07  
PURCHASING  
OFFICE

I want to thank the Evaluation Team members (Roger El Khoury, Leslie Stricklan, Belinda Powell and Joe Harlow) for all of their considerable work, attention and service to Travis County in the evaluation of these consultants' proposals. And I want to especially thank the Purchasing professionals who continue to provide such wonderful guidance on what will inevitably be a very exciting and worthwhile project.

A handwritten signature in black ink, appearing to read "Christian R. Smith". The signature is fluid and cursive, with a large initial "C" and "S".

Christian R. Smith  
Special Assistant to the Commissioners Court

CC: Evaluation Team  
Judge Bob Perkins  
Purchasing Team

Judge John Dietz  
Executive Managers  
Tenley Aldridge

Judge Eric Shepperd  
Susan Spataro  
John Hille

1/26/09

## **Next Steps in the Process to Select a Consultant for the Downtown Master Planning Study**

### **Distributing Executive Summary of the Proposals**

Cyd Grimes and Richard Villareal from Purchasing will contact the three top consultant firms and ask them provide a summary of their proposals that can be made public. The firms will choose how much summary level material to provide, since the highly detailed proposals provided to the Evaluation Team must remain confidential.

### **Interviews**

Interviews are proposed for Wednesday, Thursday and Friday February 25, 26 and 27. The order of interviews would be as follows:

- Wednesday, February 25 – Evaluation Team – 2 hours per consultant team
- Thursday, February 26 1:30 to 5:00 - Commissioner Court – 1 hour per team
- Friday, February 27 AM or PM – Judicial Leadership – 1 hour per team

The consultants will be asked to bring to the interviews those key members of their project team who will be doing most of the work. Targeted reference checks will be made by Evaluation Team members. A standard set of interview questions will be developed under the leadership of the Purchasing Agent, who will serve as moderator for all of the interviews.

### **Evaluation Team Rescoring After Interviews and Choice of Top Firm**

All interviews with the Commissioners Court and the judiciary will also be heard by the Evaluation Team members, who will sit in but not participate. It is expected that only members of the Court and the judiciary will be the ones to ask questions of the consultant team. Afterward, members of the Commissioners Court and the judiciary will be asked to provide any feedback to the Evaluation Team on these consultants. The Evaluation Team then will have an opportunity to provide new scores based on that information along with their own interviews.

Once the Evaluation Team rescoring the teams, then they will make a recommendation to the Purchasing Agent on the top ranked firms. The Purchasing Agent will then make a recommendation to the Commissioners Court and will request authorization from the Commissioners Court to begin formal negotiations with that firm, including price. Should an agreement not be reached with that selected firm, the Commissioners Court will officially end negotiations with that firm and authorize the Purchasing Agent to begin negotiations with the next most highly qualified firm. This process will continue until a contract is finalized.

### **Schedule**

The current schedule calls for the top firm to be chosen in early March (March 3) and negotiations to be completed by April 21. This means that the firm could begin work starting April 28. The three top firms have suggested different schedules for Phase One and this will be a part of the negotiating process. In addition, we will need to recognize that the summer could present some scheduling challenges for a variety of reasons, but we will know more when we sit down with the top consultant team.

EVALUATION CRITERIA MATRIX  
RFQ NO. Q0900041-RV, TRAVIS COUNTY CENTRAL CAMPUS STUDY FOR A NEEDS ANALYSIS FACILITIES MASTER PLAN

AECOM												
Criteria												
1.0 Qualifications and Experience of the Individuals comprising the Project Team												
	WF	RS	TS	RS	TS	RS	TS	RS	TS	RS	TS	T
1.1 Master Planning, Urban Planning and Urban Design	11	9	99	8	88	9	99	9	99	9	99	96
1.2 Operational Planning and Programming and Facilities Planning	10	9	90	8	80	10	100	9	90	9	90	90
1.3 Data Center and Network Planning, Design and Implementation	6	8	48	5	30	10	60	9	54	8	48	48
1.4 Architectural Design and Implementation and Historical Expertise	5	9	45	7	35	7	35	8	40	8	40	39
1.5 Civil Engineering, Site Planning, Physical Security, Traffic Analysis, ...	3	7	21	8	24	8	24	9	27	9	27	24
<b>Total</b>	<b>35</b>	<b>NA</b>	<b>303</b>	<b>NA</b>	<b>257</b>	<b>NA</b>	<b>318</b>	<b>NA</b>	<b>310</b>	<b>NA</b>	<b>310</b>	<b>297</b>
2.0 Qualifications and Experience of the Firm												
2.1 Master Planning, Urban Planning and Urban Design	10	8	80	8	80	9	90	9	90	9	90	85
2.2 Operational Planning and Programming and Facilities Planning for Court Systems	9	8	81	8	72	10	90	9	81	8	81	81
2.3 Architectural Design and Implementation and Historical Expertise	5	8	40	5	40	7	35	8	40	8	40	39
2.4 Data Center and Network Planning, Design and Implementation	4	8	32	5	20	10	40	9	36	9	36	32
2.5 Civil Engineering, Site Planning, Physical Security, Traffic Analysis, and Parking	2	7	14	8	16	8	16	9	18	9	18	16
<b>Total</b>	<b>30</b>	<b>NA</b>	<b>247</b>	<b>NA</b>	<b>228</b>	<b>NA</b>	<b>271</b>	<b>NA</b>	<b>265</b>	<b>NA</b>	<b>265</b>	<b>253</b>
3.0 Project Approach												
3.1 Demonstrated understanding of the project and Task completeness and detail	12	3	36	10	120	6	72	7	84	7	84	78
3.2 Communication approach and Community Involvement process/approach	8	3	24	5	40	9	72	8	64	8	64	50
3.3 Schedule	5	4	20	4	20	4	20	4	20	4	20	20
<b>Total</b>	<b>25</b>	<b>NA</b>	<b>80</b>	<b>NA</b>	<b>180</b>	<b>NA</b>	<b>164</b>	<b>NA</b>	<b>168</b>	<b>NA</b>	<b>168</b>	<b>148</b>
4.0 Comparable Project Experience												
4.1 Completeness of the project problem statement, Proposed solution, Communication	6	9	54	5	30	9	54	9	54	9	54	48
4.2 Technical expertise provided for the project	2	9	18	5	10	9	18	8	16	8	16	16
4.3 Physical similarity of the submitted project to Travis County's project	2	9	18	4	8	4	8	6	12	6	12	12
<b>Total</b>	<b>10</b>	<b>NA</b>	<b>90</b>	<b>NA</b>	<b>48</b>	<b>NA</b>	<b>80</b>	<b>NA</b>	<b>82</b>	<b>NA</b>	<b>82</b>	<b>75</b>
<b>TOTAL SCORE</b>	<b>100</b>		<b>720</b>		<b>713</b>		<b>833</b>		<b>825</b>		<b>825</b>	<b>773</b>

Brinkley												
Criteria												
1.0 Qualifications and Experience of the Individuals comprising the Project Team												
	WF	RS	TS	RS	TS	RS	TS	RS	TS	RS	TS	T
1.1 Master Planning, Urban Planning and Urban Design	11	7	77	9	99	8	88	8	88	8	88	88
1.2 Operational Planning and Programming and Facilities Planning	10	6	60	8	80	8	80	8	80	8	80	75
1.3 Data Center and Network Planning, Design and Implementation	6	5	30	6	36	5	30	7	35	7	35	35
1.4 Architectural Design and Implementation and Historical Expertise	5	9	45	7	35	7	35	7	35	7	35	38
1.5 Civil Engineering, Site Planning, Physical Security, Traffic Analysis, ...	3	7	21	8	24	8	24	7	21	7	21	23
<b>Total</b>	<b>35</b>	<b>NA</b>	<b>233</b>	<b>NA</b>	<b>274</b>	<b>NA</b>	<b>257</b>	<b>NA</b>	<b>258</b>	<b>NA</b>	<b>258</b>	<b>258</b>
2.0 Qualifications and Experience of the Firm												
2.1 Master Planning, Urban Planning and Urban Design	10	7	70	9	90	8	80	8	80	8	80	80
2.2 Operational Planning and Programming and Facilities Planning for Court Systems	9	8	72	8	72	8	72	8	72	8	72	72
2.3 Architectural Design and Implementation and Historical Expertise	5	9	45	7	35	7	35	7	35	7	35	38
2.4 Data Center and Network Planning, Design and Implementation	4	4	16	6	24	5	20	6	24	6	24	21
2.5 Civil Engineering, Site Planning, Physical Security, Traffic Analysis, and Parking	2	7	14	8	16	8	16	7	14	7	14	15
<b>Total</b>	<b>30</b>	<b>NA</b>	<b>217</b>	<b>NA</b>	<b>237</b>	<b>NA</b>	<b>223</b>	<b>NA</b>	<b>225</b>	<b>NA</b>	<b>225</b>	<b>226</b>
3.0 Project Approach												
3.1 Demonstrated understanding of the project and Task completeness and detail	12	5	60	7	84	5	60	6	72	6	72	69
3.2 Communication approach and Community Involvement process/approach	8	5	40	4	32	4	32	5	40	5	40	36
3.3 Schedule	5	5	25	5	25	6	30	6	30	6	30	28
<b>Total</b>	<b>25</b>	<b>NA</b>	<b>125</b>	<b>NA</b>	<b>141</b>	<b>NA</b>	<b>122</b>	<b>NA</b>	<b>142</b>	<b>NA</b>	<b>142</b>	<b>133</b>
4.0 Comparable Project Experience												
4.1 Completeness of the project problem statement, Proposed solution, Communication	6	5	30	5	30	7	42	7	42	7	42	36
4.2 Technical expertise provided for the project	2	4	8	4	16	6	12	6	12	6	12	13
4.3 Physical similarity of the submitted project to Travis County's project	2	3	6	4	8	4	8	6	12	6	12	10
<b>Total</b>	<b>10</b>	<b>NA</b>	<b>44</b>	<b>NA</b>	<b>54</b>	<b>NA</b>	<b>68</b>	<b>NA</b>	<b>66</b>	<b>NA</b>	<b>66</b>	<b>58</b>
<b>TOTAL SCORE</b>	<b>100</b>		<b>619</b>		<b>706</b>		<b>670</b>		<b>699</b>		<b>699</b>	<b>674</b>

Broadbus												
Criteria												
1.0 Qualifications and Experience of the Individuals comprising the Project Team												
	WF	A		B		C		D		T	AVG	
		RS	TS	RS	TS	RS	TS	RS	TS		RS	TS
1.1 Master Planning, Urban Planning and Urban Design	11	10	110	9	99	7	77	8	88	8	88	94
1.2 Operational Planning and Programming and Facilities Planning, ....	10	9	90	8	80	10	100	9	90	9	90	93
1.3 Data Center and Network Planning, Design and Implementation	6	9	54	8	48	8	48	8	48	8	48	50
1.4 Architectural Design and Implementation and Historical Expertise	5	9	45	9	45	7	35	7	35	7	35	40
1.5 Civil Engineering, Site Planning, Physical Security, Traffic Analysis, ....	3	7	21	9	27	8	24	8	24	8	24	24
<b>Total</b>	<b>35</b>	<b>NA</b>	<b>320</b>	<b>NA</b>	<b>309</b>	<b>NA</b>	<b>284</b>	<b>NA</b>	<b>285</b>	<b>NA</b>	<b>285</b>	<b>300</b>
<b>2.0 Qualifications and Experience of the Firm</b>												
2.1 Master Planning, Urban Planning and Urban Design	10	10	100	9	90	7	70	8	80	8	80	85
2.2 Operational Planning and Programming and Facilities Planning for Court Systems, ...	9	10	90	9	81	10	90	9	81	9	81	86
2.3 Architectural Design and Implementation and Historical Expertise	5	9	45	9	45	7	35	8	40	8	40	41
2.4 Data Center and Network Planning, Design and Implementation	4	9	36	8	32	8	32	7	28	7	28	32
2.5 Civil Engineering, Site Planning, Physical Security, Traffic Analysis, and Parking, ...	2	7	14	9	18	8	16	8	16	8	16	16
<b>Total</b>	<b>30</b>	<b>NA</b>	<b>285</b>	<b>NA</b>	<b>256</b>	<b>NA</b>	<b>243</b>	<b>NA</b>	<b>245</b>	<b>NA</b>	<b>245</b>	<b>260</b>
<b>3.0 Project Approach</b>												
3.1 Demonstrated understanding of the project and Task completeness and detail	12	10	120	10	120	8	96	8	96	8	96	108
3.2 Communication approach and Community Involvement process/approach	8	9	72	10	80	8	64	8	64	8	64	70
3.3 Schedule	5	9	45	8	40	6	30	6	30	6	30	36
<b>Total</b>	<b>25</b>	<b>NA</b>	<b>237</b>	<b>NA</b>	<b>240</b>	<b>NA</b>	<b>190</b>	<b>NA</b>	<b>190</b>	<b>NA</b>	<b>190</b>	<b>214</b>
<b>4.0 Comparable Project Experience</b>												
4.1 Completeness of the project problem statement, Proposed solution, Communication, ...	6	9	54	9	54	8	48	8	48	8	48	51
4.2 Technical expertise provided for the project	2	9	18	9	18	8	16	8	16	8	16	17
4.3 Physical similarity of the submitted project to Travis County's project	2	10	20	9	18	7	14	8	16	8	16	17
<b>Total</b>	<b>10</b>	<b>NA</b>	<b>92</b>	<b>NA</b>	<b>90</b>	<b>NA</b>	<b>78</b>	<b>NA</b>	<b>80</b>	<b>NA</b>	<b>80</b>	<b>85</b>
<b>TOTAL SCORE</b>	<b>100</b>		<b>934</b>		<b>905</b>		<b>795</b>		<b>800</b>		<b>800</b>	<b>859</b>

FM Solutions												
Criteria												
1.0 Qualifications and Experience of the Individuals comprising the Project Team												
	WF	A		B		C		D		T	AVG	
		RS	TS	RS	TS	RS	TS	RS	TS		RS	TS
1.1 Master Planning, Urban Planning and Urban Design	11	0	0	0	0	0	0	4	44	4	44	11
1.2 Operational Planning and Programming and Facilities Planning, ....	10	4	40	4	40	1	10	4	40	4	40	33
1.3 Data Center and Network Planning, Design and Implementation	6	4	24	2	12	5	30	6	36	6	36	26
1.4 Architectural Design and Implementation and Historical Expertise	5	4	20	4	20	5	25	5	25	5	25	23
1.5 Civil Engineering, Site Planning, Physical Security, Traffic Analysis, ...	3	4	12	2	6	2	6	2	6	2	6	8
<b>Total</b>	<b>35</b>	<b>NA</b>	<b>96</b>	<b>NA</b>	<b>78</b>	<b>NA</b>	<b>71</b>	<b>NA</b>	<b>151</b>	<b>NA</b>	<b>151</b>	<b>99</b>
<b>2.0 Qualifications and Experience of the Firm</b>												
2.1 Master Planning, Urban Planning and Urban Design	10	0	0	0	0	0	0	4	40	4	40	10
2.2 Operational Planning and Programming and Facilities Planning for Court Systems, ...	9	4	36	4	36	1	9	5	45	5	45	32
2.3 Architectural Design and Implementation and Historical Expertise	5	4	20	4	20	5	25	5	25	5	25	23
2.4 Data Center and Network Planning, Design and Implementation	4	4	16	2	8	5	20	5	20	5	20	18
2.5 Civil Engineering, Site Planning, Physical Security, Traffic Analysis, and Parking, ...	2	4	8	0	0	2	4	2	4	2	4	4
<b>Total</b>	<b>30</b>	<b>NA</b>	<b>80</b>	<b>NA</b>	<b>64</b>	<b>NA</b>	<b>58</b>	<b>NA</b>	<b>134</b>	<b>NA</b>	<b>134</b>	<b>84</b>
<b>3.0 Project Approach</b>												
3.1 Demonstrated understanding of the project and Task completeness and detail	12	5	60	1	12	2	24	4	48	4	48	38
3.2 Communication approach and Community Involvement process/approach	8	5	40	1	8	0	0	3	24	3	24	18
3.3 Schedule	5	5	25	3	15	2	10	3	15	3	15	16
<b>Total</b>	<b>25</b>	<b>NA</b>	<b>125</b>	<b>NA</b>	<b>35</b>	<b>NA</b>	<b>34</b>	<b>NA</b>	<b>87</b>	<b>NA</b>	<b>87</b>	<b>70</b>
<b>4.0 Comparable Project Experience</b>												
4.1 Completeness of the project problem statement, Proposed solution, Communication, ...	6	5	30	3	18	1	6	4	24	4	24	20
4.2 Technical expertise provided for the project	2	4	8	3	6	3	6	3	6	3	6	7
4.3 Physical similarity of the submitted project to Travis County's project	2	5	10	3	6	3	6	4	8	4	8	8
<b>Total</b>	<b>10</b>	<b>NA</b>	<b>48</b>	<b>NA</b>	<b>30</b>	<b>NA</b>	<b>18</b>	<b>NA</b>	<b>38</b>	<b>NA</b>	<b>38</b>	<b>34</b>
<b>TOTAL SCORE</b>	<b>100</b>		<b>349</b>		<b>207</b>		<b>181</b>		<b>410</b>		<b>410</b>	<b>287</b>

HDR		WF	A		B		C		D		T	
Criteria	WF	RS	TS	RS	TS	RS	TS	RS	TS	RS	TS	AVG
<b>1.0 Qualifications and Experience of the Individuals comprising the Project Team</b>												
1.1 Master Planning, Urban Planning and Urban Design	11	6	66	8	88	9	99	8	88	8	88	85
1.2 Operational Planning and Programming and Facilities Planning ....	10	6	60	7	80	8	80	8	80	8	80	75
1.3 Data Center and Network Planning, Design and Implementation	6	8	48	8	42	10	60	10	50	10	48	50
1.4 Architectural Design and Implementation and Historical Expertise	5	3	15	8	40	8	45	9	50	10	38	38
1.5 Civil Engineering, Site Planning, Physical Security, Traffic Analysis, ....	3	7	21	8	24	8	24	9	27	9	27	24
<b>Total</b>	<b>35</b>	<b>NA</b>	<b>210</b>	<b>NA</b>	<b>274</b>	<b>NA</b>	<b>308</b>	<b>NA</b>	<b>293</b>	<b>NA</b>	<b>271</b>	<b>271</b>
<b>2.0 Qualifications and Experience of the Firm</b>												
2.1 Master Planning, Urban Planning and Urban Design	10	9	90	9	90	9	90	9	90	9	90	90
2.2 Operational Planning and Programming and Facilities Planning for Court Systems...	9	6	54	9	81	8	72	9	81	9	81	72
2.3 Architectural Design and Implementation and Historical Expertise	5	6	30	8	40	9	45	8	45	9	45	40
2.4 Data Center and Network Planning, Design and Implementation	4	7	32	7	28	10	32	8	32	8	32	33
2.5 Civil Engineering, Site Planning, Physical Security, Traffic Analysis, and Parking, ...	2	7	14	8	16	8	16	8	16	8	16	16
<b>Total</b>	<b>30</b>	<b>NA</b>	<b>220</b>	<b>NA</b>	<b>255</b>	<b>NA</b>	<b>263</b>	<b>NA</b>	<b>264</b>	<b>NA</b>	<b>264</b>	<b>251</b>
<b>3.0 Project Approach</b>												
3.1 Demonstrated understanding of the project and Task completeness and detail	12	7	84	8	96	8	96	8	96	9	108	96
3.2 Communication approach and Community Involvement process/approach	8	4	32	7	56	8	64	9	72	9	72	56
3.3 Schedule	5	7	35	7	35	8	40	9	45	9	45	39
<b>Total</b>	<b>25</b>	<b>NA</b>	<b>151</b>	<b>NA</b>	<b>187</b>	<b>NA</b>	<b>200</b>	<b>NA</b>	<b>225</b>	<b>NA</b>	<b>225</b>	<b>191</b>
<b>4.0 Comparable Project Experience</b>												
4.1 Completeness of the project problem statement, Proposed solution, Communication, ....	6	8	48	9	54	9	54	8	48	8	48	51
4.2 Technical expertise provided for the project	2	7	14	9	18	8	16	8	16	7	16	16
4.3 Physical similarity of the submitted project to Travis County's project	2	7	14	8	16	7	14	7	14	7	14	15
<b>Total</b>	<b>10</b>	<b>NA</b>	<b>76</b>	<b>NA</b>	<b>88</b>	<b>NA</b>	<b>84</b>	<b>NA</b>	<b>78</b>	<b>NA</b>	<b>78</b>	<b>82</b>
<b>TOTAL SCORE</b>	<b>100</b>		<b>657</b>		<b>804</b>		<b>855</b>		<b>860</b>		<b>794</b>	<b>794</b>

HOK		WF	A		B		C		D		T	
Criteria	WF	RS	TS	RS	TS	RS	TS	RS	TS	RS	TS	AVG
<b>1.0 Qualifications and Experience of the Individuals comprising the Project Team</b>												
1.1 Master Planning, Urban Planning and Urban Design	11	10	110	9	99	10	110	9	99	9	99	105
1.2 Operational Planning and Programming and Facilities Planning ....	10	10	100	9	90	10	100	9	90	9	90	95
1.3 Data Center and Network Planning, Design and Implementation	6	9	54	7	42	8	48	9	54	9	54	50
1.4 Architectural Design and Implementation and Historical Expertise	5	10	50	9	45	9	45	10	50	10	48	48
1.5 Civil Engineering, Site Planning, Physical Security, Traffic Analysis, ....	3	9	27	8	24	8	24	9	27	9	27	26
<b>Total</b>	<b>35</b>	<b>NA</b>	<b>341</b>	<b>NA</b>	<b>300</b>	<b>NA</b>	<b>327</b>	<b>NA</b>	<b>320</b>	<b>NA</b>	<b>320</b>	<b>322</b>
<b>2.0 Qualifications and Experience of the Firm</b>												
2.1 Master Planning, Urban Planning and Urban Design	10	10	100	9	90	10	100	9	90	9	90	95
2.2 Operational Planning and Programming and Facilities Planning for Court Systems...	9	9	81	8	81	10	90	9	81	9	81	83
2.3 Architectural Design and Implementation and Historical Expertise	5	10	50	8	40	9	45	9	45	9	45	45
2.4 Data Center and Network Planning, Design and Implementation	4	9	36	8	32	9	36	9	36	9	36	35
2.5 Civil Engineering, Site Planning, Physical Security, Traffic Analysis, and Parking, ...	2	7	14	8	16	8	16	9	18	9	18	16
<b>Total</b>	<b>30</b>	<b>NA</b>	<b>281</b>	<b>NA</b>	<b>259</b>	<b>NA</b>	<b>287</b>	<b>NA</b>	<b>270</b>	<b>NA</b>	<b>270</b>	<b>274</b>
<b>3.0 Project Approach</b>												
3.1 Demonstrated understanding of the project and Task completeness and detail	12	8	96	10	120	7	84	9	108	9	108	102
3.2 Communication approach and Community Involvement process/approach	8	8	64	10	80	8	64	9	72	9	72	70
3.3 Schedule	5	8	40	9	45	8	40	8	40	8	40	41
<b>Total</b>	<b>25</b>	<b>NA</b>	<b>200</b>	<b>NA</b>	<b>245</b>	<b>NA</b>	<b>188</b>	<b>NA</b>	<b>220</b>	<b>NA</b>	<b>220</b>	<b>213</b>
<b>4.0 Comparable Project Experience</b>												
4.1 Completeness of the project problem statement, Proposed solution, Communication, ....	6	9	54	8	48	8	48	9	54	9	54	51
4.2 Technical expertise provided for the project	2	8	16	9	18	9	18	9	18	9	18	18
4.3 Physical similarity of the submitted project to Travis County's project	2	10	20	10	20	8	16	9	18	9	18	19
<b>Total</b>	<b>10</b>	<b>NA</b>	<b>90</b>	<b>NA</b>	<b>86</b>	<b>NA</b>	<b>82</b>	<b>NA</b>	<b>90</b>	<b>NA</b>	<b>90</b>	<b>87</b>
<b>TOTAL SCORE</b>	<b>100</b>		<b>912</b>		<b>890</b>		<b>884</b>		<b>900</b>		<b>897</b>	<b>897</b>

HS&A												
Criteria	WF	RS	A		B		C		D		T	
			TS	RS	TS	RS	TS	RS	TS	RS	TS	AVG
<b>1.0 Qualifications and Experience of the Individuals comprising the Project Team</b>												
1.1 Master Planning, Urban Planning and Urban Design	11	8	88	4	44	7	77	7	77	7	77	72
1.2 Operational Planning and Programming and Facilities Planning, ....	10	7	70	8	80	8	80	9	90	8	80	80
1.3 Data Center and Network Planning, Design and Implementation	6	7	42	5	30	9	54	8	48	7	48	44
1.4 Architectural Design and Implementation and Historical Expertise	5	7	35	8	35	6	30	7	35	7	35	34
1.5 Civil Engineering, Site Planning, Physical Security, Traffic Analysis, ....	3	7	21	8	24	8	24	8	24	7	21	23
<b>Total</b>	<b>35</b>	<b>NA</b>	<b>266</b>	<b>NA</b>	<b>213</b>	<b>NA</b>	<b>265</b>	<b>NA</b>	<b>271</b>	<b>NA</b>	<b>271</b>	<b>251</b>
<b>2.0 Qualifications and Experience of the Firm</b>												
2.1 Master Planning, Urban Planning and Urban Design	10	8	80	4	40	7	70	8	80	8	80	68
2.2 Operational Planning and Programming and Facilities Planning for Court Systems,...	9	9	81	8	72	8	72	8	72	8	72	74
2.3 Architectural Design and Implementation and Historical Expertise	5	8	40	8	40	6	30	7	35	7	35	36
2.4 Data Center and Network Planning, Design and Implementation	4	8	32	5	20	9	36	7	28	7	28	29
2.5 Civil Engineering, Site Planning, Physical Security, Traffic Analysis, and Parking ...	2	7	14	8	16	8	16	6	12	6	12	15
<b>Total</b>	<b>30</b>	<b>NA</b>	<b>247</b>	<b>NA</b>	<b>188</b>	<b>NA</b>	<b>224</b>	<b>NA</b>	<b>227</b>	<b>NA</b>	<b>227</b>	<b>222</b>
<b>3.0 Project Approach</b>												
3.1 Demonstrated understanding of the project and Task completeness and detail	12	8	96	8	96	7	84	8	96	8	96	93
3.2 Communication approach and Community Involvement process/approach	8	7	56	4	32	8	64	8	64	8	64	54
3.3 Schedule	5	3	15	4	20	8	40	7	35	7	35	28
<b>Total</b>	<b>25</b>	<b>NA</b>	<b>167</b>	<b>NA</b>	<b>148</b>	<b>NA</b>	<b>189</b>	<b>NA</b>	<b>195</b>	<b>NA</b>	<b>195</b>	<b>175</b>
<b>4.0 Comparable Project Experience</b>												
4.1 Completeness of the project problem statement, Proposed solution, Communication ...	6	5	30	5	30	7	42	8	48	8	48	38
4.2 Technical expertise provided for the project	2	5	10	6	10	7	14	7	14	7	14	12
4.3 Physical similarity of the submitted project to Travis County's project	2	9	18	5	10	7	14	6	12	6	12	14
<b>Total</b>	<b>10</b>	<b>NA</b>	<b>58</b>	<b>NA</b>	<b>50</b>	<b>NA</b>	<b>70</b>	<b>NA</b>	<b>74</b>	<b>NA</b>	<b>74</b>	<b>63</b>
<b>TOTAL SCORE</b>	<b>100</b>		<b>728</b>		<b>599</b>		<b>747</b>		<b>767</b>		<b>767</b>	<b>710</b>

Mithun												
Criteria	WF	RS	A		B		C		D		T	
			TS	RS	TS	RS	TS	RS	TS	RS	TS	AVG
<b>1.0 Qualifications and Experience of the Individuals comprising the Project Team</b>												
1.1 Master Planning, Urban Planning and Urban Design	11	9	99	9	99	8	88	8	88	8	88	94
1.2 Operational Planning and Programming and Facilities Planning, ....	10	8	80	9	90	8	80	7	70	8	80	83
1.3 Data Center and Network Planning, Design and Implementation	6	9	54	8	48	6	36	7	42	7	42	45
1.4 Architectural Design and Implementation and Historical Expertise	5	8	40	9	45	7	35	7	35	7	35	39
1.5 Civil Engineering, Site Planning, Physical Security, Traffic Analysis, ....	3	6	18	8	24	5	15	6	18	6	18	19
<b>Total</b>	<b>35</b>	<b>NA</b>	<b>291</b>	<b>NA</b>	<b>306</b>	<b>NA</b>	<b>254</b>	<b>NA</b>	<b>263</b>	<b>NA</b>	<b>279</b>	<b>279</b>
<b>2.0 Qualifications and Experience of the Firm</b>												
2.1 Master Planning, Urban Planning and Urban Design	10	8	80	9	90	8	80	7	70	7	70	80
2.2 Operational Planning and Programming and Facilities Planning for Court Systems,...	9	9	81	9	81	8	72	8	72	8	72	77
2.3 Architectural Design and Implementation and Historical Expertise	5	8	40	9	45	7	35	7	35	7	35	39
2.4 Data Center and Network Planning, Design and Implementation	4	9	36	8	32	6	24	7	28	7	28	30
2.5 Civil Engineering, Site Planning, Physical Security, Traffic Analysis, and Parking ...	2	5	10	8	16	5	10	6	12	6	12	12
<b>Total</b>	<b>30</b>	<b>NA</b>	<b>247</b>	<b>NA</b>	<b>264</b>	<b>NA</b>	<b>221</b>	<b>NA</b>	<b>217</b>	<b>NA</b>	<b>217</b>	<b>237</b>
<b>3.0 Project Approach</b>												
3.1 Demonstrated understanding of the project and Task completeness and detail	12	7	84	10	120	6	72	7	84	7	84	90
3.2 Communication approach and Community Involvement process/approach	8	7	56	10	80	4	32	6	48	6	48	54
3.3 Schedule	5	7	35	8	40	6	30	6	30	6	30	34
<b>Total</b>	<b>25</b>	<b>NA</b>	<b>175</b>	<b>NA</b>	<b>240</b>	<b>NA</b>	<b>134</b>	<b>NA</b>	<b>162</b>	<b>NA</b>	<b>162</b>	<b>178</b>
<b>4.0 Comparable Project Experience</b>												
4.1 Completeness of the project problem statement, Proposed solution, Communication ...	6	6	36	1	6	6	36	7	42	7	42	30
4.2 Technical expertise provided for the project	2	5	10	7	14	7	14	8	16	8	16	14
4.3 Physical similarity of the submitted project to Travis County's project	2	4	8	5	10	5	10	6	12	6	12	10
<b>Total</b>	<b>10</b>	<b>NA</b>	<b>54</b>	<b>NA</b>	<b>30</b>	<b>NA</b>	<b>60</b>	<b>NA</b>	<b>70</b>	<b>NA</b>	<b>70</b>	<b>64</b>
<b>TOTAL SCORE</b>	<b>100</b>		<b>767</b>		<b>840</b>		<b>669</b>		<b>712</b>		<b>712</b>	<b>747</b>



PBS&J												
Criteria	WF	A		B		C		D		T	T	
		RS	TS	RS	TS	RS	TS	RS	TS		RS	TS
<b>1.0 Qualifications and Experience of the Individuals comprising the Project Team</b>												
1.1 Master Planning, Urban Planning and Urban Design	11	9	99	9	99	9	99	9	99	9	99	99
1.2 Operational Planning and Programming and Facilities Planning ....	10	10	100	9	90	10	100	8	80	9	80	93
1.3 Data Center and Network Planning, Design and Implementation	6	9	54	5	30	9	54	9	54	9	54	48
1.4 Architectural Design and Implementation and Historical Expertise	5	9	45	9	45	8	40	9	45	8	45	44
1.5 Civil Engineering, Site Planning, Physical Security, Traffic Analysis, ....	3	7	21	8	24	9	27	9	27	9	27	24
<b>Total</b>	<b>35</b>	<b>NA</b>	<b>319</b>	<b>NA</b>	<b>288</b>	<b>NA</b>	<b>317</b>	<b>NA</b>	<b>305</b>	<b>NA</b>	<b>307</b>	<b>307</b>
<b>2.0 Qualifications and Experience of the Firm</b>												
2.1 Master Planning, Urban Planning and Urban Design	10	9	90	9	90	9	90	9	90	9	90	90
2.2 Operational Planning and Programming and Facilities Planning for Court Systems...	9	10	90	9	81	10	90	9	81	9	81	86
2.3 Architectural Design and Implementation and Historical Expertise	5	9	45	9	45	8	40	9	45	8	45	44
2.4 Data Center and Network Planning, Design and Implementation	4	9	36	5	20	9	36	8	36	8	36	31
2.5 Civil Engineering, Site Planning, Physical Security, Traffic Analysis, and Parking ...	2	7	14	8	16	9	16	9	18	9	18	16
<b>Total</b>	<b>30</b>	<b>NA</b>	<b>275</b>	<b>NA</b>	<b>252</b>	<b>NA</b>	<b>272</b>	<b>NA</b>	<b>266</b>	<b>NA</b>	<b>266</b>	<b>266</b>
<b>3.0 Project Approach</b>												
3.1 Demonstrated understanding of the project and Task completeness and detail	12	9	108	10	120	9	108	9	108	9	108	111
3.2 Communication approach and Community Involvement process/approach	8	8	64	7	56	4	32	8	64	8	64	54
3.3 Schedule	5	6	30	7	35	4	20	4	20	4	20	26
<b>Total</b>	<b>25</b>	<b>NA</b>	<b>202</b>	<b>NA</b>	<b>211</b>	<b>NA</b>	<b>160</b>	<b>NA</b>	<b>192</b>	<b>NA</b>	<b>192</b>	<b>191</b>
<b>4.0 Comparable Project Experience</b>												
4.1 Completeness of the project problem statement, Proposed solution, Communication, ....	6	8	48	9	54	6	36	8	48	8	48	47
4.2 Technical expertise provided for the project	2	8	16	9	18	8	16	9	18	8	18	17
4.3 Physical similarity of the submitted project to Travis County's project	2	8	16	9	18	9	18	7	14	7	14	17
<b>Total</b>	<b>10</b>	<b>NA</b>	<b>80</b>	<b>NA</b>	<b>90</b>	<b>NA</b>	<b>70</b>	<b>NA</b>	<b>80</b>	<b>NA</b>	<b>80</b>	<b>80</b>
<b>TOTAL SCORE</b>	<b>100</b>		<b>876</b>		<b>841</b>		<b>819</b>		<b>843</b>		<b>843</b>	<b>845</b>

Vietta												
Criteria	WF	A		B		C		D		T	T	
		RS	TS	RS	TS	RS	TS	RS	TS		RS	TS
<b>1.0 Qualifications and Experience of the Individuals comprising the Project Team</b>												
1.1 Master Planning, Urban Planning and Urban Design	11	6	66	4	44	4	44	8	88	8	88	61
1.2 Operational Planning and Programming and Facilities Planning ....	10	6	60	6	60	5	50	8	80	8	80	63
1.3 Data Center and Network Planning, Design and Implementation	6	5	30	4	24	5	30	7	42	7	42	32
1.4 Architectural Design and Implementation and Historical Expertise	5	7	35	7	35	5	25	6	30	6	30	31
1.5 Civil Engineering, Site Planning, Physical Security, Traffic Analysis, ....	3	7	21	7	21	6	18	6	18	6	18	20
<b>Total</b>	<b>35</b>	<b>NA</b>	<b>212</b>	<b>NA</b>	<b>184</b>	<b>NA</b>	<b>167</b>	<b>NA</b>	<b>258</b>	<b>NA</b>	<b>258</b>	<b>205</b>
<b>2.0 Qualifications and Experience of the Firm</b>												
2.1 Master Planning, Urban Planning and Urban Design	10	5	50	4	40	4	40	5	50	5	50	45
2.2 Operational Planning and Programming and Facilities Planning for Court Systems...	9	5	45	6	54	5	45	6	54	6	54	50
2.3 Architectural Design and Implementation and Historical Expertise	5	6	30	7	35	5	25	6	30	6	30	30
2.4 Data Center and Network Planning, Design and Implementation	4	5	20	4	16	5	20	6	24	6	24	20
2.5 Civil Engineering, Site Planning, Physical Security, Traffic Analysis, and Parking ...	2	7	14	7	14	6	12	7	14	7	14	14
<b>Total</b>	<b>30</b>	<b>NA</b>	<b>159</b>	<b>NA</b>	<b>159</b>	<b>NA</b>	<b>142</b>	<b>NA</b>	<b>172</b>	<b>NA</b>	<b>172</b>	<b>158</b>
<b>3.0 Project Approach</b>												
3.1 Demonstrated understanding of the project and Task completeness and detail	12	7	84	5	60	9	108	8	96	8	96	87
3.2 Communication approach and Community Involvement process/approach	8	7	56	5	40	4	32	5	40	5	40	42
3.3 Schedule	5	7	35	4	20	5	25	6	30	6	30	28
<b>Total</b>	<b>25</b>	<b>NA</b>	<b>175</b>	<b>NA</b>	<b>120</b>	<b>NA</b>	<b>165</b>	<b>NA</b>	<b>166</b>	<b>NA</b>	<b>166</b>	<b>157</b>
<b>4.0 Comparable Project Experience</b>												
4.1 Completeness of the project problem statement, Proposed solution, Communication, ....	6	7	42	5	30	5	30	6	36	6	36	35
4.2 Technical expertise provided for the project	2	6	12	5	10	7	14	7	14	7	14	13
4.3 Physical similarity of the submitted project to Travis County's project	2	6	12	5	10	4	8	5	10	5	10	10
<b>Total</b>	<b>10</b>	<b>NA</b>	<b>66</b>	<b>NA</b>	<b>50</b>	<b>NA</b>	<b>52</b>	<b>NA</b>	<b>60</b>	<b>NA</b>	<b>60</b>	<b>57</b>
<b>TOTAL SCORE</b>	<b>100</b>		<b>612</b>		<b>513</b>		<b>526</b>		<b>656</b>		<b>656</b>	<b>577</b>

Reliable Resources (Non-Responsive)		A		B		C		D		T
Criteria	WF	RS	TS	RS	TS	RS	TS	RS	TS	AVG
<b>1.0 Qualifications and Experience of the Individuals comprising the Project Team</b>										
1.1 Master Planning, Urban Planning and Urban Design	11									
1.2 Operational Planning and Programming and Facilities Planning, ....	10									
1.3 Data Center and Network Planning, Design and Implementation	6									
1.4 Architectural Design and Implementation and Historical Expertise	5									
1.5 Civil Engineering, Site Planning, Physical Security, Traffic Analysis, ....	3									
<b>Total</b>	<b>35</b>	NA	0	NA	0	NA	0	NA	0	0
<b>2.0 Qualifications and Experience of the Firm</b>										
2.1 Master Planning, Urban Planning and Urban Design	10									
2.2 Operational Planning and Programming and Facilities Planning for Court Systems, ...	9									
2.3 Architectural Design and Implementation and Historical Expertise	5									
2.4 Data Center and Network Planning, Design and Implementation	4									
2.5 Civil Engineering, Site Planning, Physical Security, Traffic Analysis, and Parking ...	2									
<b>Total</b>	<b>30</b>	NA	0.0	NA	0	NA	0	NA	0	0
<b>3.0 Project Approach</b>										
3.1 Demonstrated understanding of the project and Task completeness and detail	12									
3.2 Communication approach and Community involvement process/approach	8									
3.3 Schedule	5									
<b>Total</b>	<b>25</b>	NA	0	NA	0	NA	0	NA	0	0
<b>4.0 Comparable Project Experience</b>										
4.1 Completeness of the project problem statement, Proposed solution, Communication ...	6									
4.2 Technical expertise provided for the project	2									
4.3 Physical similarity of the submitted project to Travis County's project	2									
<b>Total</b>	<b>10</b>	NA	0	NA	0	NA	0	NA	0	0
<b>TOTAL SCORE</b>	<b>100</b>									
		HOK	896.5							
		Broaddus	858.5							
		PBS & J	844.8							
		HDR	794.0							
		AECOM	772.8							
		Milthun	747.0							
		HS & A	710.3							
		Brinkley	673.5							
		Vietta	576.8							
		FM Solutions	286.8							

# 14

Travis County Commissioners Court Agenda Request

RECEIVED  
COUNTY JUDGE'S OFFICE  
09 JAN 27 PM 3:10

Voting Session 2/3/09  
(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:

**1) Consider and grant an exemption from platting requirements for, and/or take other appropriate action on, the La Puente Condominium Project – five (5) single-family detached units (9.17 acres located at 1915 Cuernavaca Drive – water to be provided by Travis County WCID No. 18 and sewage service to be provided by on-site wastewater systems permitted by Travis County).**

C. Approved by:

\_\_\_\_\_  
Commissioner Karen L. Huber, 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:

AR Deresa Calkins: 854-7569      Stacey Scheffel: 854-7565  
Anna Bowlin: 854-7561      Chris Gilmore: 854-9415

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

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

### MEMORANDUM

January 26, 2009

TO: Members of the Commissioners Court

THROUGH: Joseph P. Gieselman, Executive Manager

FROM: *AB* Anna Bowlin, Division Director, Development Services *AB*

SUBJECT: La Puente Condominium Project

#### **PROPOSED MOTION:**

- 1) Consider and grant an exemption from platting requirements for, and/or take other appropriate action on, the La Puente Condominium Project – five (5) single-family detached units (9.17 acres located at 1915 Cuernavaca Drive – water to be provided by Travis County WCID No. 18 and sewage service to be provided by on-site wastewater systems permitted by Travis County).

#### **SUMMARY AND STAFF RECOMMENDATION:**

This condominium development consists of five single-family single-unit structures on 9.17 acres and will take access from Cuernavaca Drive, Canyon Edge Drive, and Medio Calle, all Travis County roadways. No common internal drives are to be constructed for the project as each residence will take direct access to Travis County right of way. The Travis County Fire Marshal's office has reviewed and concurred with the access to the development.

Water will be provided by Travis County WCID No. 18, and sewage services will be provided by on site sewerage facilities permitted by Travis County. No detention facilities are proposed for the development since drainage conveyance is provided directly to Lake Austin across River Hills Drive. As have other developments within the watershed, the applicant has paid a pro-rata cost share for culvert improvements to River Hills Drive in the amount of \$2,318.00.

The applicant has paid parkland fees on January 23, 2009 in the amount of \$3,049.00.

As this condominium site plan application meets Travis County standards, TNR staff supports granting an exemption to platting for the proposed condominium project.

***ISSUES:***

None.

***BUDGETARY AND FISCAL IMPACT:***

None.

***REQUIRED AUTHORIZATIONS:***

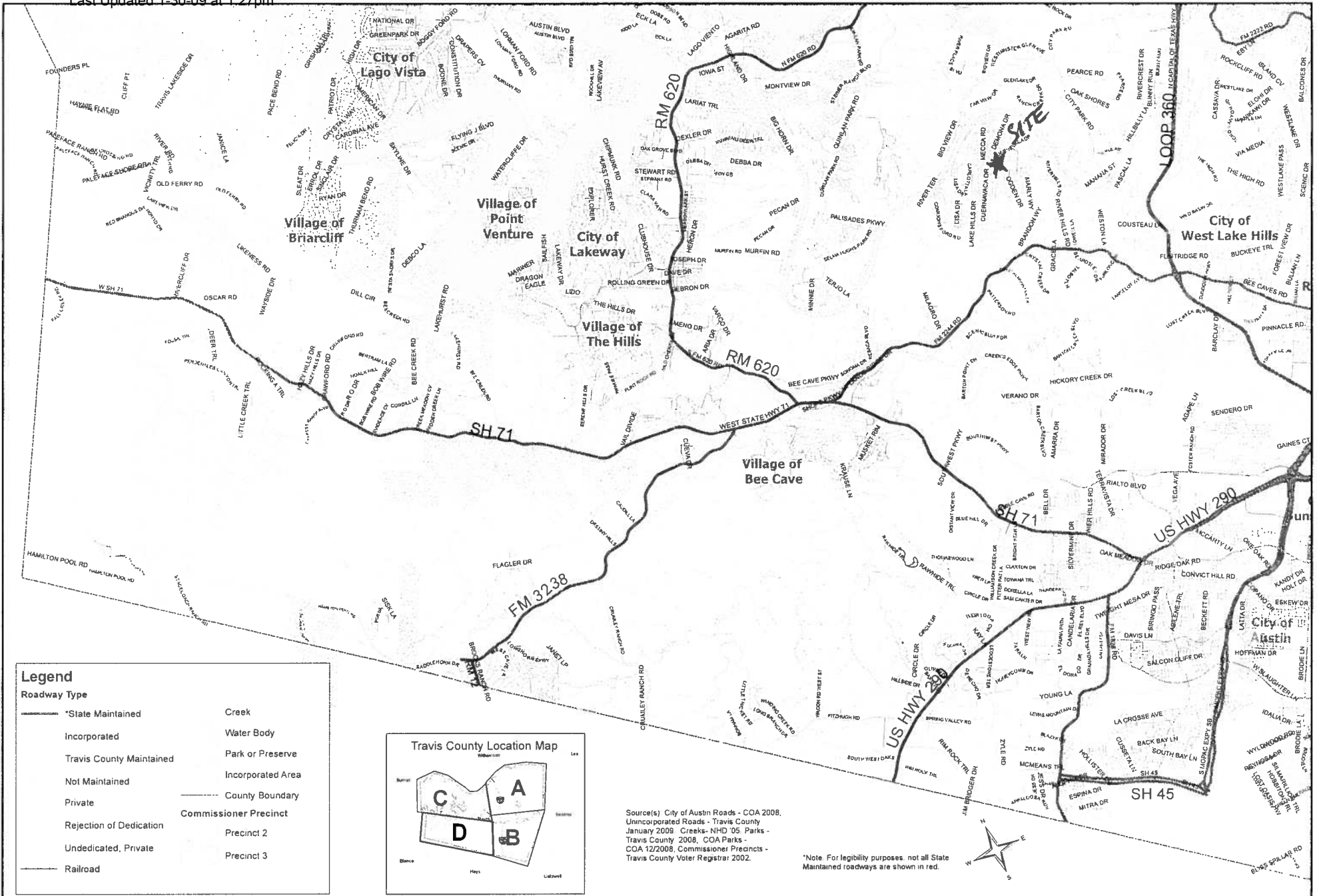
None.

***EXHIBITS:***

Location map

Condominium Site Survey

AMB: tlc



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) 854-9383.

# Travis County Roadways, Map D

0 1 Miles

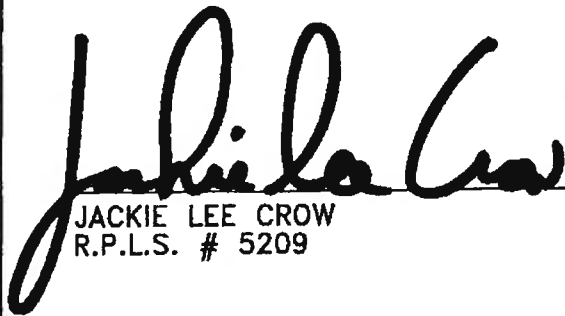
Map Prepared by Travis County Dept. of Transportation & Natural Resources. Date 1/7/2009 <http://www.co.travis.tx.us/maps>

EXHIBIT "A"

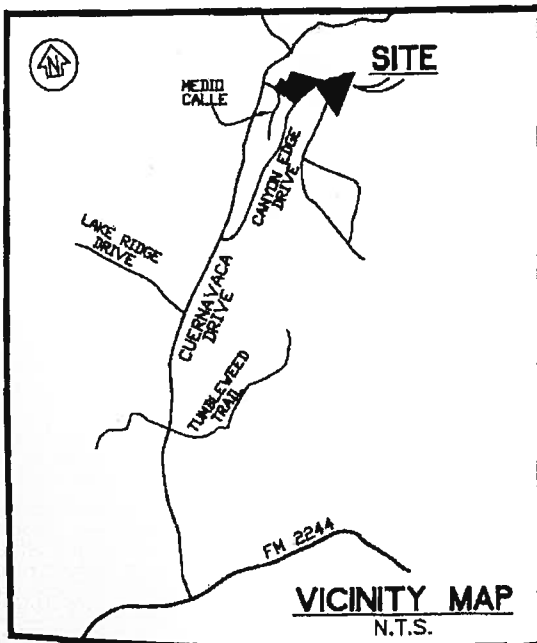
# LA PUENTE CONDOMINIUMS

KNOW ALL MEN BY THESE PRESENTS:

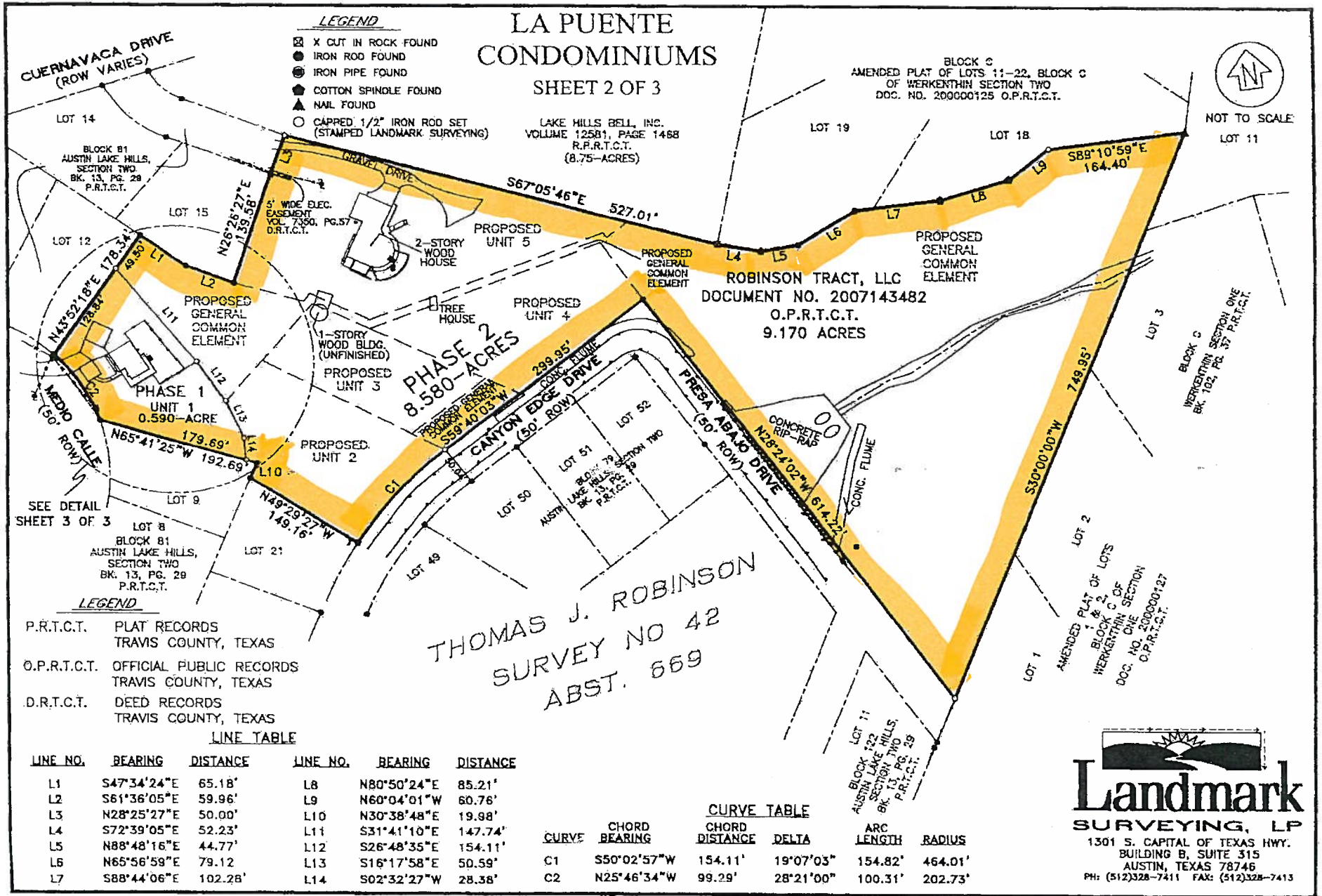
THAT I, JACKIE LEE CROW, DO HEREBY CERTIFY THAT THE  
CONDOMINIUM PLAT ATTACHED HERETO CONTAINS THE  
INFORMATION REQUIRED BY SECTION 82.059 OF THE TEXAS  
UNIFORM CONDOMINIUM ACT.

  
JACKIE LEE CROW  
R.P.L.S. # 5209

10/19/2007  
DATE:



  
**Landmark**  
SURVEYING, LP  
1301 S. CAPITAL OF TEXAS HWY.  
BUILDING B, SUITE 315  
AUSTIN, TEXAS 78748  
PH: (512)328-7411 FAX: (512)328-7413

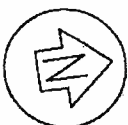




# LA PUENTE CONDOMINIUMS

SHEET 3 OF 3

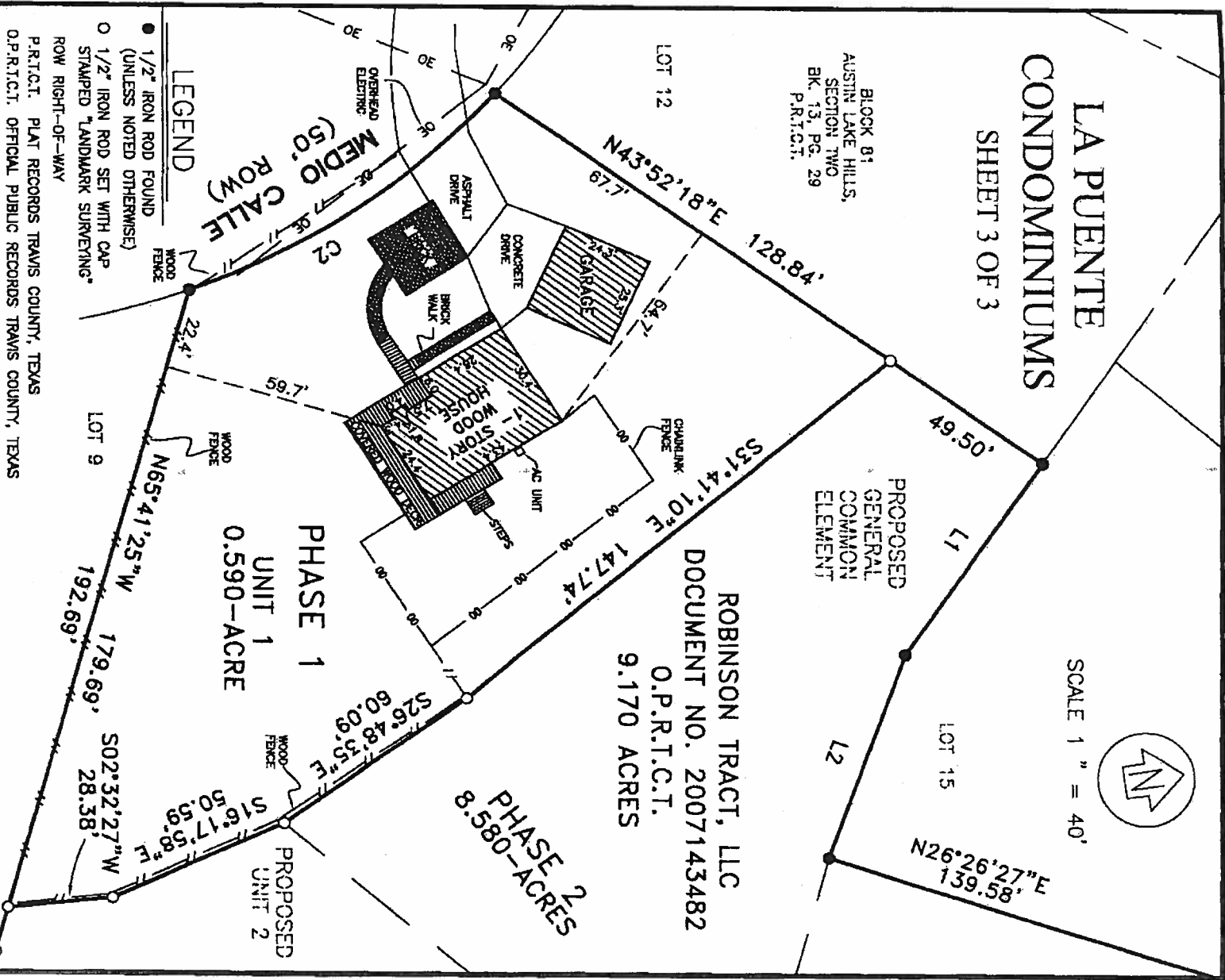
SCALE 1" = 40'



BLOCK 81  
AUSTIN LAKE HILLS,  
SECTION TWO  
BK. 15, PG. 29  
P.R.T.C.T.

PROPOSED  
GENERAL  
COMMON  
ELEMENT

ROBINSON TRACT, LLC  
DOCUMENT NO. 2007143482  
O.P.R.T.C.T.  
9.170 ACRES



### LEGEND

- 1/2" IRON ROD FOUND (UNLESS NOTED OTHERWISE)
- 1/2" IRON ROD SET WITH CAP STAMPED "LANDMARK SURVEYING"
- ROW RIGHT-OF-WAY
- P.R.T.C.T. PLAT RECORDS TRAVIS COUNTY, TEXAS
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS
- R.P.R.T.C.T. REAL PROPERTY RECORDS TRAVIS COUNTY, TEXAS
- D.R.T.C.T. DEED RECORDS TRAVIS COUNTY, TEXAS

### CURVE TABLE

CHORD BEARING	CHORD DISTANCE	DELTA	ARC LENGTH	RADIUS
C2	N25°46'34"W	99.29'	28°21'00"	100.31'
				202.73'

Client: TR-STAR BUILDERS, INC  
Date: OCTOBER 8, 2007  
Office: A/C  
Drawn: LEE WARD  
File: TR-STAR  
Code: TR-STAR BUILDERS\LANDMARK ASSUMED MEDIO CALLE  
Job No: 778-01-01

**Landmark**  
SURVEYING, LP  
1301 S. CAPITAL OF TEXAS HWY.  
BUILDING B, SUITE 315  
AUSTIN, TEXAS 78748  
PH: (512)358-7411 FAX: (512)358-7413

# 15

RECEIVED  
COUNTY JUDGE'S OFFICE  
09 JAN 27 PM 3:09

Travis County Commissioners Court Agenda Request

Voting Session 02/03/09  
(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 a plat for recording in Precinct One: Cottonwood Estates (Short form plat – 2 Lots – 4.32 acres – US 290 and Voelker Lane – No Fiscal required – Sewage service to be provided by On Site Septic System– City of Manor ETJ).**

C. Approved by:

\_\_\_\_\_  
Commissioner Ron Davis, Precinct One

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:

Sarah C. Sumner: 854-7687 Dennis Wilson: 854-4217  
AB 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

### MEMORANDUM

January 23, 2009

TO: Members of the Commissioners Court

THROUGH: Joseph P. Gieselman, Executive Manager

FROM:  Anna Bowlin, Division Director, Development Services 

SUBJECT: Cottonwood Estates, Precinct One

#### ***PROPOSED MOTION:***

**Consider and take appropriate action on a plat for recording in Precinct One: Cottonwood Estates (Short form plat – 2 Lots – 4.32 acres – US 290 and Voelker Lane – No Fiscal required – Sewage service to be provided by On Site Septic System– City of Manor ETJ).**

#### ***SUMMARY AND STAFF RECOMMENDATION:***

This subdivision consists of 2 total commercial lots, Lot 1 has a currently existing service station, Lot 2 does not yet have an intended client. No parkland dedication or fiscal is required.

As this plat application meets all Travis County standards and has been approved by the City of Manor, TNR staff recommends approval of the plat.

#### ***ISSUES:***

Staff has received no inquiries about this project at this time.

As per the CAMPO 2030 plan, the recommended ROW dedication would have been 82' from the front lot line. Dedication of this amount of ROW on a 4.32 acre tract of land is not roughly proportional. The owner placed a 35' building setback on the undeveloped Lot 2 as a compromise to prevent permanent structures in what could be future ROW. The owner also created a plat note to restrict the uses within the Building Setback.

Until the design for US HWY 290 is finalized, the ROW requirements will not be certain and there is a note in the file to review this topic again when a site plan comes in for Lot 2 to see if additional ROW may be required at that time. A letter will also be sent to the Texas Department of Transportation by TNR staff to advise them of this subdivision and the potential impact to future development of US HWY 290.

***BUDGETARY AND FISCAL IMPACT:***

None.

***REQUIRED AUTHORIZATIONS:***

None.

***EXHIBITS:***

Location map

Final Plat

Precinct Map

SCS 0607

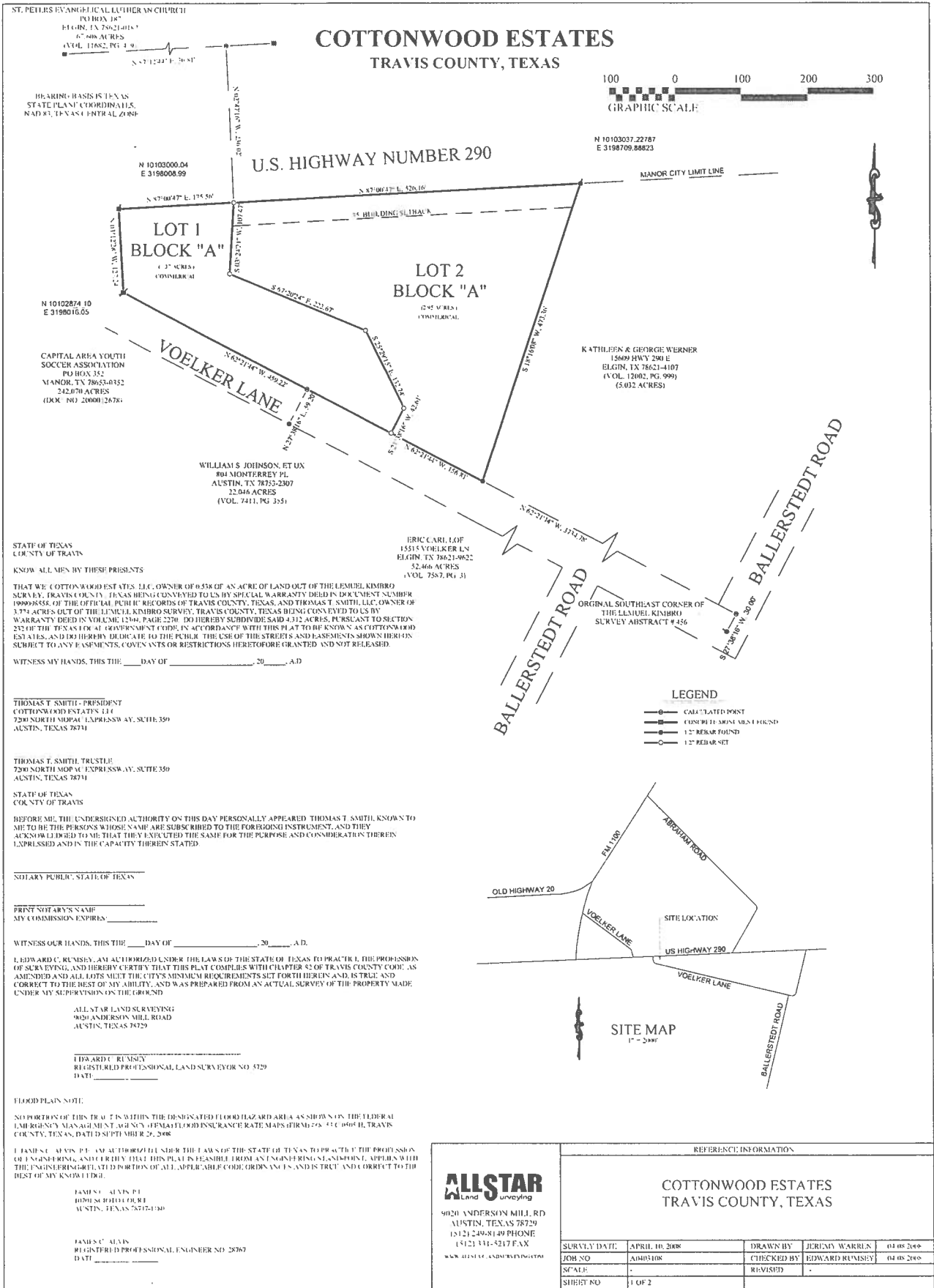


REFERENCE INFORMATION

**ALLSTAR**  
Land Surveying

9020 ANDERSON MILL RD  
AUSTIN, TEXAS 78729  
(512) 249-81-99 PHONE

COTTONWOOD ESTATES  
TRAVIS COUNTY, TEXAS



# COTTONWOOD ESTATES

## TRAVIS COUNTY, TEXAS



N 1010300.04  
E 3198006.99

U.S. HIGHWAY NUMBER 290

MANOR CITY LIMIT LINE

**LOT 1  
BLOCK "A"**  
4.27 ACRES  
COMMERCIAL

**LOT 2  
BLOCK "A"**  
6.27 ACRES  
COMMERCIAL

**VOELKER LANE**

**BALLERSTEDT ROAD**

**BALLERSTEDT ROAD**

ST. PETERS EVANGELICAL LUTHERAN CHURCH  
PO BOX 187  
ELGIN, TX 78621-0187  
6.768 ACRES  
(VOL. 11882, PG. 4-9)

BEARING-BASIS TEXAS  
STATE PLAT COORDINATES,  
NAD83, TEXAS INITIAL ZONE

N 10102874.10  
E 3198016.05

CAPITAL AREA YOUTH  
SOCCER ASSOCIATION  
PO BOX 352  
MANOR, TX 78653-0352  
242.070 ACRES  
(DOC NO 200002676)

KATHLEEN & GEORGE WERNER  
15609 HWY 290 E  
ELGIN, TX 78621-4107  
(VOL. 12002, PG. 999)  
(5.032 ACRES)

WILLIAM S. JOHNSON, ET UX  
801 MONTERREY PL  
AUSTIN, TX 78753-2307  
22.046 ACRES  
(VOL. 7411, PG. 355)

ERIC CARL LOF  
55515 VOELKER LN  
ELGIN, TX 78621-9622  
52.466 ACRES  
(VOL. 7587, PG. 3)

STATE OF TEXAS  
COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS

THAT WE, COTTONWOOD ESTATES, L.L.C., OWNER OF 0.558 OF AN ACRE OF LAND OUT OF THE LEMUEL KIMBRO SURVEY, TRAVIS COUNTY, TEXAS BEING CONVEYED TO US BY SPECIAL WARRANTY DEED IN DOCUMENT NUMBER 090909558 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND THOMAS T. SMITH, L.L.C., OWNER OF 3.794 ACRES OUT OF THE LEMUEL KIMBRO SURVEY, TRAVIS COUNTY, TEXAS BEING CONVEYED TO US BY WARRANTY DEED IN VOLUME 12002, PAGE 270, DO HEREBY SUBDIVIDE SAID 4.352 ACRES, PURSUANT TO SECTION 332 OF THE TEXAS CONSTITUTION AND ACCORDANCE WITH THIS PLAT TO BE KNOWN AS COTTONWOOD ESTATES, AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

WITNESS MY HANDS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, A.D.

THOMAS T. SMITH - PRESIDENT  
COTTONWOOD ESTATES, L.L.C.  
7200 NORTH MOPAC EXPRESSWAY, SUITE 350  
AUSTIN, TEXAS 78731

THOMAS T. SMITH, TRUSTEE  
7200 NORTH MOPAC EXPRESSWAY, SUITE 350  
AUSTIN, TEXAS 78731

STATE OF TEXAS  
COUNTY OF TRAVIS

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED THOMAS T. SMITH, KNOWN TO ME TO BE THE PERSONS WHOSE NAME ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND THEY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

NOTARY PUBLIC, STATE OF TEXAS

PRINT NOTARY'S NAME \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_

WITNESS OUR HANDS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, A.D.

EDWARD C. RUMSEY, AN AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING, AND HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH CHAPTER 52 OF TRAVIS COUNTY CODE, AS AMENDED AND ALL LOTS MEET THE CITY'S MINIMUM REQUIREMENTS SET FORTH HEREIN AND IS TRUE AND CORRECT TO THE BEST OF MY ABILITY, AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE FOREGOING.

ALL STAR LAND SURVEYING  
9020 ANDERSON MILL ROAD  
AUSTIN, TEXAS 78729

EDWARD C. RUMSEY  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5729  
TX-01

FLOOD PLAIN NOTE:

NO PORTION OF THIS TRACT IS WITHIN THE DESIGNATED FLOOD HAZARD AREA AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FEMA FLOOD INSURANCE RATE MAPS (FIRM) 576-01-C-0006L TRAVIS COUNTY, TEXAS, DATED SEPTEMBER 26, 2008.

I, JAMES C. ALVIN, BEING AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF ENGINEERING, AND HEREBY CERTIFY THAT THIS PLAT IS FEASIBLE FROM AN ENGINEERING STANDPOINT, APPEARS WITHIN THE FOREGOING-RELATED PORTION OF ALL APPLICABLE CODE, ORDINANCES, AND INSTRUMENTS AND IS CORRECT TO THE BEST OF MY KNOWLEDGE.

JAMES C. ALVIN, P.E.  
8090 N. HEDDLEBORN  
AUSTIN, TEXAS 78751-1340

JAMES C. ALVIN  
REGISTERED PROFESSIONAL ENGINEER NO. 28767  
DATE \_\_\_\_\_

**LEGEND**

- CALCULATED POINT
- CORNER MONUMENT FOUND
- 1" REBAR FOUND
- 1" REBAR SET



SITE MAP  
1" = 200'

REFERENCE INFORMATION



9020 ANDERSON MILL RD  
AUSTIN, TEXAS 78729  
(512) 249-8149 PHONE  
(512) 311-5217 FAX  
WWW.ALLSTARLANDSURVEYING.COM

COTTONWOOD ESTATES  
TRAVIS COUNTY, TEXAS

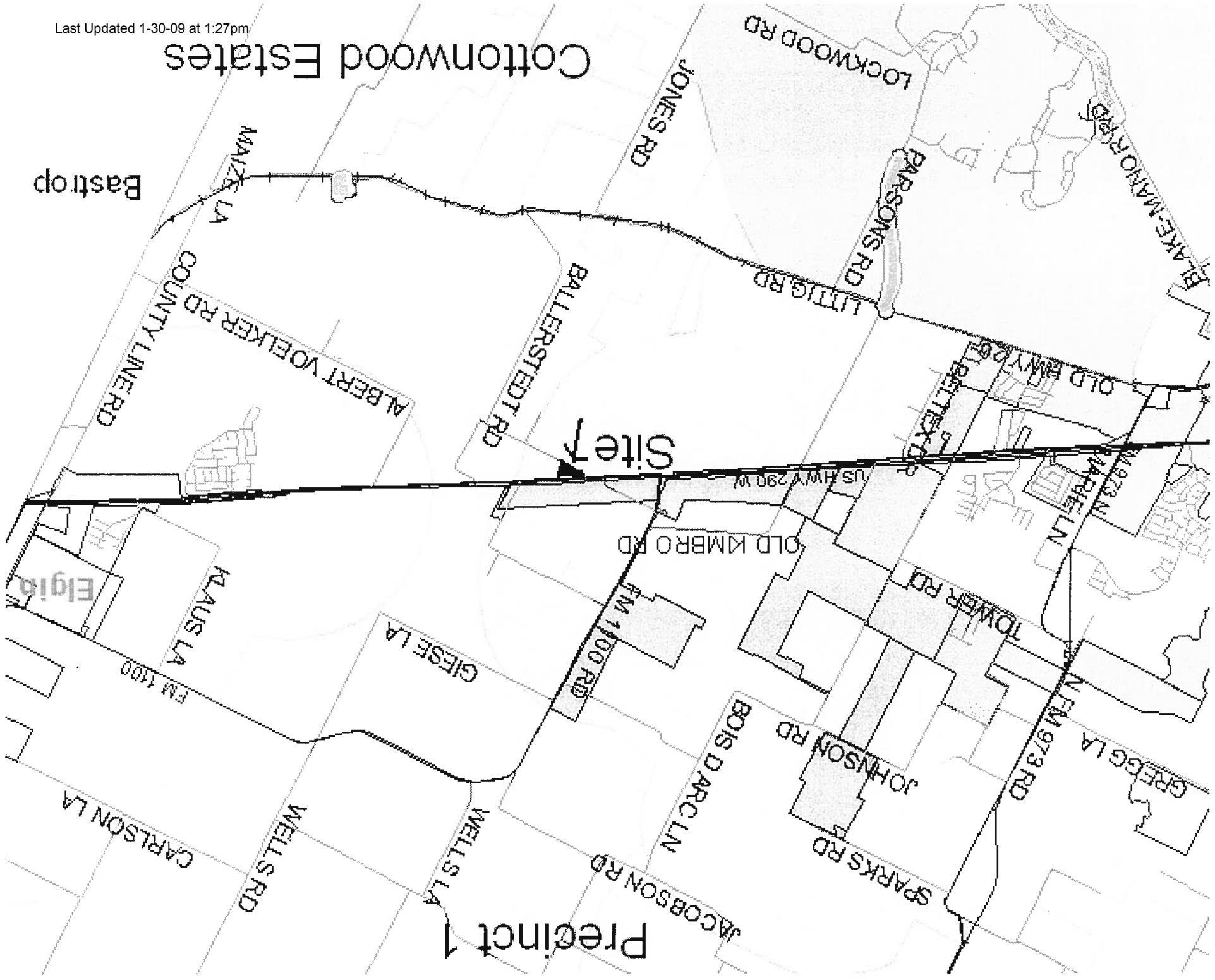
SURVY DATE:	APRIL 10, 2008	DRAWN BY:	JEREMY WARRLEN	04.08.2008
JOB NO.	A0405108	CHECKED BY:	EDWARD RUMSEY	04.08.2008
SCALE:	-	REVISED:	-	-
SHEET NO.	1 OF 2			

# Cottonwood Estates

Bastrop

Site 1

Precinct 1





# Travis County Commissioners' Court Agenda Request

Meeting Date: FEBRUARY 3, 2009

I. A. Requestor: DEECE ECKSTEIN, IGR Phone # 854-9754

B. Specific Agenda Wording:

**CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING:**

**A. STATUS REPORT ON DRAFTING LEGISLATION TO ADDRESS TRAVIS COUNTY LEGISLATIVE PRIORITIES**

**B. ADDITIONS, DELETIONS OR MODIFICATIONS TO THE LEGISLATIVE PRIORITIES ADOPTED BY THE COMMISSIONERS COURT**

**C. BRIEFING ON LEGISLATIVE GOALS OF VARIOUS COUNTY OFFICIALS**

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.

SEE LIST BELOW	

III. Required Authorizations: Please check if applicable:

**NONE APPLICABLE.**

**NAMES, PHONE NUMBERS AND EMAIL ADDRESSES OF PERSONS WHO MIGHT BE AFFECTED BY OR BE INVOLVED WITH THIS REQUEST:**

Alicia Perez, Executive Manager  
Administrative Operations  
Phone: 854-9343  
Email: Alicia.Perez@co.travis.tx.us

**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.

RECEIVED  
COUNTY JUDGE'S OFFICE  
09 JAN 27 PM 3:46



Rodney Rhoades, Executive Manager  
Planning and Budget Office  
Phone: 854-9106  
Email: rodney.rhoades@co.travis.tx.us

Danny Hobby, Executive Manager  
Emergency Medical Services  
Phone: 854-4416  
Email: danny.hobby@co.travis.tx.us

Joe Gieselman, Executive Manager  
Transportation and Natural Resources  
Phone: 854-9383  
Email: JOE.GIESELMAN@co.travis.tx.us

Roger Jefferies, Executive Manager  
Justice and Public Safety  
Phone: 854-4415  
Email: ROGER.JEFFERIES@co.travis.tx.us

Sherrie Fleming, Executive Manager  
Health and Human Services  
Phone: 854-4101  
Email: Sherri.Fleming@co.travis.tx.us

Cyd Grimes  
Purchasing Agent  
Phone: 854-9700  
Email: CYD.GRIMES@co.travis.tx.us

David Escamilla  
County Attorney  
Phone: 854-9415  
Email: David.Escamilla@co.travis.tx.us

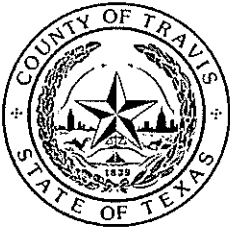
**AGENDA REQUEST DEADLINE:** All agenda requests and supporting materials must be submitted to County Judge's office, Room 520, in writing by Tuesdays at 12:00 p.m. for the next week's meeting. Late or incomplete requests may be deferred to the following week's meeting.

Item # \_\_\_\_\_

Susan Spataro  
County Auditor  
Phone: 854-9125  
Email: Susan.Spataro@co.travis.tx.us

**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.

17



# Intergovernmental Relations

**Deece Eckstein, Coordinator**

Granger Building, Suite 535

(512) 845-9754

[deece.eckstein@co.travis.tx.us](mailto:deece.eckstein@co.travis.tx.us)

## LEGISLATIVE ACTION MEMO

**TO:** Travis County Commissioners Court  
**FROM:** Deece Eckstein, Coordinator, Intergovernmental Relations  
**DATE:** Thursday, January 29, 2009  
**RE:** Agenda Item No. 16-A

### SUGGESTED MOTION

[None]

### Summary and IGR Coordinator Recommendation

This is simply an update on the drafting process of legislative proposals that the Commissioners Court placed on its priority list on December 23, 2008. No action is requested of the Court at this time.

### Attachments

"Status of Bill Drafting and Filing," January 28, 2009

**Travis County Legislative Program  
81st Texas Legislature  
Status of Bill Drafting and Filing**

Department -- Number	Idea	Key Staffer	Comments
JPS - 1	Enhance housing opportunities for people with criminal histories.	Roger Jefferies	J&PS is researching Texas statutes to determine whether new legislation is needed.
JPS -2	Expand employment readiness and job opportunities for people with criminal histories.	Roger Jefferies	J&PS is researching Texas statutes to determine whether new legislation is needed.
JPS - 3	Direct the Texas Department of Criminal Justice and Department of Public Safety to ensure that every inmate leaving a TDCJ facility has at least two of the following: a DPS issued identification card, social security card, and/or birth certificate.	Roger Jefferies	J&PS is researching Texas statutes to determine whether new legislation is needed.
JPS - 4	Improve the availability and continuity of mental and physical health care between correctional facilities and the community.	Roger Jefferies	J&PS is researching Texas statutes to determine whether new legislation is needed.
JPS - 5	Provide people with felony drug convictions the same access to food stamps as afforded other ex-offenders	Roger Jefferies	J&PS is researching Texas statutes to determine whether new legislation is needed.
JPS - 6	Ensure the organizational policies and practices within criminal justice agencies promote the rehabilitation and reentry of people with criminal histories.	Roger Jefferies	J&PS is researching Texas statutes to determine whether new legislation is needed.
JPS - 7	Promote kinship care for children whose parents are incarcerated to reduce the impact on the foster care system.	Roger Jefferies	J&PS is researching Texas statutes to determine whether new legislation is needed.
JPS - 8	Create a statewide Texas Reentry Council/Taskforce to examine and recommend best practices for cost-effective reentry strategies that enhance public safety.	Roger Jefferies	Met with Senator Ellis' staff on January 21. He is interested in carrying a bill. Working on lanuague to send to him.
JPS - 9	Eliminate the use of county jails for state supervised offenders such as parole violators, pre-release parolees, and civil commitments	Roger Jefferies	J&PS is researching Texas statutes to determine whether new legislation is needed.
JPS - 10	Allow for the release of the technical parole violators on bond.	Roger Jefferies	J&PS is researching Texas statutes to determine whether new legislation is needed.
JPS - 11	Increase funding and capacity for drug treatment and mental health services in the community.	Roger Jefferies	J&PS is researching Texas statutes to determine whether new legislation is needed.

**Travis County Legislative Program  
81st Texas Legislature  
Status of Bill Drafting and Filing**

Department -- Number	Idea	Key Staffer	Comments
JPS - 12	Increase opportunities for the use of technology in jail diversion strategies	Roger Jefferies	J&PS is researching Texas statutes to determine whether new legislation is needed.
TNR - 1	Amend Chapter 423 of the Local Government Code to bracket Travis County into the law which enables qualifying counties to "...take any necessary and proper action to comply with the requirements of the storm water permitting program under the national pollutant discharge elimination system."	Joe Gieselman	Legislation drafted through Representative Rodriguez's office. TNR is reviewing.
TNR - 2	Grant explicit authority for the county to adopt a long range comprehensive plan for land development within the unincorporated areas of the county. o Must be consistent with the adopted plans of the municipalities within the extraterritorial jurisdictions. o Must be developed and adopted by the Commissioners Court prior to the adoption of new land use regulations and no later than two years after the effective date of the legislation.	Joe Gieselman	TNR-2 and TNR-3 are conceptually combined in our drafting efforts. We're working with Travis County legislative delegation members and Legislative Council on several approaches: 1) a "buffer bill," specifically addressing the Court's goals in TNR-3. We're getting language to Rep. Bolton's office. 2) a broader county land use authority bill which Rep. Bolton's office already drafted, and is being reworked. 3) a bill permitting joint city/county land use authority in the city's ETJ, subject to a joint planning and rulemaking process
TNR - 3	Give counties explicit authority to adopt regulations that would buffer sensitive receptors from selected industrial land uses. o Buffers for a regulated industrial use must be based on verifiable criteria relating to health, safety, and welfare. o Mitigation of impacts may be used to minimize and/or offset buffer requirements; o Applies only to Travis County unincorporated areas; o Court must hold public hearing(s) prior to the adoption of the regulation.	Joe Gieselman	See comments on TNR-2.

**Travis County Legislative Program  
81st Texas Legislature  
Status of Bill Drafting and Filing**

Department -- Number	Idea	Key Staffer	Comments
TNR - 4	Amend Section 502.1725 of the Transportation Code to enable Travis County to levy a Transportation Project (Mobility) Fee not to exceed \$10 per vehicle registration to construct new and widen existing arterial roadways within the unincorporated areas.	Joe Gieselman	Being drafted by Legislative Council for Senator Watson's office. Also, ongoing discussion with other stakeholders and other counties regarding legislation giving local governments a wide array of options for transportation funding when approved by voters. Multiple versions being discussed/drafted.
TNR - 5	Amend the Local Government Code to enable Travis County to levy an impact fee against new land development within the unincorporated area to pay for arterial roadway improvements serving the development.	Joe Gieselman	Two versions drafted through Rep. Rodriguez's office. TNR is reviewing.
TNR - 6	Amend Chapter 181 of the Utilities Code to enable Travis County to require a gas, telephone, or electric utility to relocate its facilities in a county right of way within 210 days, at the utility's own expense, to allow the widening or other changing of traffic lane.	Joe Gieselman	Legislative Council has a draft via Rep. Naishtat. TNR staff is reviewing.
Admin - 1	Allow counties to offer specialized retirement packages to early retirees.	Dan Mansour	Version drafted for last session, but never filed. New version being drafted by Legislative Council through Rep. Strama's office.
Constable - 1	Warrant fee increase from \$50 to \$75	Stacy Suits	This idea was discussed with the Court last session. It was not filed.
Steeg - 1	Early payment of certain fees	Susan Steeg	Draft language received from Legislative Council via Rep. Naishtat. Judge Steeg is reviewing.
Perkins - 1	Criminal court judge payment for administrative duties	Bob Perkins	Judges have one or two policy questions remaining. Weve not contacted Legislative Council yet.
Kennedy - 1	Longevity pay for certain judges	Barbara Wilson	This is a fine-tuning of S.B. 1516 from last session. Mtg. with Senator Wentworth's office on 2/3/09 to discuss. Nothing given ot Legislative Council yet.



# Intergovernmental Relations

**Deece Eckstein, Coordinator**

Granger Building, Suite 535

(512) 845-9754

[deece.eckstein@co.travis.tx.us](mailto:deece.eckstein@co.travis.tx.us)

## **LEGISLATIVE ACTION MEMO**

**TO:** Travis County Commissioners Court

**FROM:** Deece Eckstein, Coordinator, Intergovernmental Relations

**DATE:** Thursday, January 29, 2009

**RE:** Agenda Item No. 16-B

**CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING: . . .**

**B. ADDITIONS, DELETIONS OR MODIFICATIONS TO THE LEGISLATIVE PRIORITIES ADOPTED BY THE COMMISSIONERS COURT**

### **SUGGESTED MOTION**

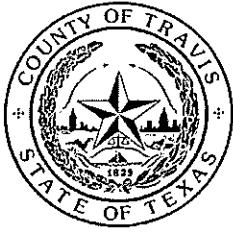
That the Travis County Commissioners Court add the following to its legislative priorities for the 81<sup>st</sup> Texas Legislature:

1. Legislation to grant counties the authority to regulate billboards within their jurisdiction but outside the corporate limits of a municipality.

### **Summary and IGR Coordinator Recommendation**

Addition 1 was discussed by the Court when it adopted a resolution in support of Scenic Texas's billboard legislation on December 23, 2008.

Legislation on this topic will be introduced, with Scenic Texas and other groups taking a lead role to promote it. Placing it on our priority list would engage IGR and our legislative consultants in actively supporting the legislation. IGR recommends that the Court add the requested items to the Court's legislative priorities.



# Intergovernmental Relations

**Deece Eckstein, Coordinator**

Granger Building, Suite 535

(512) 845-9754

[deece.eckstein@co.travis.tx.us](mailto:deece.eckstein@co.travis.tx.us)

## LEGISLATIVE ACTION MEMO

**TO:** Travis County Commissioners Court

**FROM:** Deece Eckstein, Coordinator, Intergovernmental Relations

**DATE:** Thursday, January 29, 2009

**RE:** Agenda Item No. 16-C

**CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING: ...**

**C. BRIEFING ON LEGISLATIVE GOALS OF THE CONFERENCE OF URBAN COUNTIES, THE TEXAS ASSOCIATION OF COUNTIES, AND VARIOUS COUNTY OFFICIALS**

### **SUGGESTED MOTION**

That the Commissioners Court adopt a Resolution urging the Texas Legislature to raise the warrant fee for all warrants processed or served from \$50 to \$75.

### **Summary and IGR Coordinator Recommendation**

The Conference of Urban Counties and the Texas Association of Counties continue to monitor legislation affecting counties and advocate for the interest of counties before the 81<sup>st</sup> Texas Legislature. Travis County is a member, and members of the Court are active in the leadership of, both organizations.



Travis County Intergovernmental Relations  
Deece Eckstein, Coordinator  
January 29, 2009, Page 2

*Attached is a list of the priority legislation each association is tracking as of Thursday, January 29, 2009.*

Also, Commissioners Court has been requested by other Travis County elected officials to add the following items to the County's list of priorities for the 81<sup>st</sup> Texas Legislature:

1. Legislation to increase the amount of the fee paid by a defendant for a peace officer's services in executing or processing an arrest warrant, capias, or capias pro fine from \$50 to \$75 (Constable Bruce Elfant).
2. Legislation relating to the payment of a special expense fee on a grant of deferred disposition in a justice or municipal court (J. P. Susan Steeg).
3. Legislation relating to longevity pay for certain state judges and justices and to the treatment of that longevity pay (Judge Eric Shepperd).
4. Legislation relating to creating the position of presiding criminal judge of Travis County (Judge Bob Perkins).

IGR recommends that the Court:

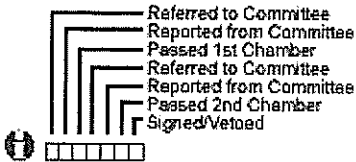
1. On Item 1, adopt the resolution presented by Constable Elfant in support of efforts to increase the warrant fee from \$50 to \$75.
2. Direct IGR to work with interested parties on Items 2-4, including asking for Legislative Council drafting assistance, and report back to the Court as soon as practicable with recommendations for Court action.

### **Attachments**

1. Conference of Urban Counties, "Priority Legislation," January 29, 2009.
2. Conference of Urban Counties, "General Interest Legislation," January 29, 2009
3. Texas Association of Counties, "County Judges and Commissioner Tracking List," January 29, 2009.
4. Draft language for a resolution supporting an increase in the warrant fee.

TEXAS Conference of  
**Urban Counties**  
*priority track*

01-29-2009 - 13:23:20



HB 4

Orr

Relating to eminent domain, including certain limitations, procedures, and standards relating to the use of eminent domain.

**Companions:** SB 533 Duncan (Identical)  
1-23-09 S Filed

**Remarks:**

MV - Requires a record vote in a public meeting to initiate a condemnation. Each unit of property not owned by the same person requires a separate vote.

Requires entities authorized to use eminent domain to provide a letter to the comptroller by December 31, 2010 identifying the statute that permits it to use eminent domain. Eminent domain authority expires September 1, 2011 for any entities that fail to submit a letter.

Requires an entity seeking to use eminent domain to acquire property to disclose all appraisal reports on the property to the property owner via certified mail. Entitles a property owner to request copies of appraisal reports, offers, and negotiated prices paid for surrounding properties.

Requires an entity to provide the owner at least two written offers proposing a purchase or lease of the property. The last offer must be designated as the final offer.

Entitles a property owner to request that the entity obtain an appraisal report of the property by an independent certified appraiser chosen by the owner.

If a court determines the condemnor did negotiate in good faith to acquire the property through purchase or lease, the court shall order the condemnor to pay court costs, attorney fees, and other professional fees incurred by the owner.

Allows a person or their heirs, successor, or assigns to repurchase the property if the public use for which the property was acquired is cancelled; no progress is made toward the public use within 10 years; or the property becomes unnecessary for use. Deletes language exempting a right of way under the jurisdiction of a



\$50,000.

**Last Action:** 11-10-08 H Filed

HB 127      Callegari      Relating to the limitation on increases in the appraised value of a residence homestead for ad valorem taxation.

**Companions:** SB 299    Patrick, Dan    (Identical)  
11-14-08 S Filed

**Remarks:** VT - Reduces the 10% appraisal cap on residence homesteads to 5%.

**Last Action:** 11-10-08 H Filed

HB 133      Villarreal      Relating to mandatory sales price disclosure in real property sales.

**Remarks:** MV - Requires real estate sales price disclosure by a person filing a deed, and provides that the sales price may not be the sole basis used by the chief appraiser to increase the valuation of a property.

-Prohibits the county clerk from rejecting an instrument presented for record because it fails to comply with the requirement (the chief appraiser is responsible for ensuring compliance) and shields the clerk from any liability for recording or disclosing a sales price information.

-Allows a person to sue the appraisal district to compel it to follow the law. A person bringing suit must deposit \$500 to be awarded to the prevailing party. If the property owner wins, the court must order that the appraisal district pay their costs.

**Last Action:** 11-10-08 H Filed

HB 209      Bohac      Relating to the determination of the appraised value of a residence homestead for ad valorem taxation.

**Companions:** SB 276    Patrick, Dan    (Identical)  
11-12-08 S Filed

**Remarks:** MV-Requires an appraisal district to appraise residence homesteads no more than once every two years. Prohibits increasing the value of a residence homestead in a year in which it is not appraised.

**Last Action:** 11-12-08 H Filed

HB 243      Alonzo      Relating to equipping each K-9 law enforcement vehicle with a heat alarm system.

**Remarks:** VT - Requires a law enforcement agency to equip each vehicle used in a K-9 program with a heat alarm system. Open air vehicles are exempted from the heat alarm system requirement.

**Last Action:** 11-14-08 H Filed

- HB 261      Berman      Relating to the enforcement of state and federal laws by certain governmental entities.
- Remarks:** VT - Prohibits a state agency or local governmental entity from adopting a rule or policy that would not fully enforce state or federal law, including immigration laws.
- Prohibits a local entity from receiving future state funds if it does not enforce state or federal immigration laws.
- A state agency found to intentionally fail to enforce the law must forfeit or repay state funds provided for immigration purposes (decision may be appealed).
- Last Action:** 11-17-08 H Filed
- HB 306      Dutton      Relating to the compensation of an election judge or clerk.
- Remarks:** MV-Increases the minimum pay for an election judge or clerk to 1.5 times the federal minimum wage. Increases the minimum pay for a primary or runoff election officer who has completed the required training from \$7 to \$11. Requires payment to be made within 72 hours of submitting the required compensation statement.
- Last Action:** 11-19-08 H Filed
- HB 337      Harless      Relating to the costs of holding certain joint elections.
- Remarks:** MV-Stipulates that a school district that is required to hold a joint election with a county is not required to pay any of the costs of the election.
- Last Action:** 11-21-08 H Filed
- HB 369      Brown, Betty      Relating to assessment of damages in a condemnation proceeding.
- Remarks:** MV-Requires the calculation of damages caused by a condemnation proceeding to a property owner's remaining property to be based on the difference in the local market value of the entire tract or parcel before condemnation and the local market value of the remaining property immediately after the condemnation, considering any benefit or injury caused by the construction or project for which the property was condemned. Any increase or decrease in local market value prior to the condemnation (that is caused by the proposed project) may not be considered in determining the property's value before condemnation. Any increase or decrease in the market value of the remaining property after the condemnation must be considered.
- In the case of a condemnation by TxDOT for a state or federal highway, the special commissioners must consider, in estimating the market value of the property condemned, all factors considered in the marketplace that may affect the property's market value, including: vehicular and pedestrian access; traffic

circulation; visibility and appearance of the property; productivity and convenience of use; and the property's access to utilities and drainage. The same factors must be evaluated for determining the estimated local market value of the remaining portion of land.

-If the property condemned is owned by a public entity or by nonprofit devoted to performing a public function or to provide non-profit educational, charitable, or eleemosynary (related to charity) service, the damage may not be less than the replacement costs of the property.

-Repeals language requiring special commissioners to consider an injury or benefit that is peculiar to the property owner, unless it is an injury or benefit that is applicable with the general community. Repeals a provision requiring a similar consideration regarding valuation of land condemned for use in the state highway system or county toll project. Makes a conforming repeal.

**Last Action:** 12- 4-08 H Filed

HB 402

Woolley

Relating to the use of eminent domain authority.

**Remarks:**

MV-Creates a definition of "public use" in the use of eminent domain authority as a use of property that allows a governmental entity or the general public to possess, occupy, and enjoy the property. Prohibits taking private property through eminent domain if the taking is not for public use.

- Allows an owner, whose property is acquired through eminent domain to create an easement through the property, to construct streets or roads at any locations above the easement, provided the road does not exceed 40 feet in width.

- Creates the Truth in Condemnation Procedures Act. Requires a governmental entity to hold a public meeting and approve a taking by a record vote. Specifies language to be used to make the motion.

- Requires an entity with eminent domain authority that wants to acquire real property for a public use to make a bona fide offer (not arbitrary or capricious) to acquire the property from the owner voluntarily.

- Sets the repurchase price of land acquired by eminent domain at the price paid when acquired (currently fair market value when the public use is cancelled).

-Requires, if land is taken for a toll or highway project that the special commissioners consider any diminished access to the highway to or from the remaining property. Strikes language requiring the commissioners to consider any special and direct benefits arising from the highway improvement or transit authority improvement that are peculiar to the property owner's remaining property.

-Makes optional language mandatory to require an entity to provide relocation advisory services; pay moving expenses and

rental supplements ; provide financial assistance to acquire replacement housing; and compensate for incidental expenses related to the transfer of the property.

-Allows a court to assess costs and attorney's fees for a condemnor that files a frivolous pleading or motion related to a condemnation.

-Requires a common carrier to serve an owner of property with notice that the carrier intends to initiation condemnation proceedings before filing a condemnation petition.

-Authorizes a water and sewer utility that is operating in accordance with its certificate of convenience and necessity to acquire by condemnation only easements or lesser property interests reasonably necessary to comply with federal and state sanitation regulations. Prohibits a water and sewer utility from exercising the power of eminent domain to acquire rights to underground water or for water or water rights.

-Authorizes a district court, statutory county court or county court to collect court cost for each special commissioner in an eminent domain proceeding of \$10 or more and court costs and attorneys fees in an eminent domain proceeding as taxed by the court of \$10 or more. Makes conforming repeals.

**Last Action:** 12-15-08 H Filed

HB 491

Zerwas

Relating to allowing customers to opt out of provider of last resort default service.

**Remarks:** VT - Entitles a customer to opt out of and reinstate provider of last resort default service for electricity service.

**Last Action:** 1- 6-09 H Filed

HB 700

Zerwas

Relating to the limitation on increases in the appraised value of a residence homestead for ad valorem taxation.

**Companions:** HB 17 Leibowitz (Identical)  
11-10-08 H Filed  
HB 711 Rose (Identical)  
1-21-09 H Filed

**Remarks:** MV-Reduces the 10% appraisal cap on residence homesteads to 5%.

**Last Action:** 1-21-09 H Filed

HB 701

Zerwas

Relating to the provision of ad valorem tax relief.

**Remarks:**

MV - Extends the appraisal limitation on residence homesteads to apply to all real property.

-Authorizes a city or county to order an election to adopt or abolish a sales tax for property tax relief at the rate of one-half of

1%. An election can also be called by petition of 5% of the registered voters. This sales tax is not affected by other statutes limiting the total of combined or overlapping sales taxes. Requires tax bills to indicate the amount of property tax savings due to the sales tax.

-Entitles a person who acquires a property after January 1 of a tax year to a residence homestead exemption for that entire tax year if they qualify for the exemption.

-Dedicates the state sales tax on school supplies to the foundation school fund.

**Last Action:** 1-21-09 H Filed

HB 711

Rose

Relating to the limitation on increases in the appraised value of a residence homestead ad valorem taxation.

**Companions:** HB 17 Leibowitz (Identical)  
11-10-08 H Filed  
HB 700 Zerwas (Identical)  
1-21-09 H Filed

**Remarks:** MV-Reduces the 10% appraisal cap on residence homesteads to 5%.

**Last Action:** 1-21-09 H Filed

HJR 12

Leibowitz

Relating to authorizing the legislature to limit the maximum appraised value of a residence homestead for ad valorem tax purposes.

**Companions:** HJR 42 Zerwas (Identical)  
1-21-09 H Filed  
HJR 44 Rose (Identical)  
1-21-09 H Filed

**Remarks:** VT - Limits the maximum appraised value of a residence homestead for ad valorem tax purposes to 105% or more of the appraised value of the property for the preceding tax year.

**Last Action:** 11-10-08 H Filed

HJR 14

Corte

Relating to the limiting the taking of private property.

**Remarks:** VT - Constitutional Amendment - Allows the public taking of private property only if the taking, damage, or destruction is necessary for the possession, occupation and enjoyment of the property by the public at large or by the State or a political subdivision of the State.

-Stipulates that the State or a political subdivision must prove by clear and convincing evidence that the contemplated use of the property is public and necessary at the time the attempt is made to take the property. Whether the use is in fact public and necessary is a judicial question.



**Last Action:** 11-10-08 H Filed

HJR 15      Riddle            Relating to a local option election limiting appraised values.

**Remarks:** VT - Authorizes the legislature to provide for a local option election in a county to set a limit on the maximum appraised value of a residence homestead for ad valorem tax purposes of less than 110% but not less than 103% of the appraised value of the property for the preceding tax year.

**Last Action:** 11-10-08 H Filed

HJR 17      Guillen            Relating to establishing a limitation on ad valorem tax.

**Remarks:** VT- Constitutional Amendment- Allows a political subdivision to freeze the property taxes on the residence homestead of a military reservist who has been called to active duty. Upon petition by 5% of the registered voters, the governing body of the political subdivision must call an election on whether to establish the freeze.

**Last Action:** 11-10-08 H Filed

HJR 21      Callegari           Relating to authorizing the legislature to set a lower limit on maximum appraised values of a residence homestead for ad valorem taxation.

**Companions:** SJR 13    Patrick, Dan    (Identical)  
11-14-08 S Filed

**Remarks:** VT - Authorizes the legislature to set a limit of 105% on the maximum appraised value of a residence homestead for ad valorem taxation.

**Last Action:** 11-10-08 H Filed

HJR 31      Anderson           Relating to prohibiting the state of a political subdivision of the state from taking private property for the primary purpose of economic development or to benefit a particular private party.

**Remarks:** MV-Prohibits the state or a political subdivision from taking property through eminent domain if the primary purpose of the taking is for economic development or to benefit a particular private party.

**Last Action:** 12- 3-08 H Filed

HJR 42      Zerwas            Limiting the maximum appraised value of a residence homestead for ad valorem tax purposes to 105 percent or more of the appraised value of the property for the preceding tax year.

**Companions:** HJR 12    Leibowitz      (Identical)  
11-10-08 H Filed  
HJR 44    Rose            (Identical)  
1-21-09 H Filed

**Remarks:** VT - Limits the maximum appraised value of a residence homestead for ad valorem tax purposes to 105% or more of the appraised value of the property for the preceding tax year.

**Last Action:** 1-21-09 H Filed

HJR 43

Zerwas

Relating to limiting the maximum appraised value of real property for ad valorem tax purposes to 110 percent or more of the appraised value of the property for the preceding tax year.

**Remarks:** VT - Constitutional Amendment -- Authorizes the legislature to limit the maximum appraised value of real property for ad valorem tax purposes to 110% or more of the appraised value of the property for the preceding tax year.

**Last Action:** 1-21-09 H Filed

HJR 44

Rose

Relating to limiting the maximum appraised value of a residence homestead for ad valorem tax purposes to 105 percent or more of the appraised value of the property for the preceding tax year.

**Companions:** HJR 12 Leibowitz (Identical)  
11-10-08 H Filed  
HJR 42 Zerwas (Identical)  
1-21-09 H Filed

**Remarks:** VT - Limits the maximum appraised value of a residence homestead for ad valorem tax purposes to 105% or more of the appraised value of the property for the preceding tax year.

**Last Action:** 1-21-09 H Filed

SB 116

Ellis

Relating to electronically recording certain interrogations and the admissibility of certain statements made by a juvenile or a criminal defendant.

**Remarks:** MV-Makes a statement or confession inadmissible in a felony criminal proceeding (including juvenile proceedings) unless there is an electronic recording of the custodial interrogation that resulted in the statement (currently just requires a recording of the statement).

-Requires law enforcement agencies to provide training regarding electronically recording interrogations. Requires DPS to adopt rules to provide funds or equipment to law enforcement agencies for this purpose.

-Requires the recordings to be maintained until all appeals are exhausted or until the statute of limitations runs out. The recording is exempt from public disclosure.

**Last Action:** 11-10-08 S Filed

SB 181

Gallegos

Relating to uniform reentry procedures for essential personnel entering an area evacuated during a disaster or other emergency.

**Companions:** SB 339 Gallegos (Identical)  
12- 8-08 S Filed

**Remarks:** VT - Requires the governor, in cooperation with the Department of Public Safety, to establish uniform reentry procedures for essential personnel entering a disaster area or a stricken or threatened area that has been evacuated.

**Last Action:** 11-10-08 S Filed

SB 216      Carona      Relating to permissible uses of state highway funds.

**Remarks:** MV-Strikes language permitting the diversion of state highway funds to fund the Department of Public Safety. Repeals a provision allowing TxDOT to use highway funds that are not dedicated to highway use by the state constitution or federal law for other departmental purposes.

**Last Action:** 11-10-08 S Filed

SB 218      Nichols      Relating to the limitation on increase in the appraised value of a residence homestead for ad valorem taxation.

**Remarks:** MV-Lowers the 10% appraisal limit on a residence homestead to 5%. Allows commissioners court to hold an election to permit the voters to select a different percentage (no greater than 10%). An election (regardless of result) may only be held once every ten years.

**Last Action:** 11-10-08 S Filed

SB 219      Nichols      Relating to prohibiting the use of eminent domain to take private property for recreational purposes.

**Remarks:** MV-Prohibits using eminent domain to take land for recreational purposes. Repeals sections allowing the Parks & Wildlife Department to condemn land for developing recreational resources.

**Last Action:** 11-10-08 S Filed

SB 245      Shapleigh      Relating to the use of direct recording electronic voting systems.

**Remarks:** MV- Requires all Direct Recording Electronic (DRE) voting machine to have a paper audit trail. A voter must be allowed to privately and independently review the paper copy, without touching it, to verify that it accurately recorded their vote. If not, the system must invalidate the paper copy and produce another one.

-Existing DRE's are "grandfathered", but only to the extent they can be upgraded to electronically record an image of the ballot or generate a paper copy.

-Requires an election authority that adopts a system, upon request, to provide the secretary of state's office with the source code for the system, all federal qualification documents, and other related information.

-Enhances the required diagnostic and logic and accuracy tests

that must be done to the machines. Also enhances security requirements for testing materials and requires enhanced procedures for transporting voting system equipment.

-Prohibits connecting a voting system to any external network including the internet. Prohibits a voting system from having wireless communication capability.

-Prohibits using a DRE machine for both early voting and on election day.

-Requires posting notice at each polling place (in any language used on the ballot) regarding penalties for tampering with election machines.

-Prohibits casting a provisional vote on a DRE machine.

**Last Action:** 11-10-08 S Filed

SB 253

Estes

Relating to the amount of a county expenditure for which competitive bidding is required.

**Companions:** HB 78 Flynn (Identical)  
11-10-08 H Filed

**Remarks:** VT - Increases the county purchasing limit from \$25,000 to \$50,000.

**Last Action:** 11-10-08 S Filed

SB 276

Patrick, Dan

Relating to the determination of the appraised value of a residence homestead for ad valorem taxation.

**Companions:** HB 209 Bohac (Identical)  
11-12-08 H Filed

**Remarks:** MV-Requires an appraisal district to appraise residence homesteads no more than once every two years. Prohibits increasing the value of a residence homestead in a year in which it is not appraised.

**Last Action:** 11-12-08 S Filed

SB 294

Hinojosa

Relating to optional fees on the registration of a vehicle imposed by a county.

**Remarks:** MV-Increases the maximum optional county road and bridge vehicle registration fee from \$10 to \$15.

-Removes a border county bracket to allow any county to impose an optional vehicle registration fee that can be used to fund transportation projects and increases the allowed fee from \$10 to \$50. Replaces the current restriction, that the money be dedicated to a regional mobility authority, with a requirement that the county either provide the funds to an RMA or a transportation governmental entity that serves primarily a transportation function (to be designated by TxDOT) for use within the county.

**Last Action:** 11-13-08 S Filed

SB 299      Patrick, Dan      Relating to the limitation on increase in the appraised value of a residence homestead for ad valorem taxation.

**Companions:** HB 127    Callegari      (Identical)  
11-10-08 H Filed

**Remarks:** VT - Reduces the 10% appraisal cap on residence homesteads to 5%.

**Last Action:** 11-14-08 S Filed

SB 339      Gallegos      Relating to uniform reentry procedures for essential personnel entering an area evacuated during a disaster or other emergency.

**Companions:** SB 181    Gallegos      (Identical)  
11-10-08 S Filed

**Remarks:** MV - Requires the governor, in cooperation with the Department of Public Safety, to establish uniform reentry procedures for essential personnel re-entering a disaster area or a stricken or threatened area that has been evacuated.

**Last Action:** 12- 8-08 S Filed

SB 444      Wentworth      Relating to mandatory sales price disclosure in real property sales.

**Remarks:** VT - Requires sales price disclosure for property sales. Creates a civil penalty of up to 5% of the sales price for not disclosing sales price.

Authorizes the attorney general or county or district attorney to recover the penalty.

**Last Action:** 1- 9-09 S Filed

SJR 10      Nichols      Relating to limiting the maximum appraised value of a residence homestead for ad valorem tax purposes to 105 percent or less of the appraised value for the preceding tax year.

**Remarks:** MV-Constitutional Amendment to allow the legislature to change the 10% appraisal cap on residence homesteads to a 5% cap. Also allows the legislature to permit counties to hold an election to approve a higher rate (capped at 10%) and allows the legislature to restrict the frequency of such elections.

**Last Action:** 11-10-08 S Filed

SJR 13      Patrick, Dan      Relating to setting a lower limit on the maximum appraised value of a residence homestead for ad valorem taxation.

**Companions:** HJR 21    Callegari      (Identical)  
11-10-08 H Filed

**Remarks:** VT - Authorizes the legislature to set a limit of 105% on the

maximum appraised value of a residence homestead for ad valorem taxation.

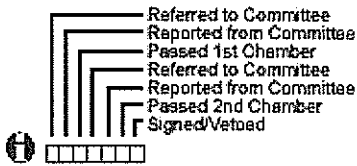
**Last Action:** 11-14-08 S Filed

	<b>All</b>	<b>Track</b>
<b>Total Bills:</b>	42	0

- End of Report -

TEXAS Conference of  
**Urban Counties**  
**General interest track**

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HB 27      Leibowitz      Relating to allowing a county to hold a nonbinding referendum on a county fiscal matter.

**Remarks:** MV - Allows a county to hold a nonbinding referendum on any question affecting a fiscal matter (excluding a labor agreement or compensation of any county employee).

**Last Action:** 11-10-08 H Filed

HB 29      Leibowitz      Relating to the qualifications for office of justice of the peace in certain counties.

**Remarks:** MV-Requires a justice of the peace, in a county of more than 1 million, to be licensed to practice law in Texas.

**Last Action:** 11-10-08 H Filed

HB 48      Riddle      Relating to the suspension of certain licenses held by employers for the knowing employment of persons not lawfully present.

**Remarks:** MV-Penalizes an employer of an illegal immigrant by suspending any state or local licenses held by the employer for a term of one year. A state or local licensing entity may not issue or renew any other license during that period. A licensing authority may assess a fee to cover the administrative costs of complying with this provision.

**Last Action:** 11-10-08 H Filed

HB 60      Branch      Relating to a requirement that tax collectors accept partial payments of ad valorem taxes.

**Remarks:** VT - Requires a tax collector to accept partial payments of property taxes. Allows a taxpayer to direct that a partial payment be allocated first to taxes owed to one or more taxing units that have adopted discounts if the discounts apply to the taxes paid to those taxing units.

**Last Action:** 11-10-08 H Filed

- HB 64      Aycock      Relating to the exemption of counties from the diesel fuel tax.
- Remarks:** MV-Exempts diesel fuel sold to a county for the county's exclusive use from the diesel fuel tax.
- Last Action:** 11-10-08 H Filed
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- HB 69      Guillen      Relating to residence homestead ad valorem taxes for armed forces members.
- Remarks:** MV - Establishes eligibility criteria for a residence homestead tax freeze for active duty military personnel (a separate constitutional amendment allows such a freeze on action by the county or by a petitioned election).
- Requires that the property owner be on duty for at least six months at a distance of at least 60 miles from the homestead and allows the chief appraiser to require proof of ongoing eligibility for the freeze. The tax freeze expires when the land no longer receives a homestead exemption or when the owner no longer meets the active duty and distance criteria. Allows for the portability of the tax freeze ratio from one homestead to another within the same taxing unit.
- Excludes the value lost to the military tax freeze from the calculation of "current total value" in determining the rollback rate.
- Last Action:** 11-10-08 H Filed
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- HB 77      Flynn      Relating to the collateralization of certain public funds.
- Remarks:** MV- Creates a state program to pool collateral to secure deposits of certain public funds. Counties are excluded.
- Last Action:** 11-10-08 H Filed
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- HB 115      Pickett      Relating to the authority of a county tax assessor-collector to commission certain employees as peace officers.
- Remarks:** MV-Allows the tax assessor collector to commission as a peace officer an employee who is qualified and employed in the enforcement division (or its equivalent), if the enforcement division or functional equivalent has been acknowledged and sanctioned by the commissioners court.
- Last Action:** 11-10-08 H Filed
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- HB 132      Chisum      Relating to the exemption from ad valorem taxation of property owned by organizations engaged primarily in performing charitable functions.
- Remarks:** MV-Makes a local option property tax exemption for organizations engaged primarily in performing charitable functions into a mandatory exemption by repealing a provision that allowed the exemption only if adopted by commissioners court on its own action or via petition and election.



**Last Action:** 11-10-08 H Filed

HB 142      McClendon      Relating to disease control programs to reduce the risk of certain communicable diseases.

**Companions:** SB 188      Deuell      (Identical)  
11-10-08 S Filed

**Remarks:** MV - Allows a local health authority to establish a disease control program than includes hypodermic needle exchange. Permits the authority to charge a fee to participate in the program. Creates an exception to the offense of possession of drug paraphernalia for a person working for such a program.

**Last Action:** 11-10-08 H Filed

HB 146      Smith, Todd      Relating to the implementation of a project plan or financing plan for reinvestment zones.

**Companions:** SB 576      Davis, Wendy      (Identical)  
1-28-09 S Filed

**Remarks:** VT- Allows tax increment funds to be used to pay for roads, sidewalks or other public infrastructure in our outside a reinvestment zone. Requires approval by the board of directors of a reinvestment zone and the governing body of each participating taxing unit for any property tax exemptions from the reinvestment zone.

**Last Action:** 11-10-08 H Filed

HB 169      Smith, Todd      Relating to the authority of the Department of Public Safety and certain local law enforcement agencies to establish a checkpoint on a highway or street.

**Remarks:** MV-Allows a sheriff's department or constable's office (in Harris, Dallas, Tarrant and Bexar counties only) to operate a temporary sobriety checkpoint on a highway or street.

**Last Action:** 11-10-08 H Filed

HB 199      Alonzo      Relating to longevity pay for assistant public defenders.

**Remarks:** MV-Entitles assistant public defenders to longevity pay after four years of service. The longevity pay is \$20 a month for each year of service, up to a maximum of \$5,000 per year. Modifies an existing \$15 bail bond fee that is currently dedicated to indigent defense (1/3) and to longevity pay for assistant prosecutors (2/3); the larger portion of the bail bond fee will be split, giving 1/3 to public defenders.

**Last Action:** 11-12-08 H Filed

HB 207      Jackson, Jim      Relating to enforcement of commercial motor vehicle safety standards in certain counties.

**Remarks:** VT - Lowers the population bracket to allow sheriffs and deputy

sheriffs to apply for certification to enforce commercial motor vehicle safety standards in counties of 250,000 or more (currently 2.2 million or more).

**Last Action:** 11-12-08 H Filed

HB 218

Menendez

Relating to the regulation of the sale of aerosol paint by counties and municipalities.

**Remarks:** VT - Authorizes a municipality or a county (in an unincorporated area) to require a person selling aerosol paint to obtain proof of identification from a buyer and to keep a sales log for at least two years. Allows the city or county to impose a surcharge (up to \$1) for graffiti abatement.

**Last Action:** 11-13-08 H Filed

HB 222

Menendez

Relating to the authorization of poker gaming and the duties of the Lottery Commission.

**Remarks:** MV-Creates the Poker Gaming Act of 2009. The Lottery Commission will regulate charitable and commercial poker tournaments and games; train and license the entities and dealers; and regulate the production of poker related equipment.

-Creates the Poker Gaming Revenue Fund. After reimbursing costs, the balance is sent each month to the Department of Housing and Community affairs: 50% of the funds are for grants to cities, counties, and nonprofits to support efforts to provide shelter and assistance to the homeless. The remainder goes to the Housing Trust Fund (provides home purchase assistance in local communities).

-Establishes a number of offenses related to gaming (fraud, counterfeiting, cheating, etc.) that are Class A misdemeanors or third degree felonies. Creates a class C felony for a person under 21 who participates in poker gaming.

**Last Action:** 11-13-08 H Filed

HB 225

Aycock

Relating to an exemption from ad valorem taxation of the portion of the appraised value of a person's property attributable to the implementation on the property of water conservation initiatives, desalination and brush control

**Remarks:** VT - Changes a local option property tax exemption into a mandatory exemption for the portion of appraised value of a person's property attributable to the implementation of water conservation initiatives and brush control.

**Last Action:** 11-14-08 H Filed

HB 227

Pitts

Relating to an exemption from investigation company license requirements for certain information technology professionals.

**Remarks:** VT - Fixes a problem in statute that many argue would require IT professionals to be licensed private investigators.

**Last Action:** 11-14-08 H Filed

HB 228      Pitts                      Relating to a defendant's payment of the costs of legal services provided by court-appointed counsel in a criminal case.

**Remarks:** VT - Requires a person who has the ability pay for some portion of the cost of their appointed counsel to make such a payment.

**Last Action:** 11-14-08 H Filed

HB 240      Alonzo                      Relating to the appointment of members to the governing body of a political subdivision.

**Remarks:** VT - Requires an appointment to the governing body of a local government to be made with the intent to ensure the body is representative of the community (currently optional).

**Last Action:** 11-14-08 H Filed

HB 251      Berman                      Relating to the use of public resources to make communications that contain political advertising

**Remarks:** VT - Prohibits the use of public funds or resources, including an internal mail system or e-mail, for political advertising, including distribution of political advertising. Exempts the use of an internal mail system to distribute political advertising that is delivered to a state agency or political subdivision by mail or to distribute political advertising related to an investigation, hearing or other official proceeding of an agency or subdivision. The penalty here is a Class A misdemeanor.

Makes a conforming repeal.

**Last Action:** 11-17-08 H Filed

HB 259      Berman                      Relating to the impoundment of motor vehicle license plates and the suspension of the vehicle registration for failure to maintain financial responsibility.

**Remarks:** MV-Requires a peace officer to seize the license plates of a vehicle if the owner cannot show proof of insurance. The owner has 10 days to show proof and recover the plates. After ten days the plates are destroyed and the owner must apply for new plates and obtain temporary tags. To get new plates, the owner must pay a \$100 reinstatement fee (county keeps \$10) that is dedicated to the state highway fund.

**Last Action:** 11-17-08 H Filed

HB 263      Berman                      Relating to the imposition of a fee for money transmissions sent to certain destinations outside the United States.

**Remarks:** VT - Imposes an 8% fee on a money transfer that originates in this state and is transmitted to Mexico or Central or South America for a personal, family or household purpose. The comptroller will deposit the net revenue to indigent health care support account. Eligible persons may apply to the comptroller for a refund.

**Last Action:** 11-17-08 H Filed

HB 264      Berman      Relating to the date that an increase in the salary of a member of a county commissioners court may take effect.

**Remarks:** MV-Stipulates that an adopted increase in the salary of a member of commissioners court does not take effect until after the date of the next primary election for their office.

**Last Action:** 11-17-08 H Filed

HB 272      Ortiz      Relating to disease control programs to reduce the risk of certain communicable diseases.

**Remarks:** VT - Authorizes a local health authority to establish a disease control program that provides for the exchange of used hypodermic needles and syringes. Permits a fee to be charged to participate in the program.

Creates an exception to the offense of possession of drug paraphernalia for a person working for such a program.

**Last Action:** 11-17-08 H Filed

HB 341      Herrero      Relating to an exemption from ad valorem taxation of a portion of the appraised value of the residence homesteads of military servicemembers who are serving on active duty.

**Remarks:** VT - Entitles a military service member serving on active duty to an additional residence homestead exemption of \$3,000. The exemption must be applied for and takes effect immediately on qualification for the exemption.

**Last Action:** 11-21-08 H Filed

HB 349      Strama      Relating to placement of public school students with certain disabilities in juvenile justice alternative education programs.

**Remarks:** MV- Requires a school proposing to expel a student with special needs to provide the administrator of the JJAEP with notice of a meeting to discuss the expulsion and permits a JJAEP administrator, after the placement of a student with special needs in a JJAEP, to request a meeting with the school that expelled the student if there are concerns that the student's educational or behavioral needs cannot be met in the JJAEP.

**Last Action:** 11-25-08 H Filed

HB 386      Miller, Sid      Relating to the selection of the board of directors of an appraisal district.

**Remarks:** MV-Adds two elected members to the county appraisal district board. Requires, if the number of members on the board is increased that at least one-half of the new members be elected.

-Imposes a filing fee of \$750 (in a county of less than 200,000) or \$1,250 in a county of more than 200,000). The fee goes to county GR.

-Allows taxing units to recall only appointive members of the board.

-Repeals language allowing a majority of the taxing units in a district to revoke an action of the board.

**Last Action:** 12- 9-08 H Filed

HB 404      Harless      Relating to the enforcement of state and federal laws governing immigration by certain governmental entities.

**Companions:** SB 358    Patrick, Dan    (Identical)  
12-12-08 S Filed

**Remarks:** VT - Prohibits a governing body from adopting a policy that does not fully enforce state or federal immigration laws. The governing body shall not prohibit an officer or employee: from maintaining or exchanging immigration information with a federal immigration officer; from assisting an immigration officer; or permitting the officer to conduct immigration enforcement activities in a municipal or county jail.

An entity may not receive state grant funds if it adopts a policy that does not fully enforce immigration laws.

**Last Action:** 12-15-08 H Filed

HB 453      Gonzalez  
Tourelles      Relating to the use of auction proceeds from the sale of abandoned motor vehicles, watercraft, or outboard motors to compensate certain property owners.

**Remarks:** VT - Authorizes a law enforcement agency to use excess funds from the auction of abandoned vehicles to compensate property owners whose property was damaged as a result of a pursuit involving the agency. Currently, excess auction funds are swept into city or county GR and dedicated to law enforcement purposes.

**Last Action:** 12-19-08 H Filed

HB 454      Gonzalez  
Tourelles      Relating to the deduction of points or the removal of certain surcharges under the driver responsibility program.

**Remarks:** MV -Allows a person to reduce the number of points on their license (under the Driver Responsibility Program) by two points if they take an approved driving safety course. If they are currently assessed a surcharge and the points reduction puts them below the threshold for assessing the surcharge, they no longer required to pay the surcharge.

-Allows a person to end payment of a surcharge related to driving without proof of insurance or under a suspended license if: they have paid the surcharge for at least one year; they successfully complete a driver safety course; and they have not received a deduction of points or elimination of a surcharge in the past two years.

**Last Action:** 12-19-08 H Filed

- HB 458      Leibowitz      Relating to limitations on the number of dogs at a residence in certain counties.
- Remarks:** VT - Authorizes the Harris, Dallas, Tarrant or Bexar county commissioners court to limit the number of dogs that a person may keep at a home located in a subdivision in the unincorporated area of the county.
- Last Action:** 12-22-08 H Filed
- HB 459      Leibowitz      Relating to county abatement of certain unsafe buildings that are a public nuisance.
- Remarks:** VT - Authorizes a county to abate structurally unsafe or hazardous buildings.
- Last Action:** 12-22-08 H Filed
- HB 490      Jackson, Jim      Relating to indigent health care.
- Remarks:** VT - Increases the minimum income eligibility standards to 25% of the federal poverty level.
- Requires a county to submit adopted eligibility standards, application procedures, and a statement of the total amount of county funds expended for indigent health care in the previous state fiscal year to the Department of State Health Services by at least the 30th day of the fiscal year.
- Requires hospital districts to submit annual indigent health care reports to the DSHS.
- Increases the maximum yearly county liability for health care services provided to each eligible county resident to \$35,000.
- Makes conforming repeals.
- Last Action:** 1- 6-09 H Filed
- HB 496      Zerwas      Relating to the procedure for holding a special election.
- Remarks:** VT - Requires additional notice of a special election to be given by at least one of the following methods: by mail to each registered voter in the territory covered by the election or by radio or evening television news announcements.
- Requires the designated polling place for a special election to be the place used in the most recent general election.
- Last Action:** 1- 6-09 H Filed
- HB 500      Kolkhorst      Relating to a temporary prohibition on increasing the market value of certain parcels of real property for ad valorem tax purposes following determination of a protest or appeal.
- Remarks:** VT - Prohibits an increase in the market value of commercial or

residential real property for two years if the market value was reduced by at least 15% as the result of an appeal. Exempts an increase attributable to an improvement.

**Last Action:** 1- 7-09 H Filed

HB 765

Hartnett

Relating to supplemental payments made to certain statutory probate court judges.

**Remarks:** VT - Requires the commissioners court to pay a statutory probate court judge, who has served as judge of a statutory probate or statutory county court since August 31, 1995, a supplemental amount equal to the benefit replacement pay a district judge is entitled to. The court shall pay a judge who has served at least 16 years the same longevity pay as a district judge receives for the same amount of service years.

**Last Action:** 1-23-09 H Filed

HJR 13

Leibowitz

Relating to dedicating certain revenue derived from motor fuel taxes to the construction of public highways.

**Remarks:** VT - Requires 3/4 of the net revenue remaining from taxes imposed on motor fuels and lubricants (used to propel motor vehicles over public highways) to be used for the sole purpose of constructing public highways and 1/4 of the revenue to be allocated to the available school fund. Currently such funds can also be used for maintenance and policing roadways.

**Last Action:** 11-10-08 H Filed

HJR 17

Guillen

Relating to establishing a limitation on ad valorem tax.

**Remarks:** VT- Constitutional Amendment- Allows a political subdivision to freeze the property taxes on the residence homestead of a military reservist who has been called to active duty. Upon petition by 5% of the registered voters, the governing body of the political subdivision must call an election on whether to establish the freeze.

**Last Action:** 11-10-08 H Filed

HJR 22

Villarreal

Relating to ad valorem taxation of a residence homestead.

**Remarks:** MV-Constitutional Amendment-Stipulates that the legislature may provide for taxation of a residence homestead on the basis of its value as a homestead, regardless of whether it is considered to be the highest and best use of the property. Allows the legislature to permit a designated entity to require the consolidation of two or more appraisal districts.

**Last Action:** 11-10-08 H Filed

HJR 27

Berman

Relating to establishing English as the official language of Texas and require that official acts of the government be taken in English.

**Remarks:** VT - Constitutional Amendment - Establishes English as the official language of Texas.

Prohibits the state or a political subdivision from making any policy changes expressing a preference for any language other than English or diminishing or ignoring the unifying role of English.

Prohibits the legislature or a governing body of a political subdivision from appropriating any money to promote the use of or demonstrate preference for any language other than English.

**Last Action:** 11-17-08 H Filed

HJR 38

King, Phil

Regarding the rainy day fund and dedicating certain surplus revenues to property tax reduction.

**Remarks:** MV-Changes the economic stabilization fund to the budget stabilization fund. Requires the comptroller to transfer 25% of any unencumbered positive balance of general revenues on the last day of the preceding biennium to the property tax relief fund. Allows the legislature to transfer additional amounts of money to the stabilization fund or the property tax relief fund. Removes language allowing the legislature, by 2/3 vote, to appropriate funds from the economic stabilization fund for any purpose.

-Requires the comptroller to disburse revenue in the property tax relief fund to public school districts to reduce their tax rates. Allows the legislature to suspend a property tax relief disbursement (by 4/5 vote) and use the funds for other purposes.

**Last Action:** 1-12-09 H Filed

SB 23

Zaffirini

Relating to the period of continuous eligibility for the medical assistance program.

**Companions:** HB 647 Dukes (Identical)  
1-15-09 H Filed  
SB 349 Shapleigh (Identical)  
12- 9-08 S Filed

**Remarks:** VT - Extends child health plan eligibility from 6 to 12 months.

**Last Action:** 11-10-08 S Filed

SB 51

Zaffirini

Relating to the creation of an offense for certain use of a wireless communication device while operating a motor vehicle.

**Remarks:** VT- Prohibits drivers from using a cell phone to read, write or send a text message while operating a motor vehicle unless the vehicle is stopped. Creates an exemption if the driver is a peace officer or emergency response provider and the device is being used for official duties.

**Last Action:** 11-10-08 S Filed

SB 60

Zaffirini

Relating to the right of an employee who is a victim of crime time off from work to attend court proceedings related to that crime.



**Remarks:** VT- Entitles an employee who is a victim of a crime to take time off work to attend court proceedings related to the crime without using existing vacation leave time, personal leave time, or compensatory leave time.

Prohibits an employer from firing or suspending an employee (victim) who attends court and prohibits the reduction of pay otherwise owed to an employee for any pay period lasting eight hours or less.

Requires an employee to provide documentation regarding an absence to the employer (if requested) unless the state attorney notifies the employer of the need for the employee to cooperate or testify in the court proceedings.

Requires an employer to notify employees of the rights regarding time off to attend court proceedings.

**Last Action:** 11-10-08 S Filed

SB 111      Ellis      Relating to suspension of the unemployment compensation waiting period requirement during a disaster subject to a federal disaster declaration.

**Remarks:** VT- Allows a governor to suspend the unemployment compensation waiting period for persons who are unemployed because of a federally-declared disaster.

**Last Action:** 11-10-08 S Filed

SB 159      Ellis      Relating to application of the minimum wage to certain governmental entities.

**Remarks:** VT - Allows a county or municipality to establish a minimum wage greater than the federal minimum wage.

**Last Action:** 11-10-08 S Filed

SB 178      Gallegos      Relating to temporary housing and emergency shelters provided by a political subdivision for disaster victims.

**Companions:** SB 340 Gallegos (Identical)  
12- 8-08 S Filed

**Remarks:** VT - Entitles a political subdivision that is the center for temporary housing or emergency shelters for persons evacuated during a disaster to receive an advance or reimbursement (with assistance from any resource available to the state) of all expenses, including lost revenue, incurred for the provision of temporary housing or emergency shelters and for payment to personnel who help with an evacuation.

**Last Action:** 11-10-08 S Filed

SB 188      Deuell      Relating to disease control programs to reduce the risk of certain communicable diseases.

**Companions:** HB 142 McClendon (Identical)  
11-10-08 H Filed

**Remarks:** MV - Allows a local health authority to establish a disease control program than includes hypodermic needle exchange. Creates an exception t o the offense of possession of drug paraphernalia for a person working for such a program.

**Last Action:** 11-10-08 S Filed

SB 217 Carona Relating to the rate of the state gasoline tax and diesel fuel taxes.

**Remarks:** MV-Indexes the 20 cent diesel fuel and gas tax to the annual rate change (capped at 5%) in the producer price index.

**Last Action:** 11-10-08 S Filed

SB 263 Carona Relating to the issuance by the Transportation Commission of general obligation bonds for highway improvement projects.

**Remarks:** MV-Allows the Texas Transportation Commission to issue general obligation bonds in an aggregate amount not to exceed 5 billion to provide funding for highway improvement projects.

**Last Action:** 11-12-08 S Filed

SB 298 Carona Relating to the authority of the Department of Public Safety and local law enforcement agencies to establish a checkpoint on a highway or street to determine whether persons are driving while intoxicated.

**Remarks:** MV-Allows a sheriff's department or constable's office (in Harris, Dallas, Tarrant and Bexar counties only) to operate a temporary sobriety checkpoint on a highway or street.

**Last Action:** 11-14-08 S Filed

SB 314 Wentworth Relating to the treatment of longevity pay that is paid to certain judges and justices.

**Remarks:** MV-Stipulates that longevity payments to district judges are not included as part of the judge's combined state and county salary for purposes of calculating the salary limitations of other judges.

**Last Action:** 11-21-08 S Filed

SB 320 Wentworth Relating to the qualifications for office of justice of the peace.

**Remarks:** MV-Requires a justice of the peace in a county of 200,000 or more to be: at least 25; and licensed to practice law in Texas. "Grandfather's" existing JPs, but only until their current term expires.

**Last Action:** 11-21-08 S Filed

- SB 358      Patrick, Dan      Relating to the enforcement of state and federal laws governing immigration by certain governmental entities.
- Companions:**   HB 404   Harless          (Identical)  
12-15-08 H Filed
- Remarks:**      VT - Prohibits a local government from adopting a policy that does not fully enforce state or federal immigration laws. The governing body may not prohibit an officer or employee from maintaining or exchanging immigration information with a federal immigration officer, from assisting an immigration officer or permitting the officer to conduct immigration enforcement activities in a municipal or county jail.
- A local entity may not receive state grant funds if it adopts a policy that does not fully enforce immigration laws.
- Last Action:**    12-12-08 S Filed
- SB 359      Patrick, Dan      Relating to punishment for the offense of theft committed in certain evacuated or disaster areas.
- Remarks:**      VT - Increases an offense for theft to the next higher category if the offense was committed in a disaster area or an area subject to an evacuation order.
- Last Action:**    12-15-08 S Filed
- SB 374      Carona            Relating to the power of a county to enforce compliance with speed limits by an automated traffic control system.
- Remarks:**      MV-Adds counties to a statute that prohibits a city from implementing or operating an automated traffic control system on a highway or street to enforce speed limits.
- Last Action:**    12-16-08 S Filed
- SB 383      Carona            Relating to the allocation to the Texas rail relocation and improvement fund of a portion of the revenue from the motor vehicle sales and use tax.
- Companions:**   HB 564   McClendon      (Identical)  
1-12-09 H Filed
- Remarks:**      VT - Requires the comptroller to deposit \$200 million of the revenue from motor vehicle sales and use tax that currently goes to state GR to the rail relocation and improvement fund each state fiscal year.
- Last Action:**    12-19-08 S Filed
- SB 391      Patrick, Dan      Relating to certain election practices and procedures.
- Remarks:**
- VT - Strikes language allowing a county to charge a political subdivision up to 10% of the purchase price of leased election equipment for each day it is used. Remaining language allows a charge of up to 10% for the entire election.

Requires the secretary of state to cancel a person's voter registration if they have been excused or disqualified from jury service because of citizenship status.

Requires a person to be eligible to vote in the county they will serve in order to serve as a volunteer deputy registrar.

**Last Action:** 12-31-08 S Filed

SB 402      Eltife      Relating to the authority of the voters of a municipality or a county to adopt a one-quarter cent sales and use tax in the municipality or county to provide property tax relief.

**Remarks:** MV-Permits cities and counties to hold an election to impose a 1/4 percent sales tax to reduce property taxes. The rollback rate for a city or county that imposes the sales tax is reduced to 5%.

**Last Action:** 1- 5-09 S Filed

SB 407      Shapiro      Relating to the appointment of part-time magistrates to hear truancy cases in certain counties.

**Remarks:** VT -- Authorizes a county judge in Harris or Dallas county to appoint one or more part-time magistrates to hear truancy cases.

**Last Action:** 1- 6-09 S Filed

SB 409      Carona      Relating to fees charged by a justice of the peace for certain documents in a criminal case.

**Companions:** HB 588    Naishtat      (Identical)  
1-13-09 H Filed

**Remarks:** VT - Provides that a justice of the peace is not entitled to a fee for the first copy of a document in a criminal case issued to a criminal defendant in the case; an attorney representing the defendant; or a prosecuting attorney.

**Last Action:** 1- 6-09 S Filed

SJR 16      Carona      Relating to exempting from ad valorem taxation a high-speed passenger rail facility.


**Remarks:** VT - Constitutional Amendment - Exempts a high-speed passenger rail facility from ad valorem taxation.












**Last Action:** 12-15-08 S Filed

	All	Track
<b>Total Bills:</b>	63	0

- End of Report -

TAC LEGISLATIVE ALERT  
County Judges and Commissioners  
01-28-2009 - 19:50:59

 - Indicates action since the request date.

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|--|------------------|--|
|  <u>HB 2</u>    | <u>Otto</u>      | Relating to the appraisal of property, including residence homesteads, for ad valorem tax purposes.<br>Bill History: 01-09-09 H Filed  |
|  <u>HB 4</u>    | <u>Orr</u>       | Relating to eminent domain, including certain limitations, procedures, and standards relating to the use of eminent domain.<br>Bill History: 01-05-09 H Filed                              |
|  <u>HB 5</u>    | <u>Crownover</u> | Relating to the elimination of smoking in all workplaces and public places.<br>Bill History: 01-07-09 H Filed  |
|  <u>HB 11</u>   | <u>Leibowitz</u> | Relating to repeal of authority for the establishment and operation of the Trans-Texas Corridor.<br>Bill History: 11-10-08 H Filed   |
|  <u>HB 12</u>  | <u>Leibowitz</u> | Relating to the membership of the Transportation Commission.<br>Bill History: 11-10-08 H Filed   |
|  <u>HB 13</u> | <u>Leibowitz</u> | Relating to the operation of a state highway or segment of a state highway as a toll project.<br>Bill History: 11-10-08 H Filed  |
|  <u>HB 14</u> | <u>Leibowitz</u> | Relating to the application of certain contract management laws to the Department of Transportation.<br>Bill History: 11-10-08 H Filed   |
|  <u>HB 15</u> | <u>Leibowitz</u> | Relating to the participation of certain metropolitan planning organization policy board members in votes of the board related to certain toll projects.<br>Bill History: 11-10-08 H Filed |
|  <u>HB 17</u> | <u>Leibowitz</u> | Relating to the limitation on increase in the appraised value of a resident homestead for ad valorem tax.<br>Bill History: 11-10-08 H Filed  |
|  <u>HB 27</u> | <u>Leibowitz</u> | Relating to allowing a county to hold a nonbinding referendum on a county fiscal matter.<br>Bill History: 11-10-08 H Filed   |
|  <u>HB 28</u> | <u>Leibowitz</u> | Relating to requiring notice by a seller of real property of   |

potential annexation of the property by a municipality.

Bill History: 11-10-08 H Filed

Ⓐ HB 29      Leibowitz      Relating to the qualifications for office of justice of the peace in certain counties.

Bill History: 11-10-08 H Filed

Ⓐ HB 30      Leibowitz      Relating to boil water notification requirements for water systems.

Bill History: 11-10-08 H Filed

Ⓐ HB 43      Corte      Relating to permitting requirements of groundwater conservation districts, including permits to transfer water.

Bill History: 11-10-08 H Filed

Ⓐ HB 46      Riddle      Relating to a local option election in a county to set a limit on the maximum appraised value of a residence homestead for ad valorem tax.

Bill History: 11-10-08 H Filed

Ⓐ HB 48      Riddle      Relating to the suspension of certain licenses held by employers for the knowing employment of persons not lawfully present.

Bill History: 11-10-08 H Filed

Ⓐ HB 62      Aycock      Relating to an exemption from ad valorem taxation of the residence homesteads of certain totally disabled veterans.

Bill History: 11-10-08 H Filed

Ⓐ HB 64      Aycock      Relating to the exemption of counties from the diesel fuel tax.

Bill History: 11-10-08 H Filed

Ⓐ HB 67      Lucio III      Relating to a medical assistance buy-in program for children with certain developmental disabilities.

Bill History: 11-10-08 H Filed

Ⓐ HB 69      Guillen      Relating to residence homestead ad valorem taxes for armed forces members.

Bill History: 11-10-08 H Filed

Ⓐ HB 115      Pickett      Relating to the authority of a county tax assessor-collector to commission certain employees as peace officers.

Bill History: 11-10-08 H Filed

Ⓐ HB 124      Jackson, Jim      Relating to the punishment for the offense of employment harmful to children.

Bill History: 11-10-08 H Filed

- Ⓐ HB 127      Callegari      Relating to the limitation on increases in the appraised value of a residence homestead for ad valorem taxation.  
Bill History: 11-10-08 H Filed
- Ⓐ HB 128      Solomons      Relating to the requirement that applicants for certain licenses be eligible for employment in the United States.  
Bill History: 11-10-08 H Filed
- Ⓐ HB 132      Chisum      Relating to the exemption from ad valorem taxation of property owned by organizations engaged primarily in performing charitable functions.  
Bill History: 11-10-08 H Filed
- Ⓐ HB 134      Villarreal      Relating to ad valorem taxation.  
Bill History: 11-10-08 H Filed
- Ⓐ HB 135      Straus      Relating to the elimination of straight-party voting.  
Bill History: 11-10-08 H Filed
- Ⓐ HB 142      McClendon      Relating to disease control programs to reduce the risk of certain communicable diseases.  
Bill History: 11-10-08 H Filed
- Ⓐ HB 143      McClendon      Relating to granting certain counties regulatory authority around military facilities in certain circumstances.  
Bill History: 11-10-08 H Filed
- Ⓐ HB 145      McClendon      Relating to state aid for certain juvenile justice alternatives education programs that enter into certain revenue sharing agreements.  
Bill History: 11-10-08 H Filed
- Ⓐ HB 158      Chavez      Relating to the personal needs allowance for certain Medicaid recipients who are residents of long-term care facilities.  
Bill History: 11-10-08 H Filed
- Ⓐ HB 166      Naishtat      Relating to providing home and community based support services under the Medicaid program to persons who are deaf-blind with multiple disabilities.  
Bill History: 11-10-08 H Filed
- Ⓐ HB 178      Creighton      Relating to limitations on the location of injection wells.  
Bill History: 11-12-08 H Filed
- Ⓐ HB 183      Alonzo      Relating to the minimum wage.  
Bill History: 11-12-08 H Filed

- Ⓐ HB 199      Alonzo      Relating to longevity pay for assistant public defenders.  
Bill History: 11-12-08 H Filed
- Ⓐ HB 206      Jackson, Jim      Relating to the on-premises consumption of certain alcoholic beverages.  
Bill History: 11-12-08 H Filed
- Ⓐ HB 209      Bohac      Relating to the determination of the appraised value of a residence homestead for ad valorem taxation.  
Bill History: 11-12-08 H Filed
- Ⓐ HB 210      Aycock      Relating to the confidentiality under the public information law of certain name and address information provided to a governmental body.  
Bill History: 11-13-08 H Filed
- Ⓐ HB 216      Menendez      Relating to licensing and regulation of certain facilities providing personal care to elderly or disabled persons.  
Bill History: 11-13-08 H Filed
- Ⓐ HB 218      Menendez      Relating to the regulation of the sale of aerosol paint by counties and municipalities.  
Bill History: 11-13-08 H Filed
- Ⓐ HB 223      Eiland      Relating to regulation of the secondary market in certain physician and health care provider discounts.  
Bill History: 11-13-08 H Filed
- Ⓐ HB 225      Aycock      Relating to an exemption from ad valorem taxation of the portion of the appraised value of a person's property attributable to the implementation on the property of water conservation initiatives, desalination and brush control  
Bill History: 11-14-08 H Filed
- Ⓐ HB 226      Pitts      Relating to prohibiting employers from requiring employees to make certain charitable contributions.  
Bill History: 11-14-08 H Filed
- Ⓐ HB 227      Pitts      Relating to an exemption from investigation company license requirements for certain information technology professionals.  
Bill History: 11-14-08 H Filed
- Ⓐ HB 228      Pitts      Relating to a defendant's payment of the costs of legal services provided by court-appointed counsel in a criminal case.  
Bill History: 11-14-08 H Filed



- Ⓐ HB 233      Rodriguez      Relating to the creation of an advisory committee to establish and recommend qualifications for certain health care translators and interpreters.  
Bill History: 11-14-08 H Filed
- Ⓐ HB 234      Rodriguez      Relating to notice and hearing requirements for an application to transfer a municipal solid waste permit.  
Bill History: 11-14-08 H Filed
- Ⓐ HB 238      Rodriguez      Relating to an exemption from the sales tax for certain renewable energy devices.  
Bill History: 11-14-08 H Filed
- Ⓐ HB 240      Alonzo      Relating to the appointment of members to the governing body of a political subdivision.  
Bill History: 11-14-08 H Filed
- Ⓐ HB 242      Alonzo      Relating to a personal identification device provided to residents of certain institutions and assisted living facilities.  
Bill History: 11-14-08 H Filed
- Ⓐ HB 244      Alonzo      Relating to regulation of residential tendencies by local governments.  
Bill History: 11-14-08 H Filed
- Ⓐ HB 246      Alonzo      Relating to the date of the primary election and related procedures.  
Bill History: 11-14-08 H Filed
- Ⓐ HB 248      Alonzo      Relating to the protection of the rights of Texas voters without regard to race, color, ethnicity or membership in a language minority group.  
Bill History: 11-14-08 H Filed
- Ⓐ HB 260      Berman      Relating to the eligibility of certain persons to receive a sentence of community supervision, including deferred adjudication community supervision.  
Bill History: 11-17-08 H Filed
- Ⓐ HB 263      Berman      Relating to the imposition of a fee for money transmissions sent to certain destinations outside the United States.  
Bill History: 11-17-08 H Filed
- Ⓐ HB 264      Berman      Relating to the date that an increase in the salary of a member of a county commissioners court may take effect.  
Bill History: 11-17-08 H Filed

- Ⓐ HB 266      Berman      Relating to regulating the provision of benefits and services to, and the verification of the employment status of, immigrants and to enforcing laws relating to immigrants.  
Bill History: 11-17-08 H Filed
- Ⓐ HB 268      Lucio III      Relating to considering ownership interests of disabled veterans in determining whether a business is a historically underutilized business for purposes of state contracting.  
Bill History: 11-17-08 H Filed
- Ⓐ HB 271      Ortiz      Relating to the designation of enterprise projects during a biennium.  
Bill History: 11-17-08 H Filed
- Ⓐ HB 272      Ortiz      Relating to disease control programs to reduce the risk of certain communicable diseases.  
Bill History: 11-17-08 H Filed
- Ⓐ HB 282      Anchia      Relating to the designation of certain election days as state holidays.  
Bill History: 11-18-08 H Filed
- Ⓐ HB 289      Dutton      Relating to the provision of courses in behavioral modification by disciplinary alternative education programs and juvenile justice alternative education programs.  
Bill History: 11-19-08 H Filed
- Ⓐ HB 291      Dutton      Relating to discovery procedures for a claim against a governmental entity under the Tort Claims Act.  
Bill History: 11-19-08 H Filed
- Ⓐ HB 293      Dutton      Relating to the automatic expunction of criminal records.  
Bill History: 11-19-08 H Filed
- Ⓐ HB 301      Dutton      Relating to discovery in a criminal case.  
Bill History: 11-19-08 H Filed
- Ⓐ HB 303      Dutton      Relating to an exemption from the sales tax for labor to install certain tangible personal property in buildings that obtain LEED certification.  
Bill History: 11-19-08 H Filed
- Ⓐ HB 306      Dutton      Relating to the compensation of an election judge or clerk.  
Bill History: 11-19-08 H Filed
- Ⓐ HB 328      Heflin      Relating to abolishing the office of inspector of hides and

- animals.  
Bill History: 11-20-08 H Filed
- Ⓐ HB 337      Harless      Relating to the costs of holding certain joint elections.  
Bill History: 11-21-08 H Filed
- Ⓐ HB 341      Herrero      Relating to an exemption from ad valorem taxation of a portion of the appraised value of the residence homesteads of military servicemembers who are serving on active duty.  
Bill History: 11-21-08 H Filed
- Ⓐ HB 344      Leibowitz      Relating to reimbursement under the state Medicaid program for health care services associated with certain adverse events.  
Bill History: 11-21-08 H Filed
- Ⓐ HB 362      Brown, Betty      Relating to the authority of certain counties to enact noise regulations.  
Bill History: 12-03-08 H Filed
- Ⓐ HB 376      Miller, Sid      Relating to the requirement that livestock at auction facilities located in or near a fever tick quarantine area be dipped.  
Bill History: 12-08-08 H Filed
- Ⓐ HB 377      Miller, Sid      Relating to the creation and funding of the Texas Rural Job Development Fund.  
Bill History: 12-08-08 H Filed
- Ⓐ HB 383      Heflin      Relating to county bail bond board meetings in certain counties.  
Bill History: 12-08-08 H Filed
- Ⓐ HB 386      Miller, Sid      Relating to the selection of the board of directors of an appraisal district.  
Bill History: 12-09-08 H Filed
- Ⓐ HB 387      Pena      Relating to the exemption of volunteer fire departments from certain motor fuel taxes.  
Bill History: 12-10-08 H Filed
- Ⓐ HB 398      Ortiz      Relating to special event trust funds to promote major athletic, motor sports racing and other special events.  
Bill History: 12-12-08 H Filed
- Ⓐ HB 402      Woolley      Relating to the use of eminent domain authority.  
Bill History: 12-15-08 H Filed
- Ⓐ HB 403      Villarreal      Relating to the capital improvements that a local government may finance with an impact fee.

- Bill History: 12-15-08 H Filed
- Ⓐ HB 417      Callegari      Relating to the acquisition of and compensation for real property, including blighted property, for public purposes through condemnation or certain other means.
- Bill History: 12-16-08 H Filed
- Ⓐ HB 423      Guillen      Relating to authorizing a judge of a municipal court to conduct a marriage ceremony.
- Bill History: 12-17-08 H Filed
- Ⓐ HB 424      Castro      Relating to exemptions from the sales tax for certain school supplies.
- Bill History: 12-18-08 H Filed
- Ⓐ HB 432      Lucio III      Relating to the low-emissions vehicles purchasing requirement for certain state agencies.
- Bill History: 12-18-08 H Filed
- Ⓐ HB 433      Lucio III      Relating to the procedures for acting on applications for certain permits under the Solid Waste Disposal Act.
- Bill History: 12-18-08 H Filed
- Ⓐ HB 441      Edwards      Relating to an emergency power supply for convalescent and nursing homes and related institutions.
- Bill History: 12-19-08 H Filed
- Ⓐ HB 442      Edwards      Relating to the rate at which interest accrues in connection with the deferral or abatement of the collection of ad valorem taxes on the residence homestead of an elderly or disabled person.
- Bill History: 12-19-08 H Filed
- Ⓐ HB 443      Edwards      Relating to requiring certain service stations to be capable of operating with alternate generated power.
- Bill History: 12-19-08 H Filed
- Ⓐ HB 446      Villarreal      Relating to the enforcement of unpaid child support.
- Bill History: 12-19-08 H Filed
- Ⓐ HB 447      Villarreal      Relating to liability for failure to comply with a child support lien, court order, or notice of levy.
- Bill History: 12-19-08 H Filed
- Ⓐ HB 448      Hopson      Relating to requiring the Department of State Health Services to implement a provider choice system.
- Bill History: 12-19-08 H Filed

- Ⓐ HB 450      Taylor      Relating to exempting certain hurricane preparation supplies from the sales tax for a limited period.  
Bill History: 12-19-08 H Filed
- Ⓐ HB 456      Villarreal      Relating to the authority of a dental hygienist to provide services in certain facilities.  
Bill History: 12-22-08 H Filed
- Ⓐ HB 457      Alvarado      Relating to requiring certain service stations to be capable of operating with alternative electrical power and to have an alternative electrical generator.  
Bill History: 12-22-08 H Filed
- Ⓐ HB 459      Leibowitz      Relating to county abatement of certain unsafe buildings that are a public nuisance.  
Bill History: 12-22-08 H Filed
- Ⓐ HB 461      Eissler      Relating to the regulation of dyslexia practitioners and therapists.  
Bill History: 12-22-08 H Filed
- Ⓐ HB 468      Paxton      Relating to an exemption from the sales tax for certain telecommunications equipment.  
Bill History: 12-22-08 H Filed
- Ⓐ HB 479      Heflin      Relating to additional sick leave for certain peace officers and corrections officers who work overtime.  
Bill History: 01-05-09 H Filed
- Ⓐ HB 487      Menendez      Relating to sheriff's department civil service systems in certain counties.  
Bill History: 01-06-09 H Filed
- Ⓐ HB 489      Pickett      Relating to the authority of a county or municipality to remove graffiti from private property at the owner's expense.  
Bill History: 01-06-09 H Filed
- Ⓐ HB 490      Jackson, Jim      Relating to indigent health care.  
Bill History: 01-06-09 H Filed
- Ⓐ HB 492      Zerwas      Relating to the expansion of faith- and community-based health and human services and social services initiatives.  
Bill History: 01-06-09 H Filed
- Ⓐ HB 497      Zerwas      Relating to a study to determine the effect on the health care infrastructure in this state if the state Medicaid program is

abolished or a severe reduction in federal matching money under the program occurs.

Bill History: 01-06-09 H Filed

Ⓐ HB 500      Kolkhorst      Relating to a temporary prohibition on increasing the market value of certain parcels of real property for ad valorem tax purposes following determination of a protest or appeal.

Bill History: 01-07-09 H Filed

Ⓐ HB 504      Kolkhorst      Relating to the creation of an offense for a parent's contribution to a child's failure to comply with a sentence or court order relating to a disruptive activity or disruption of class on school property.

Bill History: 01-07-09 H Filed

Ⓐ HB 508      Kolkhorst      Relating to a study of the effect on this state's economy of replacing all state and school district ad valorem tax revenue with revenue from a transaction tax.

Bill History: 01-08-09 H Filed

Ⓐ HB 553      Madden      Relating to the establishment of the office of criminal and juvenile ombudsman.

Bill History: 01-12-09 H Filed

Ⓐ HB 560      Menendez      Relating to injury leave for peace officers injured by an intoxicated driver of a motor vehicle or boat.

Bill History: 01-12-09 H Filed

Ⓐ HB 561      Madden      Relating to the authority of county auditors with respect to computer software and data of other local officers or departments.

Bill History: 01-12-09 H Filed

Ⓐ HB 562      Madden      Relating to certain employment functions of county government.

Bill History: 01-12-09 H Filed

Ⓐ HB 564      McClendon      Relating to the allocation to the Texas rail relocation and improvement fund of a portion of the revenue from the motor vehicle sales and use tax.

Bill History: 01-12-09 H Filed

Ⓐ HB 565      McClendon      Relating to the abolition of the Texas Transportation Commission and the creation of the commissioner of transportation as an elected statutory state officer.

Bill History: 01-12-09 H Filed

- Ⓐ HB 569      Miller, Sid      Relating to notice of an application for a permit to dispose of oil and gas waste in a commercial disposal well.  
Bill History: 01-12-09 H Filed
- Ⓐ HB 571      England      Relating to permitting an owner, occupant, or lessee of agricultural land who is a certified prescribed burn manager to conduct a prescribed burn.  
Bill History: 01-12-09 H Filed
- Ⓐ HB 572      England      Relating to the imposition by a county or municipality of fees related to certain collection services.  
Bill History: 01-12-09 H Filed
- Ⓐ HB 575      Sheffield      Relating to a prohibition on the disclosure and use of certain information recorded or collected by a transponder used to electronically assess or collect a toll.  
Bill History: 01-12-09 H Filed
- Ⓐ HB 582      Dukes      Relating to informing the parents and guardians of certain children about the availability of the child health plan and medical assistance program.  
Bill History: 01-12-09 H Filed
- Ⓐ HB 583      Dukes      Relating to expansion of the electronic eligibility information pilot program operated by the Health and Human Services Commission.  
Bill History: 01-12-09 H Filed
- Ⓐ HB 584      Dukes      Relating to health benefits coverage for certain persons under the child health plan, medical assistance, and other programs.  
Bill History: 01-13-09 H Filed
- Ⓐ HB 591      Howard, Donna      Relating to staffing, overtime, and other employment protections for nurses.  
Bill History: 01-14-09 H Filed
- Ⓐ HB 606      Farabee      Relating to the exemption of volunteer fire departments from certain motor fuel taxes.  
Bill History: 01-14-09 H Filed
- Ⓐ HB 608      Castro      Relating to posttrial psychological counseling for jurors in a criminal trial or juvenile adjudication hearing involving graphic evidence or testimony.  
Bill History: 01-14-09 H Filed
- Ⓐ HB 610      Naishtat      Relating to the establishment of the Legislative Committee on

Aging.

Bill History: 01-14-09 H Filed

Ⓐ HB 621      Elkins      Relating to public improvement districts designated by a county or municipality.

Bill History: 01-14-09 H Filed

Ⓐ HB 641      Zerwas      Relating to the abolition of the Texas Transportation Commission and the creation of a commissioner of transportation as an elected statutory state officer.

Bill History: 01-15-09 H Filed

Ⓐ HB 644      Zerwas      Relating to the permissible uses of the state highway fund.

Bill History: 01-15-09 H Filed

Ⓐ HB 647      Dukes      Relating to the period of continuous eligibility for the medical assistance program.

Bill History: 01-15-09 H Filed

Ⓐ HB 650      Rodriguez      Relating to the low-income vehicle repair assistance, retrofit, and accelerated vehicle retirement program.

Bill History: 01-15-09 H Filed

Ⓐ HB 672      Hodge      Relating to the inclusion of an incarcerated person in the population data used for redistricting according to the person's last residence before incarceration.

Bill History: 01-16-09 H Filed

Ⓐ HB 675      Bonnen      Relating to a retired status license for an optometrist or therapeutic optometrist practicing voluntary charity care.

Bill History: 01-20-09 H Filed

Ⓐ HB 676      Eiland      Relating to eligibility for the child health plan.

Bill History: 01-20-09 H Filed

Ⓐ HB 691      Ortiz      Relating to ownership restrictions on the holders of permits and licenses authorizing the sale of alcoholic beverages.

Bill History: 01-20-09 H Filed

Ⓐ HB 696      Orr      Relating to a physician's authority to delegate prescribing acts to advanced practice nurses or physician assistants.

Bill History: 01-21-09 H Filed

Ⓐ HB 700      Zerwas      Relating to the limitation on increases in the appraised value of a residence homestead for ad valorem taxation.

Bill History: 01-21-09 H Filed



- Ⓐ HB 703      Rose      Relating to fall prevention awareness.  
Bill History: 01-21-09 H Filed
- Ⓐ HB 711      Rose      Relating to the limitation on increases in the appraised value of a residence homestead ad valorem taxation.  
Bill History: 01-21-09 H Filed
- Ⓐ HB 730      Miklos      Relating to the general penalty for violation of a traffic law of this state.  
Bill History: 01-22-09 H Filed
- Ⓐ HB 733      Fletcher      Relating to the definition of a police vehicle for the purposes of certain traffic laws.  
Bill History: 01-22-09 H Filed
- Ⓐ HB 736      Quintanilla      Relating to authorizing county regulation of nuisances and disorderly conduct.  
Bill History: 01-22-09 H Filed
- Ⓐ HB 739      Quintanilla      Relating to certain continuing education requirements for insurance agents who sell Medicare-related products.  
Bill History: 01-22-09 H Filed
- Ⓐ HB 743      Dukes      Relating to health benefits coverage for certain persons under the child health plan and other programs.  
Bill History: 01-22-09 H Filed
- Ⓐ HB 744      Dukes      Relating to the restoration of the medically needy program under the state Medicaid program.  
Bill History: 01-22-09 H Filed
- Ⓐ HB 745      Dukes      Relating to a strategic plan for the child health plan and medical assistance programs.  
Bill History: 01-22-09 H Filed
- Ⓐ HB 755      Gonzalez  
Tourelles      Relating to the creation of the county and district court technology fund.  
Bill History: 01-23-09 H Filed
- Ⓐ HB 764      Hartnett      Relating to eligibility for assignment as a visiting judge.  
Bill History: 01-23-09 H Filed
- Ⓐ HB 765      Hartnett      Relating to supplemental payments made to certain statutory probate court judges.  
Bill History: 01-23-09 H Filed
- Ⓐ HB 807      Gallego      Relating to allowing counties with no incorporated territory to

participate in programs designed to assist municipalities.

Bill History: 01-27-09 H Filed

⑥ HB 826      Gattis      Relating to the relationship between the amount of an administrative penalty imposed by the Texas Commission on Environmental Quality and the economic benefit of the violation to the alleged violator.

Bill History: 01-27-09 H Filed

⑥ HJR 11      Leibowitz      Relating to increasing the amount of the residence homestead exemption from ad valorem taxation.

Bill History: 11-10-08 H Filed

⑥ HJR 12      Leibowitz      Relating to authorizing the legislature to limit the maximum appraised value of a residence homestead for ad valorem tax purposes.

Bill History: 11-10-08 H Filed

⑥ HJR 13      Leibowitz      Relating to dedicating certain revenue derived from motor fuel taxes to the construction of public highways.

Bill History: 11-10-08 H Filed

⑥ HJR 14      Corte      Relating to the limiting the taking of private property.

Bill History: 11-10-08 H Filed

⑥ HJR 15      Riddle      Relating to a local option election limiting appraised values.

Bill History: 11-10-08 H Filed

⑥ HJR 17      Guillen      Relating to establishing a limitation on ad valorem tax.

Bill History: 11-10-08 H Filed

⑥ HJR 18      Martinez      Relating to increasing the amount of the residence homestead exemption.

Bill History: 11-10-08 H Filed

⑥ HJR 21      Callegari      Relating to authorizing the legislature to set a lower limit on maximum appraised values of a residence homestead for ad valorem taxation.

Bill History: 11-10-08 H Filed

⑥ HJR 22      Villarreal      Relating to ad valorem taxation of a residence homestead.

Bill History: 11-10-08 H Filed

⑥ HJR 25      Aycock      Relating to exemption from ad valorem taxes the portion of the assessed value of property attributable to the implementation on the property of a water conservation initiative, desalination

project or brush control initiative.

Bill History: 11-14-08 H Filed

Ⓐ HJR 26      Alonzo      Relating to the election of district judges from election subdistricts.

Bill History: 11-14-08 H Filed

Ⓐ HJR 27      Berman      Relating to establishing English as the official language of Texas and require that official acts of the government be taken in English.

Bill History: 11-17-08 H Filed

Ⓐ HJR 28      Herrero      Relating to exemption from ad valorem taxation a portion of the assessed value of the residence homesteads of military servicemembers who are serving on active duty.

Bill History: 11-21-08 H Filed

Ⓐ HJR 31      Anderson      Relating to prohibiting the state of a political subdivision of the state from taking private property for the primary purpose of economic development or to benefit a particular private party.

Bill History: 12-03-08 H Filed

Ⓐ HJR 35      Vaught      Allowing the Dallas County and Tarrant County Hospital Districts to expand their boundaries.

Bill History: 01-09-09 H Filed

Ⓐ HJR 41      Hopson      Increasing the residence homestead exemption from taxation for public school purposes and providing a reduction of the limitation on the total amount of taxes that may be imposed on the homesteads of the elderly or disabled.

Bill History: 01-16-09 H Filed

Ⓐ HJR 42      Zerwas      Limiting the maximum appraised value of a residence homestead for ad valorem tax purposes to 105 percent or more of the appraised value of the property for the preceding tax year.

Bill History: 01-21-09 H Filed








Ⓐ HJR 43      Zerwas      Relating to limiting the maximum appraised value of real property for ad valorem tax purposes to 110 percent or more of the appraised value of the property for the preceding tax year.

Bill History: 01-21-09 H Filed

Ⓐ HJR 44      Rose      Relating to limiting the maximum appraised value of a residence homestead for ad valorem tax purposes to 105 percent or more of the appraised value of the property for the preceding tax year.

Bill History: 01-21-09 H Filed

- Ⓐ SB 23      Zaffirini      Relating to the period of continuous eligibility for the medical assistance program.  
Bill History: 11-10-08 S Filed
- Ⓐ SB 30      Zaffirini      Relating to restoration of the medically needy program under the state Medicaid Program.  
Bill History: 11-10-08 S Filed
- Ⓐ SB 37      Zaffirini      Relating to providing home-and community-based support services under the Medicaid program to persons who are deaf-blind with multiple disabilities.  
Bill History: 11-10-08 S Filed
- Ⓐ SB 38      Zaffirini      Relating to considering school district disciplinary placement information for accountability purposes.  
Bill History: 11-10-08 S Filed
- Ⓐ SB 50      Zaffirini      Relating to the creation of the lifespan respite services pilot program.  
Bill History: 11-10-08 S Filed
- Ⓐ SB 58      Zaffirini      Relating to the administration of the Juvenile Justice Case Management System.  
Bill History: 11-10-08 S Filed
- Ⓐ SB 60      Zaffirini      Relating to the right of an employee who is a victim of crime time off from work to attend court proceedings related to that crime.  
Bill History: 11-10-08 S Filed
- Ⓐ SB 74      Nelson      Relating to limitation of liability for certain emergency care provided during a declared disaster.  
Bill History: 11-10-08 S Filed
- Ⓐ SB 75      Nelson      Relating to the establishment of a disaster and emergency education program.  
Bill History: 11-10-08 S Filed
- Ⓐ SB 76      Nelson      Relating to authorizing a children's health benefit plan for certain small employers.  
Bill History: 11-10-08 S Filed
- Ⓐ SB 111      Ellis      Relating to suspension of the unemployment compensation waiting period requirement during a disaster subject to a federal disaster declaration.  
Bill History: 11-10-08 S Filed

-  SB 119      Ellis      Relating to the implementation by the Commission on Environmental Quality of a low-emission vehicle program.  
Bill History: 11-10-08 S Filed
-  SB 135      Ellis      Relating to the creation and publication of cancer incidence maps by the Department of State Health Services.  
Bill History: 11-10-08 S Filed
-  SB 138      Ellis      Relating to the designation of certain election days as state holidays.  
Bill History: 11-10-08 S Filed
-  SB 146      Ellis      Relating to disclosure by a pharmacy of a list of prescription drug retail prices.  
Bill History: 11-10-08 S Filed
-  SB 152      Ellis      Relating to the standard of proof in health care liability claims involving emergency care.  
Bill History: 11-10-08 S Filed
-  SB 159      Ellis      Relating to application of the minimum wage to certain governmental entities.  
Bill History: 11-10-08 S Filed
-  SB 162      Ellis      Relating to the crediting of appropriated funds from the collection of taxes imposed on the sale of sporting goods.  
Bill History: 11-10-08 S Filed
-  SB 178      Gallegos      Relating to temporary housing and emergency shelters provided by a political subdivision for disaster victims.  
Bill History: 11-10-08 S Filed
-  SB 179      Gallegos      Relating to exempting certain hurricane preparation supplies from the sales tax for a limited period.  
Bill History: 11-10-08 S Filed
-  SB 187      Deuell      Relating to a Medicaid buy-in program for certain children with disabilities.  
Bill History: 11-10-08 S Filed
-  SB 190      Shapleigh      Relating to a sales and use tax rebate for certain low-income families.  
Bill History: 11-10-08 S Filed
-  SB 192      Shapleigh      Relating to an exemption from ad valorem taxation of the residence homesteads of certain totally disabled veterans.

- Bill History: 11-10-08 S Filed
- ④ SB 202      Shapleigh      Relating to provisional licensing of physicians to practice in underserved areas.  
Bill History: 11-10-08 S Filed
- ④ SB 216      Carona      Relating to permissible uses of state highway funds.  
Bill History: 11-10-08 S Filed
- ④ SB 217      Carona      Relating to the rate of the state gasoline tax and diesel fuel taxes.  
Bill History: 11-10-08 S Filed
- ④ SB 218      Nichols      Relating to the limitation on increase in the appraised value of a residence homestead for ad valorem taxation.  
Bill History: 11-10-08 S Filed
- ④ SB 219      Nichols      Relating to prohibiting the use of eminent domain to take private property for recreational purposes.  
Bill History: 11-10-08 S Filed
- ④ SB 220      Nichols      Relating to the conversion of a nontolled state highway or segment of the state highway system to a toll project.  
Bill History: 11-10-08 S Filed
- ④ SB 221      Nichols      Relating to the requirement that retail water and utility services maintain auxiliary generators for use during an extended power outage.  
Bill History: 11-10-08 S Filed
- ④ SB 229      West      Relating to the procurement methods authorized for public projects by certain local governments.  
Bill History: 11-10-08 S Filed
- ④ SB 245      Shapleigh      Relating to the use of direct recording electronic voting systems.  
Bill History: 11-10-08 S Filed
- ④ SB 246      Shapleigh      Relating to limits on political contributions and direct campaign expenditures by individuals, partnerships, partners and limited liability companies.  
Bill History: 11-10-08 S Filed
- ④ SB 251      Shapleigh      Relating to the posting of certain business tax incentives on Internet websites maintained by certain political subdivisions.  
Bill History: 11-10-08 S Filed
- ④ SB 253      Estes      Relating to the amount of a county expenditure for which competitive bidding is required.

- Bill History: 11-10-08 S Filed
- Ⓐ SB 254      Estes      Relating to the exemption of volunteer fire departments from certain motor fuel taxes.
- Bill History: 11-10-08 S Filed
- Ⓐ SB 259      Ellis      Relating to restrictions on the location and operation of concrete crushing facilities.
- Bill History: 11-10-08 S Filed
- Ⓐ SB 263      Carona      Relating to the issuance by the Transportation Commission of general obligation bonds for highway improvement projects.
- Bill History: 11-12-08 S Filed
- Ⓐ SB 274      Nichols      Relating to limitations on the location of injection wells.
- Bill History: 11-12-08 S Filed
- Ⓐ SB 278      Nelson      Relataing to appropriations to the Department of State Health Services for the prevention and treatment of substance abuse.
- Bill History: 11-12-08 S Filed
- Ⓐ SB 282      Nelson      Relating to grant programs to provide nutrition education to children.
- Bill History: 11-12-08 S Filed
- Ⓐ SB 286      Nelson      Relating to a health passport for Medicaid recipients.
- Bill History: 11-12-08 S Filed
- Ⓐ SB 287      Nelson      Relating to the use of electronic prescribing data transmission systems under the state Medicaid program.
- Bill History: 11-12-08 S Filed
- Ⓐ SB 288      Nelson      Relating to the review of a Medicaid recipient's electronic medication history by a Medicaid provider.
- Bill History: 11-12-08 S Filed
- Ⓐ SB 289      Nelson      Relating to ensuring that health information technology used in the medical assistance and child health plan programs conforms to certain standards.
- Bill History: 11-12-08 S Filed
- Ⓐ SB 293      Carona      Relating to the pledge of certain revenue of a regional transportation authority to the payment of bonds.
- Bill History: 11-13-08 S Filed
- Ⓐ SB 294      Hinojosa      Relating to optional fees on the registration of a vehicle imposed by a county.

- Bill History: 11-13-08 S Filed
- Ⓐ SB 299      Patrick, Dan      Relating to the limitation on increase in the appraised value of a residence homestead for ad valorem taxation.
- Bill History: 11-14-08 S Filed
- Ⓐ SB 304      Shapleigh      Relating to information obtained under the public information law for legislative purposes that indicates a crime has been committed by a governmental body or a governmental officer of employee.
- Bill History: 11-17-08 S Filed
- Ⓐ SB 313      Wentworth      Relating to the extension of the term of a reinvestment zone created under the Tax Increment Financing Act.
- Bill History: 11-21-08 S Filed
- Ⓐ SB 314      Wentworth      Relating to the treatment of longevity pay that is paid to certain judges and justices.
- Bill History: 11-21-08 S Filed
- Ⓐ SB 320      Wentworth      Relating to the qualifications for office of justice of the peace.
- Bill History: 11-21-08 S Filed
- Ⓐ SB 331      Carona      Relating to access to certain information under the public information law concerning public officers and employees.
- Bill History: 12-02-08 S Filed
- Ⓐ SB 339      Gallegos      Relating to uniform reentry procedures for essential personnel entering an area evacuated during a disaster or other emergency.
- Bill History: 12-08-08 S Filed
- Ⓐ SB 340      Gallegos      Relating to temporary housing and emergency shelters provided by a political subdivision for disaster victims.
- Bill History: 12-08-08 S Filed
- Ⓐ SB 346      Nelson      Relating to information submitted to and maintained in the immunization registry after an individual becomes an adult.
- Bill History: 12-08-08 S Filed
- Ⓐ SB 347      Nelson      Relating to the receipt and release of immunization information by the immunization registry in connection with a disaster.
- Bill History: 12-08-08 S Filed
- Ⓐ SB 349      Shapleigh      Relating to the period of continuous eligibility for the medical assistance program.
- Bill History: 12-09-08 S Filed



- Ⓐ SB 353      Shapleigh      Relating to nonpayment of hospitals under the state Medicaid program for certain preventable adverse conditions.  
Bill History: 12-10-08 S Filed
- Ⓐ SB 357      Patrick, Dan      Relating to a prohibition against the knowing employment of persons not lawfully present in the United States and the suspension of licenses held by certain employers for the knowing employment of those persons.  
Bill History: 12-12-08 S Filed
- Ⓐ SB 360      Patrick, Dan      Relating to exempting certain hurricane preparation supplies from the sales tax for a limited period.  
Bill History: 12-15-08 S Filed
- Ⓐ SB 361      Patrick, Dan      Relating to the requirement that water and sewer service providers ensure operations during an extended power outage.  
Bill History: 12-15-08 S Filed
- Ⓐ SB 376      Carona      Relating to the powers and duties of the Texas Department of Transportation related to county traffic officers.  
Bill History: 12-16-08 S Filed
- Ⓐ SB 383      Carona      Relating to the allocation to the Texas rail relocation and improvement fund of a portion of the revenue from the motor vehicle sales and use tax.  
Bill History: 12-19-08 S Filed
- Ⓐ SB 384      Carona      Relating to the promotion of toll projects by the Texas Department of Transportation.  
Bill History: 12-19-08 S Filed
- Ⓐ SB 388      Carona      Relating to the creation of the law enforcement integrity unit in the Department of Public Safety.  
Bill History: 12-23-08 S Filed
- Ⓐ SB 399      Seliger      Relating to abolishing the office of inspector of hides and animals.  
Bill History: 01-05-09 S Filed
- Ⓐ SB 404      Carona      Relating to the authority of certain toll project entities to enter into a comprehensive development agreement.  
Bill History: 01-06-09 S Filed
- Ⓐ SB 407      Shapiro      Relating to the appointment of part-time magistrates to hear truancy cases in certain counties.  
Bill History: 01-06-09 S Filed

- Ⓐ SB 414      Carona      Relating to conducting by electronic means a hearing to determine a defendant's ability to discharge certain fines and court costs.  
Bill History: 01-06-09 S Filed
- Ⓐ SB 430      West      Relating to higher education facilities as authorized projects in a public improvement district.  
Bill History: 01-08-09 S Filed
- Ⓐ SB 434      Wentworth      Relating to the establishment and operation of a motor-bus-only lane pilot program in certain counties.  
Bill History: 01-09-09 S Filed
- Ⓐ SB 459      Gallegos      Relating to disclosure by the Texas Commission on Environmental Quality of information related to emissions events.  
Bill History: 01-12-09 S Filed
- Ⓐ SB 461      Gallegos      Relating to eligibility to take the entrance examination for a beginning position in the fire department.  
Bill History: 01-12-09 S Filed
- Ⓐ SB 462      Gallegos      Relating to the repeal of the partial tax exemption for certain beer.  
Bill History: 01-12-09 S Filed
- Ⓐ SB 465      Zaffirini      Relating to the title of the members of the board of an emergency services district.  
Bill History: 01-13-09 S Filed
- Ⓐ SB 492      Nelson      Relating to the prohibition on certification of sex offenders as emergency medical services personnel.  
Bill History: 01-15-09 S Filed
- Ⓐ SB 525      Nelson      Relating to certain qualified alien physicians practicing medicine in this state.  
Bill History: 01-23-09 S Filed
- Ⓐ SB 526      Nelson      Relating to grants for federally qualified health centers.  
Bill History: 01-23-09 S Filed
- Ⓐ SB 533      Duncan      Relating to eminent domain, including certain limitations, procedures, and standards relating to the use of eminent domain.  
Bill History: 01-23-09 S Filed
- Ⓐ SB 558      Ogden      Relating to the designation of highway safety corridors.

- Bill History: 01-27-09 S Filed
- Ⓐ SJR 6      Ellis      Relating to the dedication of the revenue received from the sporting goods sales tax.
- Bill History: 11-10-08 S Filed
- Ⓐ SJR 8      Carona      Relating to the automatic adjustments of the rates of motor fuels taxes.
- Bill History: 11-10-08 S Filed
- Ⓐ SJR 9      Carona      Relating to limiting the purposes for which revenue from taxes on motor fuels and lubricants may be used.
- Bill History: 11-10-08 S Filed
- Ⓐ SJR 10      Nichols      Relating to limiting the maximum appraised value of a residence homestead for ad valorem tax purposes to 105 percent or less of the appraised value for the preceding tax year.
- Bill History: 11-10-08 S Filed
- Ⓐ SJR 13      Patrick, Dan      Relating to setting a lower limit on the maximum appraised value of a residence homestead for ad valorem taxation.
- Bill History: 11-14-08 S Filed
- Ⓐ SJR 16      Carona      Relating to exempting from ad valorem taxation a high-speed passenger rail facility.
- Bill History: 12-15-08 S Filed
- Ⓐ SJR 17      Van de Putte      Relating to the issuance of general obligation bonds to provide and guarantee loans to encourage the use of hydrogen as a cleaner fuel source.
- Bill History: 12-18-08 S Filed

- End of Report -

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**DRAFT – DRAFT – DRAFT – DRAFT – DRAFT – DRAFT – DRAFT – DRAFT**

**RESOLUTION**

WHEREAS; the execution of criminal warrants by local law enforcement agencies is a critical function that compels compliance with court actions, and

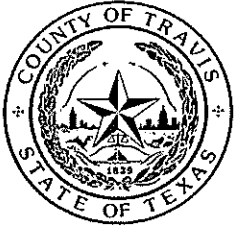
WHEREAS; the costs of providing warrant execution services are intended to be covered by a \$50 warrant fee for each warrant executed that is authorized by Article 102.011(a)(2), Texas Code of Criminal Procedure and paid for by criminal defendants, and

WHEREAS; the Texas Legislature has not increased the warrant fee in 10 years, and

WHEREAS; the Travis County Planning and Budget office determined in 2008 that the costs of executing warrants exceed \$85 per warrant, and

WHEREAS; Travis County taxpayers currently bear nearly 40% of the costs of executing criminal warrants that should be paid from warrant fee proceeds and not by the general citizenry,

THEREFORE BE IT RESOLVED that the Travis County Commissioners' Court urge the Texas Legislature to reduce this under-funded mandate on Texas counties by increasing the warrant fee to at least \$75.



# **Intergovernmental Relations**

**Deece Eckstein, Coordinator**

Granger Building, Suite 535

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## **LEGISLATIVE ACTION MEMO**

**TO:** Travis County Commissioners Court

**FROM:** Deece Eckstein, Coordinator, Intergovernmental Relations

**DATE:** Thursday, January 29, 2009

**RE:** Agenda Item No. 16-D

**CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING: ...**

**COUNTY POSITION REGARDING LEGISLATIVE OPTIONS TO INCREASE TRANSPORTATION MOBILITY FUNDING (CONTINUATION FROM LAST WEEK'S AGENDA)**

### **SUGGESTED MOTION**

[None]

### **Summary and IGR Coordinator Recommendation**

Last week, Commissioners Court considered a proposal by Joe Gieselman regarding legislative authority to local governments to increase transportation/mobility funding on a local level. The Court did not take action at that time, but asked TNR and IGR to bring the issue back to the Court.

The Court also asked that IGR contact other counties, particularly the larger urban counties, and determine what they are doing vis-à-vis this issue. IGR contact counterparts in Harris, Dallas, Bexar, El Paso and

Travis County Intergovernmental Relations

Deece Eckstein, Coordinator

January 29, 2009, Page 2

Tarrant counties, as well as the Conference of Urban Counties (CUC). IGR received information from Dallas and Tarrant counties. Harris and Bexar counties said they would find and provide information responsive to IGR's request. The CUC is not independently tracking the issue. IGR has followed up with requests for more information.

No bills have been filed yet this session, but the topic is generating a lot of attention.

IGR recommends that the Court:

1. Fully discuss and adopt a set of principles regarding legislation
2. Direct IGR to work with interested parties on Items 2-4, including asking for Legislative Council drafting assistance, and report back to the Court as soon as practicable with recommendations for Court action.

### **Attachments**

1. Joe Gieselman, "Legislative Options to Increase Transportation Mobility Funding," January 26, 2009.
2. Materials received from other counties in response to a request from IGR, January 28, 2009.



## 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

### AGENDA ITEM #A1 January 27, 2009

January 26, 2009

#### MEMORANDUM

TO: Members of the Commissioners Court

FROM: Joseph P. Gieselman  
Executive Manager

SUBJECT: LEGISLATIVE OPTIONS TO INCREASE TRANSPORTATION  
MOBILITY FUNDING.

#### SUMMARY AND STAFF RECOMMENDATION

A local coalition of interested groups, headed by the Real Estate Council of Austin (RECA), is seeking to garner a consensus of support for new State legislation that will provide alternative transportation funding sources. The menu of State and local options is varied, as shown on the attached Exhibit "A" compiled by RECA.

In preparation for its testimony before the State Senate's Transportation and Homeland Security Committee on April 23, 2008, the Travis County Commissioners Court adopted a "Position Statement on Alternatives to Transportation Mobility Funding" shown on attached Exhibit "B". While the position addresses multiple Statewide options, it only supports one local options, that being a local gas tax.

TNR has briefly evaluated RECA's list of alternative local sources of transportation revenues, attached "Exhibit C" and recommends that the Commissioners Court broaden its support to include other local options and also consider the following principles to guide its support and legislative efforts for alternative local transportation options during the current session:

**INCREASE STATE AND LOCAL TRANSPORTATION FUNDING  
2009 LEGISLATIVE SESSION**

**TRN-PROPOSED TRAVIS COUNTY PRINCIPLES**

- **USER-BASED:** New transportation funding source should be levied on users of the transportation system and/or sources that generate the use versus a levy on the general population or property owners.
- **NEXUS AND PROPORTIONAL TO USE:** New transportation funding source should tie to the source of the travel demand and be proportional to the actual demand or use of the transportation system, the more use or demand (ie., vehicle miles traveled), the more revenue generated.
- **MOBILITY:** New transportation funding should be dedicated to increasing regional mobility, that is, transportation system elements that function to move people (State highways, transit trunk lines, arterial roadways) and not local access (collectors/local streets, bus purchases, street maintenance, etc.).
- **NET INCREASE IN TRANSPORTATION FUNDING:** New transportation funding source should create a net increase in transportation funding and not merely substitute or reduce an existing transportation funding.
- **EFFICIENT AND ACCOUNTABLE USE OF FUNDS:** The collection, allocation, and use of the new funds should be efficient and accountable: no new bureaucracies, taxation with representation, low agency/administrative costs, and expeditious implementation of transportation projects.

**EXHIBITS**

- A** – RECA’s List of Increase Transportation Funding Options
- B** - Travis County April 23, 2008 “Position Statement on Alternatives to Transportation Mobility Funding”
- C** – TNR’s evaluation of RECA’s list of local options

cc. Deece Eckstein, County Intergovernmental Coordinator  
Greg Knaupe, Santos Alliance, Inc.  
Carol Joseph, TNR  
Cynthia McDonald, TRN  
Steve Manilla, TNR  
Charlie Watts, TNR  
Leroy Click, TNR



**INCREASE TRANSPORTATION FUNDING****Texas requires additional infrastructure and transportation funding for mobility improvements, but faces a tremendous gap from current sources.**

**BACKGROUND:** Transportation infrastructure is the backbone of our economy and impacts many aspects of our quality of life. The state's growing population means more wear and tear on roads, pressure on transit systems, and greater traffic congestion. Federal, state, and local funding sources required to build and maintain our transportation system are inadequate, rapidly eroding in value, and politically at risk. We have more than \$10 billion in road and transit projects waiting to happen in central Texas. With troubling news coming from the federal government and TxDOT, the time has come to allow communities the option to generate additional funding locally for transportation projects to help meet our increasing mobility needs.

**LEGISLATIVE ACTION:**

**Stop Diversions** - Good public policy and government transparency suggest that highway user fee and tax revenue should be used to fund highway construction, maintenance, and support activities. New legislative financial obligations on State Highway Fund 006 that are not directly related to transportation should be stopped. All highway user fee and tax revenue not constitutionally obligated should be redirected from the General Revenue Fund to the Texas Mobility Fund.

**Expand authority of RMAs to enter into CDAs** - S.B. 792 allowed the North Texas Tollway Authority (NTTA) authority to enter into comprehensive development agreements (CDAs). It also gave NTTA design-build authority and construction manager-at-risk authority. Legislation is needed to expand and enhance this authority for other regional mobility authorities (RMAs) in Texas and to allow locally created tollway authorities to develop their own transportation solutions.

**Adopt Enabling Legislation for Proposition 12** - Proposition 12 was adopted by Texas voters in 2005 and allows the Legislature to authorize the Texas Transportation Commission to issue up to \$5 billion in general obligation bonds for highway improvement projects with repayment of the bonds from the State's General Revenue Fund. Enabling legislation is needed to make statutory changes to the Government Code and implement this much needed bonding capacity.

**Appropriate Resources to Rail Relocation & Improvement Fund** - Moving freight rail traffic out of center cities in Texas' metropolitan areas will improve mobility and eliminate existing safety hazards to large population centers. The Texas Legislature should appropriate \$200 million to the Rail Relocation & Improvement Fund from General Revenue, which could be used to create a bond with funding capacity of \$2 billion over the next decade.

**Adopt Enabling Legislation for Local Option** - With significant shortfalls in available public funding for transportation projects at all levels, more financing options are needed. Enabling legislation should be developed that would allow individual counties or groups of counties to choose from a broad range of available options to generate new funding for transportation projects, specifically benefitting the local community and/or region. *(MORE DETAIL ON BACK.)*

## EXHIBIT "A" (CONT)

### Local Option Proposals from Across the State

Communities from around Texas have recommended the development of enabling legislation that would allow individual counties or groups of counties to choose from a broad range of available options to generate new funding for transportation projects. A local referendum or county commissioner approval would be required to apply any of the options based upon a specific implementation plan detailing projects, costs, and schedule. The revenue raised would be controlled and spent locally on projects specifically benefiting the local community and/or region.

Because each county and region in our state has its own unique funding needs, political climates, and leadership structures, the proposals we have obtained contain a broad array of funding options so that each community or region can select from a "menu of options" the funding approach that works best for them. The Transportation Coalition would support the inclusion of central Texas into some of these legislative solutions to benefit our region. Other local option funding mechanisms deserve more careful consideration to determine the benefits before the coalition would recommend the inclusion of our region.

The following local option taxes/fees have been included in local option menu lists for other regions of Texas:

- **Sales Tax on Retail Gasoline Sales** – Allow a sales tax of up to 4 cents on gasoline/diesel sales within a county or region. The amount collected would rise or fall with the price of gas.
- **Motor Vehicle Sales Tax** – Allow a sales tax of 1.75% on motor vehicle sales within a county or region.
- **County or Regional Sales Tax** – Allow establishment of a countywide or regional sales tax up to ½ cent and adjustments to the sales tax cap to allow counties to apply such a tax, if approved by voters.
- **County or Regional Property Tax** – Allow optional increases to existing property tax rates for a county or region.
- **Transportation Property Tax** – Allow the creation of a special tax district for a regional or local transportation authority to levy taxes of \$0.02 per \$100 assessed value on commercial and industrial zoned property, or property used for commercial or industrial purposes within the district.
- **Property Sales Fee** – Allow the addition of a fee to sales price of residential and commercial properties.
- **Vehicle Registration Fee** – Allow optional increases to the existing vehicle registration fee in increments of at least \$10.00, as already provided for Cameron and Hidalgo Counties and administered by the RMA.
- **Vehicle Purchase Fee** – Allow the addition of a fee to sales prices of passenger motor vehicles.
- **New Resident Impact Fee** – Allow additional registration fee of \$100 for new residents of a county or region.
- **Non-Resident Commuter Fee** – Allow a fee charged on non-resident vehicles driven into region.
- **Distance-Based Road User Fee** – Allow the creation of a user fee based on mileage; also known as VMT or vehicle miles traveled.
- **Safety Inspection Fee** – Allow \$10.00 addition to the existing vehicle safety inspection fee.
- **Congestion Charges** – Designed to reduce congestion in peak periods on specific facilities; can be implemented area-wide, or variable by facility, time, or congestion level.

## EXHIBIT "B"

### Policy Statement on Alternatives to Transportation Mobility Funding Travis County (Approved April 22, 2008)

#### Policy Position

- **Appropriate highway user fee and tax revenue for highway construction and maintenance-** Currently State Highway User Fee/Tax is dedicated to General Fund Revenue. Travis County supports efforts to redirect from \$200-\$250 million of this revenue to the Texas Mobility Fund. The additional funding will help provide leverage for future transportation projects.
- **Index motor fuel tax-** Normal inflation increases the costs of roadway construction and maintenance. Travis County supports the concept that the motor fuel tax should be linked to the highway cost index or some other indicator so that the motor fuel tax increases as the costs of maintenance and construction grows.
- **Increase motor fuels tax-** There has been no increase in State fuel tax since 1991 and no federal increase since 1993. Proposals by area advocates show that an increase of 16 cents over the 20 cent motor fuel tax could increase revenue by 27.3 billion in 20 years. Travis County supports an increase in this tax.
- **Cap or reduce diversions from Fund 6-** Currently, nearly 24 percent of the gas tax revenue by the State of Texas goes to fund Public Schools. Another 13 percent goes toward the Department of Public Safety. TXDOT receives 59 percent of the gas tax fund that goes toward maintenance and construction of transportation projects. Travis County supports a reduction in diversions or capping of diversions.
- **Establish a local option transportation tax-** In the 2005 Legislative session, Senator Barrientos authored a Resolution to authorize a county to enact a local tax on the sale of gasoline to be used within the County for local transportation projects. The Bill was left pending in Committee. Travis County supports reintroducing legislation to provide for a local gas tax.
- **Travis County proposes that the State Legislature urges the Federal government to stop rescissions and diversions and to appropriate more dollars to Texas transportation projects.**

RECA Transportation Funding Options

Option	Description	Information Needed & Source (for revenue projection)	Level of Difficulty	Impact & Implementation
Sales Tax on Retail Gasoline Sales	Allow a sales tax of up to 4 cents on gasoline/diesel sales within a county or region. The amount collected would rise or fall with the price of gas.	<ul style="list-style-type: none"> <li>• Definition of region</li> <li>• Amount (and volume) of gasoline/diesel sales within county for FY07, and FY08 YTD -- state comptroller's office</li> </ul>	Med	<ul style="list-style-type: none"> <li>• Vehicle owners</li> <li>• Assessed at the pump</li> </ul>
Motor Vehicle Sales Tax	Allow a sales tax of 1.75% on motor vehicle sales within a county or region	<ul style="list-style-type: none"> <li>• Amount of vehicle sales -- from tax office revenue projections for FY09</li> </ul>	Low	<ul style="list-style-type: none"> <li>• Vehicle owners</li> <li>• Assessed at time vehicle is purchased</li> </ul>
County or Regional Sales Tax	Allow establishment of a countywide or regional sales tax up to ½ cent and adjustments to the sales tax cap to allow counties to apply such a tax, if approved by voters.	<ul style="list-style-type: none"> <li>• Amount of sales within county for FY07 and FY08 YTD -- state comptroller's office</li> </ul>	Med	<ul style="list-style-type: none"> <li>• All residents</li> <li>• Assessed upon purchase</li> </ul>
County or Regional Property Tax	Allow optional increases to existing property tax rates for a county of region.	<ul style="list-style-type: none"> <li>• Value of all residential property in Travis County -- TCAD</li> </ul>	Med	<ul style="list-style-type: none"> <li>• Property owners</li> <li>• Assessed with property tax</li> </ul>
Transportation Property Tax	Allow the creation of a special tax district for a regional or local transportation authority to levy taxes of \$0.02 per \$100 assessed value on commercial and industrial zoned property, or property used for commercial or industrial purposes within the district.	<ul style="list-style-type: none"> <li>• Value of all commercial/industrial property in Travis County -- TCAD</li> </ul>	Med	<ul style="list-style-type: none"> <li>• Commercial and industrial property owners</li> <li>• Assessed with property tax</li> </ul>
Property Sales Fee	Allow the addition of a fee to sales price of residential and commercial properties.	<ul style="list-style-type: none"> <li>• Will fee be flat, or % of sales price?</li> <li>• Number and amount of residential and commercial sales for FY07, and FY08 YTD -- source???</li> </ul>	High	<ul style="list-style-type: none"> <li>• Residential and commercial property buyers</li> <li>• Assessed at time of purchase</li> </ul>
Vehicle Registration Fee	Allow optional increases to the existing vehicle registration fee in increments of at least \$10.00, as already provided for Cameron and Hidalgo Counties and administered by the RMA.	<ul style="list-style-type: none"> <li>• Number of registered vehicles for Travis County -- Tax Office</li> </ul>	Low	<ul style="list-style-type: none"> <li>• Vehicle owners</li> <li>• Assessed with vehicle registration</li> </ul>

**RECA Transportation Funding Options**

Vehicle Purchase Fee	Allow the addition of a fee to sales prices of passenger motor vehicles.	<ul style="list-style-type: none"> <li>Assuming flat fee</li> <li>Number of vehicles sold in County for FY07, and FY08 YTD – Tax Office?</li> </ul>	Low	<ul style="list-style-type: none"> <li>Vehicle owners</li> <li>Assessed at time of purchase</li> </ul>
New Resident Impact Fee	Allow additional registration of \$100 for new residents of a county or region.	<ul style="list-style-type: none"> <li>Fee per head, or per household?</li> <li>Not sure where to get information</li> </ul>	High	<ul style="list-style-type: none"> <li>New residents</li> <li>How to assess and enforce?</li> </ul>
Non-Resident Commuter Fee	Allow a fee charged on non-resident vehicles driven into region.	<ul style="list-style-type: none"> <li>Commuters only, or all non-resident?</li> <li>Number of non-resident vehicles driven into region.</li> <li>Not sure where to get information</li> </ul>	High	<ul style="list-style-type: none"> <li>Non-resident commuters</li> <li>How to assess and enforce?</li> </ul>
Distance-Based Road User Fee	Allow the creation of a user fee based on mileage; also known as VMT or vehicle miles traveled.	<ul style="list-style-type: none"> <li>All vehicles (i.e. commercial and personal; resident and non-resident?)</li> <li>VMT for each vehicle driven in County</li> <li>Not sure where to get information</li> </ul>	High	<ul style="list-style-type: none"> <li>Vehicle owners</li> <li>How to assess and enforce?</li> </ul>
Safety Inspection Fee	Allow \$10.00 addition to the existing vehicle safety inspection fee.	<ul style="list-style-type: none"> <li>Number of registered vehicles in Travis county – Tax Office</li> </ul>	Low	<ul style="list-style-type: none"> <li>Vehicle owners</li> <li>Assessed with vehicle inspection</li> </ul>
Congestion Charges	Designed to reduce congestion in peak periods on specific facilities; can be implemented area-wide, or variable by facility, time, or congestion level.	<ul style="list-style-type: none"> <li>Definition of peak times</li> <li>Which roads?</li> <li>Is fee flat, or percentage?</li> <li>Not sure where to get information</li> </ul>	High	<ul style="list-style-type: none"> <li>Vehicle owners</li> <li>How to assess and enforce? Toll?</li> </ul>

Level of Difficulty

Low – Information should be available within TNR or other County department.

Med – Information should be available from another agency, i.e. state, city, TCAD, etc.

High – Not sure where to get information and/or option not clear



**LEGISLATIVE POLICY STATEMENT**  
**Tarrant County Commissioners Court**

**SUBJECT: Local Option Funding for Regional Rail in North Central Texas**

**DATE: September 30, 2008**                      **COURT ORDER NO. \_\_\_\_\_**

Implementation of the passenger rail service component of the Metropolitan Transportation Plan for North Central Texas is essential for addressing the mobility and air quality needs of the citizens of this area. Extensive study by local elected officials and transportation professionals has determined that the best feasible means of funding these efforts would have to be approved by a vote of the citizens and could include new fees, new bonding authority or dedicated sales taxes.

**THE COMMISSIONERS COURT OF TARRANT COUNTY STRONGLY SUPPORTS EFFORTS TO IMPROVE THE MOBILITY AND AIR QUALITY NEEDS OF TARRANT COUNTY CITIZENS AND, THEREFORE, SUPPORTS LEGISLATION TO AUTHORIZE LOCAL GOVERNMENTS TO CONDUCT A LOCAL OPTION ELECTION TO ESTABLISH FUNDING FOR TRANSIT.**

**IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND CAUSED THE GREAT SEAL OF TARRANT COUNTY TO BE AFFIXED THIS 30<sup>TH</sup> DAY OF SEPTEMBER 2008.**

\_\_\_\_\_  
**B. Glen Whitley**  
**County Judge**

\_\_\_\_\_  
**Roy C. Brooks**  
**Commissioner, Precinct 1**

\_\_\_\_\_  
**Gary Fickes**  
**Commissioner, Precinct 3**

\_\_\_\_\_  
**Marti VanRavenswaay**  
**Commissioner, Precinct 2**

\_\_\_\_\_  
**J.D. Johnson**  
**Commissioner, Precinct 4**



**LEGISLATIVE POLICY STATEMENT**  
**Tarrant County Commissioners Court**

**SUBJECT: Transportation / Transit**

**DATE: September 30, 2008**

**COURT ORDER NO. \_\_\_\_\_**

Transportation issues are and will remain a top priority for the Tarrant County Commissioners Court. The continued growth, economic development and overall quality of life of Tarrant County citizens are heavily dependant on the ability to travel quickly and efficiently throughout the region and the state.

**THE COMMISSIONERS COURT OF TARRANT COUNTY SUPPORTS LEGISLATIVE EFFORTS NECESSARY TO IMPROVE THE MOBILITY OF ALL TEXANS, AND MORE SPECIFICALLY SUPPORTS EFFORTS TO:**

- **AUTHORIZE LOCAL GOVERNMENTS TO RAISE REVENUE TO FUND REGIONAL RAIL TRANSIT AND OTHER NEEDED TRANSPORTATION IMPROVEMENTS;**
- **STOP DIVERSION OF TRANSPORTATION REVENUE AND FUNDING TO OTHER USES;**
- **FULLY FUND THE RAIL RELOCATION AND IMPROVEMENT PROGRAM;**
- **FULLY FUND THE TEXAS MOBILITY FUND; AND**
- **ENCOURAGE THE STATE TO FIND ADDITIONAL FUNDING FOR TRANSPORTATION.**

**IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND CAUSED THE GREAT SEAL OF TARRANT COUNTY TO BE AFFIXED THIS 30<sup>th</sup> DAY OF SEPTEMBER 2008.**

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**B. Glen Whitley**  
**County Judge**

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**Roy C. Brooks**  
**Commissioner, Precinct 1**

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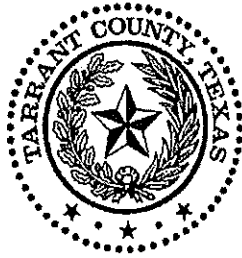
**Gary Fickes**  
**Commissioner, Precinct 3**

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**Marti VanRavenswaay**  
**Commissioner, Precinct 2**

---

**J.D. Johnson**  
**Commissioner, Precinct 4**



**RESOLUTION  
IN SUPPORT OF THE DALLAS-FORT WORTH  
REGIONAL TRANSPORTATION COUNCIL LEGISLATIVE  
PROGRAM FOR THE 81<sup>st</sup> TEXAS LEGISLATURE**

**Whereas**, the State of Texas is facing a transportation funding crisis due to factors such as revenue sources that have not kept up with inflation, large increases in construction costs, federal rescissions, diversion of State transportation funds, an aging transportation system, and future uncertainty for the federal Highway Trust Fund; and

**Whereas**, an integrated system of highways, toll roads, local streets, passenger rail, freight rail, and aviation facilities is essential to the movement of people and goods within an through our region in order to continue to have economic success; and

**Whereas**, local governments are funding a larger share of transportation improvements through local sales taxes, property taxes, toll roads, and allocations from general funds due to decreasing federal and State revenues;

**NOW, THEREFORE, BE IT RESOLVED**, that the Commissioners Court of Tarrant County does hereby express its strong support for the three point legislative plan of the DFW Regional Transportation Council which calls for :

1. Support of the Rail North Texas initiative to provide options to fund regional rail.
2. Support initiatives to expedite backloged roadway projects.
3. Capitalize the Rail Relocation Improvement Fund.

**IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND CAUSED THE GREAT SEAL OF TARRANT COUNTY TO BE AFFIXED THIS 13th DAY OF JANUARY, 2009.**

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B. Glen Whitley  
County Judge

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Roy C. Brooks  
Commissioner, Precinct 1

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Gary Fickes  
Commissioner, Precinct 3

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Marti VanRavenswaay  
Commissioner, Precinct 2

---

J.D. Johnson  
Commissioner, Precinct 4



### Travis County Commissioners' Court Agenda Request

Meeting Date: FEBRUARY 3, 2009

I. A. Requestor: DEECE ECKSTEIN, IGR Phone # 854-9754

B. Specific Agenda Wording:

**CONSIDER AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY ELIGIBILITY FOR FUNDS FROM THE FEDERAL ECONOMIC STIMULUS PACKAGE, INCLUDING:**

- A. Revisions to the original "bricks and mortar" package document presented to Commissioners Court on December 16, 2008.
- B. Status report on Expanded List of Projects for which Travis County may be eligible based on recent congressional committee action

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.

SEE LIST BELOW	

III. Required Authorizations: Please check if applicable:

**NONE APPLICABLE.**

**NAMES, PHONE NUMBERS AND EMAIL ADDRESSES OF PERSONS WHO MIGHT BE AFFECTED BY OR BE INVOLVED WITH THIS REQUEST:**

Alicia Perez, Executive Manager  
 Administrative Operations  
 Phone: 854-9343  
 Email: Alicia.Perez@co.travis.tx.us

**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.

Rodney Rhoades, Executive Manager  
Planning and Budget Office  
Phone: 854-9106  
Email: rodney.rhoades@co.travis.tx.us

Danny Hobby, Executive Manager  
Emergency Medical Services  
Phone: 854-4416  
Email: danny.hobby@co.travis.tx.us

Joe Gieselman, Executive Manager  
Transportation and Natural Resources  
Phone: 854-9383  
Email: JOE.GIESELMAN@co.travis.tx.us

Roger Jefferies, Executive Manager  
Justice and Public Safety  
Phone: 854-4415  
Email: ROGER.JEFFERIES@co.travis.tx.us

Sherrie Fleming, Executive Manager  
Health and Human Services  
Phone: 854-4101  
Email: Sherri.Fleming@co.travis.tx.us

Cyd Grimes  
Purchasing Agent  
Phone: 854-9700  
Email: CYD.GRIMES@co.travis.tx.us

David Escamilla  
County Attorney  
Phone: 854-9415  
Email: David.Escamilla@co.travis.tx.us

**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.

Item # \_\_\_\_\_

Susan Spataro  
County Auditor  
Phone: 854-9125  
Email: Susan.Spataro@co.travis.tx.us

**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.



# Intergovernmental Relations

**Deece Eckstein, Coordinator**

Granger Building, Suite 535

(512) 845-9754

[deece.eckstein@co.travis.tx.us](mailto:deece.eckstein@co.travis.tx.us)

**TO: Travis County Commissioners Court**

**FROM: Deece Eckstein, Coordinator, Intergovernmental Relations**

**DATE: Thursday, January 29, 2009**

**RE: Background Materials for Agenda Item No. 17**

**CONSIDER AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY ELIGIBILITY FOR FUNDS FROM THE FEDERAL ECONOMIC STIMULUS PACKAGE, INCLUDING:**

- A. Revisions to the original "bricks and mortar" package document presented to Commissioners Court on December 16, 2008.
- B. Status report on Expanded List of Projects for which Travis County may be eligible based on recent congressional committee action

## **SUGGESTED MOTION**

[None]

## **Summary and IGR Coordinator Recommendation**

On December 16, 2008, IGR and the Executive Managers presented a list of "shovel-ready" projects to be included in the federal Economic Stimulus Package (ESP) to the Court for its consideration and action. The Court directed IGR to obtain additional information from the Managers regarding certain features of the projects (e.g., number of jobs created, work duration). **A spreadsheet detailing the updated information is attached.**

Travis County Intergovernmental Relations

Deece Eckstein, Coordinator

January 29, 2009, Page 2

In the meantime, the scope of the proposed Economic Stimulus Package has expanded tremendously. At the end of last week, the chairs of the House and Senate Appropriations Committees released summaries of their respective bills. The House Committee passed its bill on Friday, January 23, 2009, and the bill was debated on the House floor on Wednesday, January 28, 2009. The Senate bill is still being marked up in committee.

IGR sent a request for information to the Executive Managers on Monday, January 26, 2009, asking them to review the committee summaries and identify Travis County needs and projects which may be eligible for ESP funding. **A copy of the request is attached.**

Although the outlines of the ESP are becoming clearer, much is still unknown about the specifics of what projects will be funded, how eligibility will be determined, what the application process will look like, etc.

IGR recommends that the Court:

1. Give feedback to IGR and the Executive Managers regarding the original "bricks and mortar" list; and
2. Direct IGR to work with the Executive Managers to monitor the drafting, passage and execution of the ESP and its implementation, reporting back to the Court as necessary.

### **Attachments**

1. Revised "bricks and mortar" spreadsheet (in 11" x 17" format)
2. Memo sent to Executive Managers, January 26, 2009
3. Summary of key provisions of U.S. Senate and House versions of the Economic Stimulus Package (ESP)
4. "Expanded list" worksheet
5. Instructions for completing "expanded list" worksheet

Travis County, Texas  
Infrastructure Projects Priority List

Type of Project	Project	Project Location			"Shovel Ready" Time Frame			New jobs created			What percentage of new jobs in this project ...		LEED certification		Estimated Cost	Subtotal
		Pct. (s)	H.D. (s)	C.D. (s)	7/1 2009	10/1 2009	1/1 2010	Temporary	How long?	Perma- nent	pay above median income?	use existing Travis County workforce?	Yes/ No?	LEED points goal?		
Roads/Highways																
	Ferguson-Tuscany Way	1	46	10	X			32	14 mo		33%	56%			\$3,500,000	
	Blake-Manor Realignment	1	46	10	X			7	10 mo		33%	56%			\$700,000	
	Howard Lane I	1,2	46, 50	10	X			110	24 mo		33%	56%			\$12,000,000	
	Gattis School Road	2	50	10	X			75	18 mo		33%	56%			\$8,166,900	
	McKinney Falls Parkway Extension Ph I	4	51	25	X			28	13 mo		33%	56%			\$3,000,000	
	Hunters Bend Roadway/Sidewalk Safety	1	46	25	X			5	7 mo		33%	56%			\$500,000	
	McKinney Falls Parkway Pedestrian Way	4	51	25	X			8	6 mo		33%	56%			\$760,000	
	Wells Branch Pkwy/Thermal Dr Sidewalk	2	50	10	X			11	6 mo		33%	56%			\$1,100,000	
	Gilleland Crk Trl Phase 3	2	50	10	X			9	13 mo		33%	56%			\$872,000	
	Parmer Lane IB/IIA (Public-Private-Public)	1	46	10	X			5	6 mo		33%	56%			\$500,000	
	<b>SUBTOTAL - Roads / Highways</b>															<b>\$10,432,000</b>
Paving Projects																
	Bratton Ln (Merrilltown Dr To IH-35 Service Rd)	2	50	10	X						33%	56%			\$87,064	
	Brodie Ln (Forest Oak Dr to 500' South of Ben Garza Dr)	3	47	25	X						33%	56%			\$117,615	
	David Thomas Rd (Camino Alto to Toro Canyon Rd)	3	48	10	X						33%	56%			\$14,828	
	El Dorado Dr (El Rey Blvd to El Rey Blvd)	3	47	25	X						33%	56%			\$182,270	
	Eventide Ln (Accomac Dr to Austin Cll)	3	47	25	X						33%	56%			\$28,005	
	Twilight Trl (Eventide Ln to Brodie Ln)	3	47	25	X						33%	56%			\$40,119	
	Albert Brown Dr (Hwy 71 to Greenwood)	4	51	25	X						33%	56%			\$64,205	
	Blocker Ln (Moore Rd to Von Quintus Rd)	4	51	25	X						33%	56%			\$148,105	
	Blue Goose Rd (Cameron Rd to Cll Austin)	1	50	10	X						33%	56%			\$116,925	
	Bob Johnson Rd (FM 1626 Rd to Bob Johson Rd)	3	47	25	X						33%	56%			\$34,605	
	Bratton Ln (Long Vista Dr to IH 35)	2	50	10	X						33%	56%			\$134,052	
	Brown Ln (Austin Cll to Cll Austin)	1	50,	10	X						33%	56%			\$68,794	
	City Park Rd (537' South of Glenlake Dr to 1377' East of Westcliff Pl)	3	48	21	X						33%	56%			\$161,236	
	County Line Rd (Littig Rd to US Hwy 290)	1	46	10	X						33%	56%			\$70,397	
	East Darleen Dr (Womack Dr to Trails End Rd)	3	48	21	X						33%	56%			\$26,569	
	Elm Grove Rd (Old Lockhart Hwy to Williamson Rd)	4	51	25	X						33%	56%			\$152,475	
	Elroy Rd (Mc Angus Rd to Fagerquist Rd)	4	51	25	X						33%	56%			\$72,285	
	Elroy Rd (Fagerquist to Fm 812 Rd)	4	51	25	X						33%	56%			\$120,460	
	First St (Trails End Rd to E Darleen Dr)	3	48	21	X						33%	56%			\$36,494	
	Fitzhugh Rd (Travis-Hays Co to Travis-Hays Co)	3	47	25	X						33%	56%			\$44,377	
	Greenwood Dr (Albert Brown Dr to Caldwell Ln)	4	51	25	X						33%	56%			\$51,623	
	Hamilton Pool Rd (RR 3238 to Stagecoach Ranch Rd)	3	47	21	X						33%	56%			\$410,567	
	Hudson Loop (FM 2769 Rd to FM 2769)	3	48	21	X						33%	56%			\$11,967	
	Johnny Morris Rd (Breezy Hill Dr to US Hwy 290)	1	46	25	X						33%	56%			\$124,237	
	Littig Rd (Bitting School to Travis-Bstrp Cl)	1	46	10	X						33%	56%			\$140,376	
	Maha Loop Rd (Schriber Rd to Van Quintus Rd)	4	51	25	X						33%	56%			\$179,659	
	Manana St (Pearce Rd to 2353 Ft South of Pearce Rd)	3	48	21	X						33%	56%			\$91,235	
	Meurer Ln (Wolf Ln to End of Rd)	4	51	25	X						33%	56%			\$78,675	
	Middle Darleen (North Darleen Dr to Dead End)	3	48	21	X						33%	56%			\$13,284	
	Moore Rd (FM 973 Rd to Maha Loop Rd)	4	51	25	X						33%	56%			\$131,549	

Travis County, Texas  
Infrastructure Projects Priority List

Type of Project	Project	Project Location			"Shovel Ready" Time Frame			New jobs created			What percentage of new jobs in this project ...		LEED certification		Estimated Cost	Subtotal
		Pct. (s)	H.D. (s)	C.D. (s)	7/1 2009	10/1 2009	1/1 2010	Tempo-rary	How long?	Perma-ment	pay above median income?	use existing Travis County workforce?	Yes/ No?	LEED points goal?		
	Murfin Rd (RM 620 to River Rd)	3	47	21	X						33%	56%			\$163,651	
	North Darleen Dr (East Darleen Dr to Dead End)	3	48	21	X						33%	56%			\$27,052	
	Nuckols Crossing Rd (Old Lockhart to 2400' East (Austin Cll))	4	51	25	X						33%	56%			\$52,699	
	Old Lockhart Hwy (Bluff Spgs to Rinard Rd)	4	51	25	X						33%	56%			\$109,591	
	Old Lockhart Hwy (Rinard Rd to FM 1625)	4	51	25	X						33%	56%			\$155,373	
	Old Manchaca Rd (Austin Cll to FM 1626)	3	47	25	X						33%	56%			\$45,892	
	Parkview Dr (End of Lp to Summit Dr)	2	50	10	X						33%	56%			\$49,888	
	Peter Martin Rd (362' West of Secretariate Ridge Ln to Greenridge Dr)	2	50	10	X						33%	56%			\$65,324	
	Platt Ln (End to FM 973 Rd)	1	46	25	X						33%	56%			\$93,979	
	Prairie Ln (Summit Dr to Round Rock Cll)	2	50	10	X						33%	56%			\$40,644	
	Quinlan Park Rd (Steiner Ranch to Lake Austin Sho)	3	48	21	X						33%	56%			\$400,818	
	Schriber Rd (Maha Rd to Evelyn Rd)	4	51	25	X						33%	56%			\$161,478	
	Summit Dr (End to Prairie Ln)	2	50	10	X						33%	56%			\$30,719	
	The High Rd (Westlake Dr to Toro Canyon Rd)	3	48	10	X						33%	56%			\$58,935	
	The High Rd (Toro Canyon Rd to End)	3	48	10	X						33%	56%			\$49,669	
	Toro Canyon Rd (The High Rd to Westlake Dr)	3	48	10	X						33%	56%			\$55,465	
	Turnersville Rd (Creedmoor Cl to Williamson Rd)	4	51	25	X						33%	56%			\$162,554	
	Von Quintus Rd (Maha Loop Rd to Blocker Ln)	4	51	25	X						33%	56%			\$105,617	
	Wolf Ln (Meurer to Travis-Bastrop Cl)	4	51	25	X						33%	56%			\$152,233	
	Womack Dr (Dead End to W Darleen Dr)	3	48	21	X						33%	56%			\$18,291	
	<b>SUBTOTAL - Paving Projects</b>								<b>43</b>	<b>8 mo</b>						<b>\$4,953,926</b>
Bridges																
	Slaughter Lane Bridge over Onion Creek	4	47	25	X				1	1 mo		56%			\$70,000	
	<b>SUBTOTAL - TNR Bridge Construction</b>															<b>\$70,000</b>
	<b>SUBTOTAL - TNR Road Construction</b>															<b>\$15,455,926</b>
Transit Systems																
Airport Construction																
Water Systems																
Sewage Treatment Plants																
School Construction																
Recreation Facilities																
	Facilities Management New Roof for Expo Center	1	46	10			X		25	4		Yes		No	N/A	\$1,200,000
	<b>SUBTOTAL - Facilities Management Expo Roof Replacement</b>															<b>\$1,200,000</b>

Travis County, Texas  
Infrastructure Projects Priority List

Type of Project	Project	Project Location			"Shovel Ready" Time Frame			New jobs created			What percentage of new jobs in this project ...		LEED certification		Estimated Cost	Subtotal
		Pct. (s)	H.D. (s)	C.D. (s)	7/1 2009	10/1 2009	1/1 2010	Tempo-rary	How long?	Perma-ment	pay above median income?	use existing Travis County workforce?	Yes/ No?	LEED points goal?		
Housing (Construction & Rehabilitation)																
Broadband Deployment																
	Information Technology (Joe Harlow): GAATN fiber connection to the TSCO West Command Centers														\$500,000	
	<b>SUBTOTAL - Information Technology Investments</b>															<b>\$500,000</b>
County																
	Facilities Management: Del Valle Wellness Clinic - \$369,000	4	51	25	X			20	6		Yes		No	N/A	\$369,000	
	Facilities Management: New CSCD 72 Bed Smart Building	4	51	25		X		50	9		Yes		Yes	33	\$3,504,726	
	<b>SUBTOTAL - Facilities Management Construction</b>															<b>\$3,873,726</b>
	Facilities Management: Smith Road-Expansion of FMD Warehouse	4	51	25	X			20	3		Yes	Yes	No	N/A	\$59,123	
	Facilities Management: Smith Road Coop Extension Restroom Expansion	4	51	25	X			10	2		Yes		No	N/A	\$57,617	
	Facilities Management: Granger 3rd & 4th Floor Entry Security Renovation	4	49	21	X			10	2		Yes		No	N/A	\$38,319	
	Facilities Management: PCT Two Office Building-1st Floor Renovation	2	48	10	X			50	9		Yes		No	N/A	\$947,604	
	<b>SUBTOTAL - Facilities Management Renovation</b>															<b>\$1,102,663</b>
	<b>SUBTOTAL- ADMINISTRATION (FAC MNGMNT, ITS)</b>															<b>\$6,676,389</b>
	Security Perimeter Fence at Del Valle	4	51	25	X	X	X	X	Weeks		Unknown	Unknown	No	N/A	\$2,000,000	
	Security/Control panels completion Bldg. 2 & 3	4	51	25			X	X	Weeks		Unknown	Unknown	No	N/A	\$200,000	
	Parking lot expansion TCCC	4	51	25	X				Weeks		Unknown	Unknown	No	N/A	\$200,000	
	Property warehouse shelving (space saving)	4	51	25	X				Weeks		Unknown	Unknown	No	N/A	\$600,000	
	Miscellaneous Major Maintenance Facilities Work	4	51	25	X	X	X	X	Weeks		Unknown	Unknown	No	N/A	\$1,500,000	
	Security cameras/upgrade Central Booking	5	49	25	X			X	Weeks		Unknown	Unknown	No	N/A	\$400,000	
	<b>SUBTOTAL - Sheriff's Office Renovation</b>															<b>\$4,900,000</b>
Hospitals/Clinics																
Rural Water/Waste Water Backlog Projects																
Green Infrastructure Projects (wind, solar, etc.)																



**Travis County, Texas  
Infrastructure Projects Priority List**

Type of Project	Project	Project Location			"Shovel Ready" Time Frame			New jobs created			What percentage of new jobs in this project ...		LEED certification		Estimated Cost	Subtotal
		Pct. (s)	H.D. (s)	C.D. (s)	7/1 2009	10/1 2009	1/1 2010	Tempo-rary	How long?	Perma-ment	pay above median income?	use existing Travis County workforce?	Yes/ No?	LEED points goal?		
ADA compliance																
Other (explain)																
<b>TOTAL</b>																<b>\$27,032,315</b>

Notes:

1) Ready-to-Go Projects for Facilities Management Department:  
 Roger El Khoury  
 Director of Facilities Management – Travis County  
 Ready to go maintenance/ replacement projects are nine totaled to \$1,545,275. In addition, there are three projects in the immediate future (3 yrs.) totaled to \$265,000,000:

Redevelopment of Downtown Campus	4	49	21				150	24		yes		yes	33	\$200,000,000	
Development of Chair King site	1	46	25				100	18		yes		yes	33	\$40,000,000	
Medical Examiner facility	3	47/48	25/21				100	18		yes		yes	33	\$25,000,000	
<b>SUBTOTAL - Facilities Management additional projects, 2-year time frame</b>															<b>\$265,000,000</b>

2) Additional Travis County locally funded public works projects - "shovel-ready" within two years

Jesse Bohls Bridge #231	2	50	10				17	15 mo		33%	56%			\$1,700,000	
Kimbrow/Parsons Bridge Replacement	1	46	10				30	15 mo		33%	56%			\$3,000,000	
Imperial Valley Drainage Improvements	1	46	25			X	20	10 mo		33%	56%			\$1,600,000	
Caldwell Lane Drainage	4	51	25				4	9 mo		33%	56%			\$350,000	
Hamilton Pool Road	3	47	21				94	24 mo		33%	56%			\$10,000,000	
Tuscany-Springdale	1	46	25				32	15 mo		33%	56%			\$3,500,000	
Frate-Barker	3	47	25			X	69	20 mo		33%	56%			\$7,500,000	
Howard Lane II	1	46, 50	10				167	28 mo		33%	56%			\$18,000,000	
McKinney Falls Parkway Extension Ph II	4	51	25			X	28	18 mo		33%	56%			\$3,000,000	
Slaughter Lane Extension Ph I	4	51	25			X	74	15 mo		33%	56%			\$8,000,000	
Slaughter Lane Extension Ph II	4	51	25			X	93	24 mo		33%	56%			\$10,000,000	
Slaughter Lane Bridge over Marble Creek	4	51	25			X	45	12 mo		33%	56%			\$4,500,000	
Braker Lane I (Public-Private-Public)	1	46	10				84	24 mo		33%	56%			\$9,000,000	
Braker Lane II Public-Private	1	46	10				121	24 mo		33%	56%			\$13,000,000	
Decker Lake Rd (Public-Private-Public)	1	46	10, 25			X	28	19 mo		33%	56%			\$3,000,000	
SW Metro Park	3	47	21			X	16	18 mo		33%	56%			\$1,300,000	
NE Metro Phase III	2	46	10			X	132	11 mo		33%	56%			\$10,500,000	
Onion Creek Greenbelt	4	51	25			X	54	18 mo		33%	56%			\$5,500,000	
SE Metro Park, Ph II amenities	4	51	25				76	15 mo		33%	56%			\$6,000,000	
<b>SUBTOTAL - TNR additional projects, 2-year time frame</b>															<b>\$119,450,000</b>



# MEMO

- For Your Information
- Action Required

**TO:** Executive Managers

**FROM:** Deece Eckstein, Coordinator, Intergovernmental Relations

**DATE:** Thursday, January 29, 2009

**RE:** Latest news on federal Economic Stimulus Package; request for information

For the last month, we have been compiling and refining a list of "ready-to-go" projects that would be eligible for the federal Economic Stimulus Package (ESP). Pursuant to the original request from the National Association of Counties (NACo), our first list focused on "bricks-and-mortar" projects. Recently, I asked you to update that list with additional information, e.g., number of jobs, project duration, etc. Thank you for your responsiveness and assistance.

In the intervening weeks, the breadth of the proposed ESP has increased tremendously. Attached is a document summarizing, respectively, the Senate and House versions of the ESP legislation as of this weekend. Although the "ready-to-go" urgency remains, the Congress and the Administration have clearly moved beyond a strict reliance on "bricks and mortars" in constructing the package.

In order to position Travis County as well as possible to better serve its constituents during these tough economic times, we want to identify as many appropriate uses of the ESP funds as possible. Please review the attached documents to see if they could be used to fund existing, expanded or new programs to serve our citizens. I have taken the liberty of highlighting proposals that seem appealing to me, but *you* are the experts on the needs of the people and the programmatic options to address them.

As with the "bricks and mortar" proposals you've reviewed, I'm attaching a spreadsheet asking for data on possible projects and their impact. A set of instructions for completing the spreadsheet is also attached.

I am reporting to the Commissioners Court on this next Tuesday, February 3, and would appreciate any feedback or information you can provide.

Please contact me if you have any questions.

**TRAVIS COUNTY, TEXAS**  
**FEDERAL ECONOMIC STIMULUS PACKAGE**  
"Broader List" Spreadsheet Instructions

Please use the attached spreadsheet to provide information about the projects you've identified that may be eligible for funding through the expanded list of projects and programs contained in the summaries of the Senate and House versions of the Economic Stimulus Package (ESP) you've received.

**PROJECT TYPE**

Identify what type of project it is, e.g., parks restoration, housing assistance,

**PROJECT**

Briefly describe the project.

**PROJECT LOCATION**

**Pct.** in which precinct or precincts is this project located?

**H.D.** in which Texas House district or districts is this project located?

**C.D.** in which U.S. congressional district or districts is this project located?

**TIMEFRAME**

In this survey, "**ready-to-go**" means that contracts will be let and work ready to proceed on the project by either July 1, 2009, October 1, 2009, or January 1, 2010. Please check the appropriate box for a start-up date for the project.

**JOBS**

For each project you are submitting, please answer the following questions in the appropriate space(s) on the spreadsheet:

1. How many new jobs will this create?
2. Will the jobs be temporary or permanent?
  - a. If temporary, how long will they last? (6 weeks, 6 months, etc.)
3. What **percentage** of the jobs will pay above the median family income for Travis County?
4. What **percentage** of the jobs will be drawn from the existing Travis County workforce, as opposed to jobs for which labor will be imported from outside the county?

**FOR PROJECTS INVOLVING CONSTRUCTION OF NEW FACILITIES OR EXPANSION/RENOVATION OF EXISTING ONES:**

Will the project be done in such a way as to receive a LEED (Leadership in Energy and Environmental Design) certification?

What is the target LEED points rating for the project?

**ESTIMATED COST**

What is the estimated cost of the project?

## THE AMERICAN RECOVERY AND REINVESTMENT PLAN

(As released by the Chair of the Senate Appropriations Committee, Friday, January 23, 2009)

### EXECUTIVE SUMMARY

#### Urgent Infrastructure Needs

- The American Society of Civil Engineers (ASCE) estimates that \$1.6 trillion is needed over a five-year period to bring the nation's infrastructure to a good condition.
- 27.1 percent of our nation's bridges are structurally deficient, or functionally obsolete.
- 34 percent of America's major roads are in poor or mediocre condition, and 36 percent of America's major urban roads are congested. Americans spend 4.2 billion hours a year stuck in traffic, at a cost of \$78.2 billion a year to the economy. Poor road conditions cost U.S. motorists \$67 billion a year in repairs and operating costs.

#### The American Recovery and Reinvestment Plan

To meet these enormous challenges, the American Recovery and Reinvestment Plan focuses on five areas critical to rebuilding our economy and creating the conditions for economic growth in the long-term: **Infrastructure and Science; Education and Training; Energy; Protecting the Vulnerable; and Health**. It is estimated that this legislation will create or sustain over 4 million jobs.

The American Recovery and Reinvestment Plan provides unprecedented oversight, accountability, and transparency to ensure that taxpayer dollars are invested effectively, efficiently, and as quickly as possible.

- Funds are distributed whenever possible through existing formulas and programs that have proven track records and accountability measures already in place.
- Numerous provisions in the bill provide for expedited but effective obligation of funds so that dollars are invested in the economy as quickly as possible.
- The Government Accountability Office and the Inspectors General are provided additional funding for auditing and investigating recovery spending.
- A new Recovery Act Accountability and Transparency Board will coordinate and conduct oversight of recovery spending and provide early warning of problems.
- A special website will provide transparency by posting information about recovery spending, including grants, contracts, and all oversight activities.
- State and local whistleblowers who report fraud and abuse are protected.
- There are no earmarks in this bill.

*Please note: The following is a summary of the highlights of the proposed legislation only - not a complete listing of all the programs or spending included in the legislation.*

#### **Infrastructure and Science**

In order to rebuild our weakening economy, these investments in our physical and cyber infrastructure will put Americans immediately to work rebuilding our crumbling roads and bridges, and will also enable the creation of a stronger and more efficient infrastructure for the

21st century economy. Highlights include:

Top line spending of approximately \$140 Billion

**Infrastructure Improvements:**

- School Modernization: \$16 billion to repair, renovate and construct public schools in ways that will raise energy efficiency and provide greater access to information technology, and \$3.5 billion to improve higher education facilities.
- Broadband: A total of \$9 billion for the National Telecommunications and Information Administration's (NTIA) Broadband Technology Opportunities Program to improve access to broadband.
- Public Parks: \$3.4 billion for repair, restoration and improvement of public facilities at parks, forests, refuges and on other public and tribal lands.
- Department of Defense Facilities: The stimulus includes \$2.4 billion for quality of life and family-friendly military construction projects such as family housing and child care centers.
- \$3.2 billion for Facilities Sustainment, Restoration and Modernization to be used to invest in energy efficiency projects and to improve the repair and modernization of Department of Defense facilities to include Defense Health facilities.
- \$3.4 billion for VA hospital and medical facility construction and improvements, long-term care facilities for veterans, and improvements at VA national cemeteries.
- \$1.2 billion to accelerate procurement and installation of baggage screening and checkpoint security equipment at airports across the country.
- \$500 million to secure high risk critical infrastructure such as dams, tunnels, and bridges.
- \$4.6 billion to construct, repair or rehabilitate water resource infrastructure nationwide to benefit navigation, hydropower, flood control, environmental restoration, shore protection and other purposes.
- \$1.4 billion to construct, repair, or rehabilitate water delivery infrastructure in the Western U.S. to benefit irrigation, municipal and industrial water supplies, power production, and environmental and other purposes.
- \$2.25 billion for the HOME Investment Partnerships Program block grant to enable state and local governments, in partnership with community-based organizations, to acquire, construct, and rehabilitate affordable housing and provide rental assistance to poor families.

**Transportation:**

- \$27 billion for formula highway investments.
- \$8.4 billion for formula investments in public transportation.
- \$5.5 billion for competitive grants to state and local governments for surface transportation investments.
- \$1.3 billion for investments in our air transportation system.
- \$1.1 billion for investments in rail transportation.
- \$160 million for investments in maritime transportation.
- Public Lands Roads: \$830 million for repair and restoration of road on park, forest, tribal, and other public lands.

### **Public Housing:**

- \$5 billion to the public housing capital fund to enable local public housing agencies to address a \$32 billion backlog in capital needs - especially those improving energy efficiency in aging developments.
- \$2.1 billion for full-year payments to owners receiving Section 8 project-based rental assistance.
- Neighborhood Stabilization Program - The bill includes \$2.25 billion for the redevelopment of abandoned and foreclosed homes.
- Homeless Prevention Fund - The bill includes \$1.5 billion for homeless prevention activities, which will be sent out to states, cities and local governments through the emergency shelter grant formula.

### **Environmental Clean-Up/Clean Water:**

- A total of \$6.4 billion is directed towards environmental cleanup of former weapon production and energy research sites.
- \$6 billion for sewer, wastewater, and drinking water systems nationwide through EPA's Clean Water and Drinking Water State Revolving Funds.
- \$1.4 billion to support \$3.8 billion in loans and grants for needed water and waste disposal facilities in rural areas.
- \$1.4 billion for EPA's nationwide environmental cleanup programs, including Superfund Science:
  - National Science Foundation (NSF) Research: \$1.4 billion in funding for scientific research, infrastructure and competitive grants.
  - National Aeronautics and Space Administration (NASA): \$1.5 Billion for NASA, including \$500 million for Earth science missions to provide critical data about the Earth's resources and climate.

### **Education and Training**

In order to compete in the 21st century, Americans must have a well-educated workforce, capable of adapting to an ever-changing economic environment. Investing in education now will ensure that the next generation of American workers is ready and able to meet the challenge of global competition. In the near-term, millions of workers have seen their jobs disappear, and find themselves unable to match their skill sets with existing opportunities. Providing job training in new and expanding fields will help to lower the unemployment rate and help today's workers better compete against foreign competition. Highlights include:

Top line spending of approximately \$125 Billion

### **Education:**

- \$39 billion to local school districts and public colleges and universities distributed through existing State and federal formulas.
- \$15 billion to states as incentive grants as a reward for meeting key performance measures.
- \$25 billion to states for other high-priority needs such as public safety and other critical services, which may include education.
- Title I: \$13 billion to help close the achievement gap and enable disadvantaged students to

reach their potential.

- Special Education/IDEA: \$13 billion to increase the Federal share of special education services to its highest level ever.
- Pell Grants: \$13.9 billion to increase the Pell Grant maximum award and pay for increases in program costs resulting from increased eligibility and higher Pell Grant awards.

Training:

- Training and Employment Services: \$3.4 billion for job training including formula grants for adult, dislocated worker, and youth programs.
- Vocational Rehabilitation State Grants: \$500 million for state formula grants to help individuals with disabilities prepare for and sustain gainful employment.
- Employment Services Grants: \$400 million to match unemployed individuals to job openings through state employment service agencies and allow states to provide customized reemployment services.

### **Energy**

The bill provides investments in areas critical to the development of clean, efficient, American energy, including modernizing energy transmission, research and development of renewable energy technologies, and modernizing and upgrading government buildings and vehicles.

Highlights include:

Top line spending of approximately \$51 Billion

- \$40 billion to the Department of Energy for development of clean, efficient, American energy.
- GSA Federal Fleet: \$2.6 billion to replace older motor fleet vehicles owned by the Federal Government with alternative fuel automobiles that will save on fuel costs and reduce carbon emissions.
- Green Buildings: \$6 billion for repair of federal buildings to increase energy efficiency using green technology. This funding will help eliminate the backlog of \$8.4 billion in building repair projects.
- \$1.3 billion for grants or loans to owners for energy and green retrofit investments.
- \$613 million for Department of Defense energy efficiency upgrades and construction of alternative energy projects, including wind and solar power and photovoltaic system installation.
- \$400 million for rural businesses initiatives including development of renewable energy.

### **Protecting the Vulnerable**

The current economic crisis has affected all Americans, but none more so than the most vulnerable among us. The spending proposed here will serve to lessen the blow of the current recession, providing immediate relief for children, the poor, and others who may find themselves struggling to put food on the table or a roof over their head. It will also address the urgent need to provide safe and secure places to live, even in neighborhoods that are struggling with high unemployment and surging foreclosure rates.

Top line spending of approximately \$25 Billion



### **Nutrition:**

- \$16.5 billion for additional Supplemental Nutrition Assistance Program (SNAP) benefits (formerly the Food Stamp program).
- Special Supplemental Program for Women, Infants, and Children (WIC). The Committee recommends a total of \$500 million for WIC. In addition, the bill provides \$150 million for Food Banks.

### **Helping Children:**

- \$4.6 billion to increase investments in early childhood programs.

### **Other Programs:**

- Community Development Financial Institutions: \$250 million to immediately provide capital to qualified community development financial institutions (CDFIs) to invest in the development of underserved communities.
- Social Services Block Grant: \$400 million for States and local non-profits to deliver critical services to unemployed and low-income individuals struggling with the effects of the recession.
- Homeowners Assistance Program: \$410 million to expand the Department of Defense Homeowners Assistance Program (HAP) during the national mortgage crisis.

### **Health**

The bill provides investments in areas critical to immediate and long-term healthcare for millions of Americans. Improved information technology, research facilities, and health and wellness programs, will all provide a better foundation for providing quality healthcare to consumers. Highlights include:

Top Line spending of approximately \$16 Billion

### **Health Information Technology:**

- Health Information Technology: \$5 billion to jumpstart efforts to computerize health records to cut costs and reduce medical errors.

### **Research:**

- \$3.5 billion to conduct biomedical research in areas such as cancer, Alzheimer's, heart disease and stem cells, and to improve NIH facilities.
- \$1.1 billion to the Agency for Healthcare Research and Quality, NIH and the HHS Office of the Secretary to evaluate the relative effectiveness of different health care services and treatment options.

### **Treatment and Prevention:**

- Prevention and Wellness: \$5.8 billion to fight preventable diseases and conditions.
- Pandemic Flu Preparedness: \$870 million to complete funding for the President's initiative on pandemic flu preparedness.

### **Small Business, Law Enforcement, Other**

Top Line spending of approximately \$8 Billion

- \$110 Million for GAO and Agency Inspectors General in order to provide appropriate oversight of spending contained in this bill.

- Loans for Small Businesses: \$730 million to stimulate lending to small businesses.
- State and Local Law Enforcement: \$3.95 billion total to support law enforcement efforts.

## AMERICAN RECOVERY AND REINVESTMENT PLAN OF 2009

*(As passed by the House Appropriations Committee, Friday, January 23, 2009)*

### EXECUTIVE SUMMARY

**Unprecedented Accountability:** A historic level of transparency, oversight and accountability will help guarantee taxpayer dollars are spent wisely and Americans can see results for their investment.

In many instances funds are distributed through existing formulas to programs with proven track records and accountability measures already in place.

How funds are spent, all announcements of contract and grant competitions and awards, and formula grant allocations must be posted on a special website created by the President. Program managers will also be listed so the public knows who to hold accountable.

Public notification of funding must include a description of the investment funded, the purpose, the total cost and why the activity should be funded with recovery dollars. Governors, mayors or others making funding decisions must personally certify that the investment has been fully vetted and is an appropriate use of taxpayer dollars. This will also be placed on the recovery website.

A Recovery Act Accountability and Transparency Board will be created to review management of recovery dollars and provide early warning of problems. The seven member board includes Inspectors General and Deputy Cabinet secretaries.

The Government Accountability Office and the Inspectors General are provided additional funding and access for special review of recovery funding.

State and local whistleblowers who report fraud and abuse are protected.

There are no earmarks in this package.

This plan targets investments to key areas that will create and preserve good jobs at the same time as it is strengthening the ability of this economy to become more efficient and produce more opportunities for employment.

**Clean, Efficient, American Energy:** To put people back to work today and reduce our dependence on foreign oil tomorrow, we will strengthen efforts directed at doubling renewable energy production and renovate public buildings to make them more energy efficient.

- \$32 billion to transform the nation's energy transmission, distribution, and production systems by allowing for a smarter and better grid and focusing investment in renewable technology.
- \$16 billion to repair public housing and make key energy efficiency retrofits.
- \$6 billion to weatherize modest-income homes.

**Transform our Economy with Science and Technology:** We need to put scientists to work looking for the next great discovery, creating jobs in cutting-edge-technologies, and making

smart investments that will help businesses in every community succeed in a global economy. For every dollar invested in broadband the economy sees a ten-fold return on that investment.

- \$10 billion for science facilities, research, and instrumentation.
- \$6 billion to expand broadband internet access so businesses in rural and other underserved areas can link up to the global economy.

**Modernize Roads, Bridges, Transit and Waterways:** To build a 21st century economy, we must engage contractors across the nation to create jobs rebuilding our crumbling roads, and bridges, modernize public buildings, and put people to work cleaning our air, water and land.

- \$30 billion for highway construction;
- \$31 billion to modernize federal and other public infrastructure with investments that lead to long term energy cost savings;
- \$19 billion for clean water, flood control, and environmental restoration investments;
- \$10 billion for transit and rail to reduce traffic congestion and gas consumption.

**Education for the 21st Century:** To enable more children to learn in 21st century classrooms, labs, and libraries to help our kids compete with any worker in the world, this package provides:

- \$41 billion to local school districts through Title I (\$13 billion), IDEA (\$13 billion), a new School Modernization and Repair Program (\$14 billion), and the Education Technology program (\$1 billion).
- \$79 billion in state fiscal relief to prevent cutbacks to key services, including \$39 billion to local school districts and public colleges and universities distributed through existing state and federal formulas, \$15 billion to states as bonus grants as a reward for meeting key performance measures, and \$25 billion to states for other high priority needs such as public safety and other critical services, which may include education.
- \$15.6 billion to increase the Pell grant by \$500.
- \$6 billion for higher education modernization.

**Tax Cuts to Make Work Pay and Create Jobs:** We will provide direct tax relief to 95 percent of American workers, and spur investment and job growth for American Businesses. [marked up by the Ways and Means Committee]

**Lower Healthcare Costs:** To save not only jobs, but money and lives, we will update and computerize our healthcare system to cut red tape, prevent medical mistakes, and help reduce healthcare costs by billions of dollars each year.

- \$20 billion for health information technology to prevent medical mistakes, provide better care to patients and introduce cost-saving efficiencies.
- \$4.1 billion to provide for preventative care and to evaluate the most effective healthcare treatments.

**Help Workers Hurt by the Economy:** High unemployment and rising costs have outpaced Americans' paychecks. We will help workers train and find jobs, and help struggling families make ends meet.

- \$43 billion for increased unemployment benefits and job training.

- \$39 billion to support those who lose their jobs by helping them to pay the cost of keeping their employer provided healthcare under COBRA and providing short-term options to be covered by Medicaid.
- \$20 billion to increase the food stamp benefit by over 13% in order to help defray rising food costs.

**Save Public Sector Jobs and Protect Vital Services:** We will provide relief to states, so they can continue to employ teachers, firefighters and police officers and provide vital services without having to unnecessarily raise middle class taxes.

- \$87 billion for a temporary increase in the Medicaid matching rate.
- \$4 billion for state and local law enforcement funding.

### **CREATE JOBS WITH CLEAN, EFFICIENT, AMERICAN ENERGY**

To put people back to work today and reduce our dependence on foreign oil tomorrow, we will make investments aimed at doubling renewable energy production and renovate public buildings to make them more energy efficient.

**Reliable, Efficient Electricity Grid:** \$11 billion for research and development, pilot projects, and federal matching funds for the Smart Grid Investment Program to modernize the electricity grid making it more efficient, secure, and reliable and build new power lines to transmit clean, renewable energy from sources throughout the nation.

**Renewable Energy Loan Guarantees:** \$8 billion for loans for renewable energy power generation and transmission projects.

**GSA Federal Buildings:** \$6.7 billion for renovations and repairs to federal buildings including at least \$6 billion focused on increasing energy efficiency and conservation. Projects are selected based on GSA's ready-to-go priority list.

**Local Government Energy Efficiency Block Grants:** \$6.9 billion to help state and local governments make investments that make them more energy efficient and reduce carbon emissions.

**Energy Efficiency Housing Retrofits:** \$2.5 billion for a new program to upgrade HUD sponsored low-income housing to increase energy efficiency, including new insulation, windows, and furnaces. Funds will be competitively awarded.

**Energy Efficiency and Renewable Energy Research:** \$2 billion for energy efficiency and renewable energy research, development, demonstration, and deployment activities to foster energy independence, reduce carbon emissions, and cut utility bills. Funds are awarded on a competitive basis to universities, companies, and national laboratories.

**Advanced Battery Loans and Grants:** \$2 billion for the Advanced Battery Loan Guarantee and Grants Program, to support U.S. manufacturers of advanced vehicle batteries and battery systems. America should lead the world in transforming the way automobiles are powered.

**Department of Defense Efficiency:** \$1.8 billion for efforts to make our military bases more energy efficient, beyond benefits that will come from replacing and repairing facilities.

**Energy Efficiency Grants and Loans for Institutions:** \$1.5 billion for energy sustainability and efficiency grants and loans to help school districts, institutes of higher education, local governments, and municipal utilities implement projects that will make them more energy efficient.

**Home Weatherization:** \$6.2 billion to help low-income families reduce their energy costs by weatherizing their homes and make our country more energy efficient.

**Smart Appliances:** \$300 million to provide consumers with rebates for buying energy efficient Energy Star products to replace old appliances, which will lower energy bills.

**GSA Federal Fleet:** \$600 million to replace older vehicles owned by the federal government with alternative fuel automobiles that will save on fuel costs and reduce carbon emissions.

**Electric Transportation:** \$200 million for a new grant program to encourage electric vehicle technologies.

**Cleaning Fossil Energy:** \$2.4 billion for carbon capture and sequestration technology demonstration projects. This funding will provide valuable information necessary to reduce the amount of carbon dioxide emitted into the atmosphere from industrial facilities and fossil fuel power plants.

**Department of Defense Research:** \$350 million for research into using renewable energy to power weapons systems and military bases.

**Alternative Buses and Trucks:** \$400 million to help state and local governments purchase efficient alternative fuel vehicles to reduce fuel costs and carbon emissions.

**Industrial Energy Efficiency:** \$500 million for energy efficient manufacturing demonstration projects.

**Diesel Emissions Reduction:** \$300 million for grants and loans to state and local governments for projects that reduce diesel emissions, benefiting public health and reducing global warming. This includes technologies to retrofit emission exhaust systems on school buses, replace engines and vehicles, and establish anti-idling programs. 70% of the funds go to competitive grants and 30% funds grants to states with approved programs. Last year EPA was able to fund only 27% of the applications received.

## **TRANSFORMING OUR ECONOMY WITH SCIENCE AND TECHNOLOGY**

We need to put scientists to work looking for the next great discovery, create jobs in cutting-edge technologies and making smart investments that will help businesses in every community succeed in a global economy.

### **Broadband to Give Every Community Access to the Global Economy**

**Wireless and Broadband Grants:** \$6 billion for broadband and wireless services in underserved areas to strengthen the economy and provide business and job opportunities in every section of America with benefits to e-commerce, education, and healthcare. For every dollar invested in broadband the economy sees a ten-fold return on that investment.

### **Scientific Research**

**National Science Foundation:** \$3 billion, including \$2 billion for expanding employment opportunities in fundamental science and engineering to meet environmental challenges and to improve global economic competitiveness, \$400 million to build major research facilities that perform cutting edge science, \$300 million for major research equipment shared by institutions of higher education and other scientists, \$200 million to repair and modernize science and engineering research facilities at the nation's institutions of higher

education and other science labs, and \$100 million is also included to improve instruction in science, math and engineering.

**National Institutes of Health Biomedical Research:** \$2 billion, including \$1.5 billion for expanding good jobs in biomedical research to study diseases such as Alzheimer's, Parkinson's, cancer, and heart disease - NIH is currently able to fund less than 20% of approved applications - and \$500 million to implement the repair and improvement strategic plan developed by the NIH for its campuses.

**University Research Facilities:** \$1.5 billion for NIH to renovate university research facilities and help them compete for biomedical research grants. The National Science Foundation estimates a maintenance backlog of \$3.9 billion in biological science research space. Funds are awarded competitively.

**Centers for Disease Control and Prevention:** \$462 million to enable CDC to complete its Buildings and Facilities Master Plan, as well as renovations and construction needs of the National Institute for Occupational Safety and Health.

**Department of Energy:** \$2 billion for basic research into the physical sciences including high-energy physics, nuclear physics, and fusion energy sciences and improvements to DOE laboratories and scientific facilities. \$400 million is for the Advanced Research Project Agency - Energy to support high-risk, high-payoff research into energy sources and energy efficiency.

**NASA:** \$600 million, including \$400 million to put more scientists to work doing climate change research, including Earth science research recommended by the National Academies, satellite sensors that measure solar radiation critical to understanding climate change, and a thermal infrared sensor to the Landsat Continuing Mapper necessary for water management, particularly in the western states; \$150 million for research, development, and demonstration to improve aviation safety and Next Generation air traffic control (NextGen); and \$50 million to repair NASA centers damaged by hurricanes and floods last year.

**Biomedical Advanced Research and Development, Pandemic Flu, and Cyber Security:** \$900 million to prepare for a pandemic influenza, support advanced development of medical countermeasures for chemical, biological, radiological, and nuclear threats, and for cyber security protections at HHS.

**National Oceanic and Atmospheric Administration Satellites and Sensors:** \$600 million for satellite development and acquisitions, including climate sensors and climate modeling.

**National Institute of Standards and Technology:** \$300 million for competitive construction grants for research science buildings at colleges, universities, and other research organizations and \$100 million to coordinate research efforts of laboratories and national research facilities by setting interoperability standards for manufacturing.

**Agricultural Research Service:** \$209 million for agricultural research facilities across the country. ARS has a list of deferred maintenance work at facilities of roughly \$315 million.

**U.S. Geological Survey:** \$200 million to repair and modernize U.S.G.S. science facilities and equipment, including improvements to laboratories, earthquake monitoring systems, and computing capacity.

### **Creating Small Business Opportunity**

**Small Business Credit:** \$430 million for new lending assistance and loan guarantee authorities to make loans more attractive to lenders and free up capital. The number of loans

guaranteed under the SBA's 7(a) business loan program was down 57% in the first quarter of this year compared to last.

**Rural Business-Cooperative Service:** \$100 million for rural business grants and loans to guarantee \$2 billion in loans for rural businesses at a time of unprecedented demand due to the credit crunch. Private sector lenders are increasingly turning to this program to help businesses get access to capital.

**Industrial Technology Services:** \$100 million, including \$70 million for the Technology Innovation Program to accelerate research in potentially revolutionary technologies with high job growth potential, and \$30 million for the Manufacturing Extension Partnerships to help small and mid-size manufacturers compete globally by providing them with access to technology.

**Economic Development Assistance:** \$250 million to address long-term economic distress in urban industrial cores and rural areas distributed based on need and ability to create jobs and attract private investment. EDA leverages \$10 in private investments for \$1 in federal funds.

**DTV Conversion Coupons:** \$650 million to continue the coupon program to enable American households to convert from analog television transmission to digital transmission.

## **MODERNIZE ROADS, BRIDGES, TRANSIT AND WATERWAYS**

To build a 21st century economy, we must engage contractors across the nation to create jobs - rebuilding our crumbling roads and bridges, modernizing public buildings, and putting people to work cleaning our air, water, and land.

**Highway Infrastructure:** \$30 billion for highway and bridge construction projects. It is estimated that states have over 5,100 projects totaling over \$64 billion that could be awarded within 180 days. These projects create jobs in the short term while saving commuters time and money in the long term. In 2006, the Department of Transportation estimated \$8.5 billion was needed to maintain current systems and \$61.4 billion was needed to improve highways and bridges.

**Transit:** Public transportation saves Americans time and money, saving as much as 4.2 billion gallons of gasoline and reducing carbon emissions by 37 million metric tons each year.

**New Construction:** \$1 billion for Capital Investment Grants for new commuter rail or other light rail systems to increase public use of mass transit and to speed projects already in construction. The Federal Transit Administration has \$2.4 billion in pre-approved projects.

**Upgrades and Repair:** \$2 billion to modernize existing transit systems, including renovations to stations, security systems, computers, equipment, structures, signals, and communications. Funds will be distributed through the existing formula. The repair backlog is nearly \$50 billion.

**Transit Capital Assistance:** \$6 billion to purchase buses and equipment needed to increase public transportation and improve intermodal and transit facilities. The Department of Transportation estimates a \$3.2 billion maintenance backlog and \$9.2 billion in needed improvements. The American Public Transportation Association identified 787 ready-to-go transit projects totaling \$15.5 billion. Funds will be distributed through the existing formulas.



**Amtrak and Intercity Passenger Rail Construction Grants:** \$1.1 billion to improve the speed and capacity of intercity passenger rail service. The Department of Transportation's Inspector General estimates the North East Corridor alone has a backlog of over \$10 billion.

**Airport Improvement Grants:** \$3 billion for airport improvement projects that will improve safety and reduce congestion. An estimated \$41 billion in eligible airport infrastructure projects are needed between 2007-2011.

**Transportation Security Administration Explosive Detection Systems:** \$500 million to install Aviation Explosive Detection Systems in the nation's airports, improving security, and making life easier on travelers by speeding security lines. Funds are competitively awarded based on security risk.

**Coast Guard Bridges:** \$150 million for ready-to-go investments to repair or remove bridges deemed hazardous to marine navigation, thereby removing obstructions and improving the safety of marine navigation.

#### **Technology Improvements for a More Efficient and Secure Government**

**Social Security Administration Modernization:** \$400 million to replace the 30 year old Social Security Administration's National Computer Center to meet growing needs for processing retirement and disability claims and records storage.

**Farm Service Agency:** \$245 million for critical IT improvements to systems that have been unable to handle workload increases.

**State Department Technology:** \$276 million to upgrade and modernize information technology platforms for the Department to meet security requirements post-9/11.

**Department of Agriculture:** \$44 million for repairs and security improvements at USDA's headquarters.

#### **Department of Defense Facilities**

**Medical Facilities:** \$3.75 billion for new construction of hospitals and ambulatory surgical centers, and \$455 million in renovations to provide state-of-the-art medical care to service members and their families.

**Facilities Renovations:** \$2.1 billion to address needed repairs to military facilities.

**Troop Housing:** \$1.2 billion for new construction and \$154 million for renovations to improve housing for our troops.

**Child Development Center:** \$360 million for new child development centers.

**Guard and Reserve:** \$400 million for new construction to support Guard and Reserve units across the country with operations and training facilities and utilities infrastructure.

#### **Veterans Administration Facilities**

**Veterans Medical Facilities:** \$950 million for veterans' medical facilities. The Department has identified a \$5 billion backlog in needed repairs, including energy efficiency projects, at its 153 medical facilities.

**Veterans Cemeteries:** \$50 million to put people to work making monument and memorial repairs at cemeteries for American heroes.

**Border Ports of Entry:** \$1.15 billion to construct GSA and Customs and Border Protection land ports of entry to improve border security, make trade and travel easier and reduce wait times, and to procure non-intrusive inspection technology at sea ports of entry, which is used to scan cargo containers to reduce the risk that containers can be used to smuggle weapons of mass destruction.

**Job Corps Facilities:** \$300 million to upgrade job training facilities serving at-risk youth while improving energy efficiency.

**Construction on Public Lands and Parks:** \$3.1 billion for infrastructure projects on federal lands including improvements to visitor facilities, road and trail restoration, preservation of buildings of cultural and historic importance, rehabilitation of abandoned mines and oil fields, and environmental cleanup projects. This includes \$1.8 billion for the National Park Service, \$325 million for the Bureau of Land Management, \$300 million for the National Wildlife Refuges and National Fish Hatcheries, and \$650 million for the Forest Service.

**National Treasures:** \$400 million, including \$200 million to address the deterioration of the National Mall, such as repair of the Jefferson Memorial's collapsing Tidal Basin walls; \$150 million to address the repair backlog at the Smithsonian; and \$50 million for the National Endowment for the Arts.

#### **Clean Water**

**Clean Water State Revolving Fund:** \$6 billion for loans to help communities upgrade wastewater treatment systems. EPA estimates a \$388 billion funding gap. The Association of State and Interstate Water Pollution Control Administrators found that 26 states have \$10 billion in approved water projects.

**Drinking Water State Revolving Fund:** \$2 billion for loans for drinking water infrastructure. EPA estimates there is a \$274 billion funding gap. The National Governors Association reported that there are \$6 billion in ready-to-go projects, which could quickly be obligated.

**Rural Water and Waste Disposal:** \$1.5 billion to support \$3.8 billion in grants and loans to help communities fund drinking water and wastewater treatment systems. In 2008, there were \$2.4 billion in requests for water and waste loans and \$990 million for water and waste grants went unfunded.

#### **Water Resources**

**Corps of Engineers:** \$4.5 billion for environmental restoration, flood protection, hydropower, and navigation infrastructure critical to the economy. The Corps has a construction backlog of \$61 billion.

**Bureau of Reclamation:** \$500 million to provide clean, reliable drinking water to rural areas and to ensure adequate water supply to western localities impacted by drought. The Bureau has backlogs of more than \$1 billion in rural water projects and water reuse and recycling projects.

**Watershed Infrastructure:** \$400 million for the Natural Resources Conservation Service watershed improvement programs to design and build flood protection and water quality

projects, repair aging dams, and purchase and restore conservation easements in river flood zones.

**International Boundary and Water Commission:** \$224 million to repair flood control systems along the international segment of the Rio Grande damaged by hurricane Katrina and other serious storms.

### **Environmental Cleanup**

**Superfund Hazardous Waste Cleanup:** \$800 million to clean up hazardous and toxic waste sites that threaten health and the environment. EPA has 1,255 sites on its National Priority List, selected based on a hazard ranking system. There are many Superfund sites ready for construction, but not funded due to budget shortfalls and over 600 sites with ongoing construction that could be accelerated.

**Leaking Underground Storage Tanks:** \$200 million for enforcement and cleanup of petroleum leaks from underground storage tanks at approximately 1,600 additional sites. There are an estimated 116,000 sites with the potential to contaminate important water supplies.

**Nuclear Waste Cleanup:** \$500 million for nuclear waste cleanup at sites contaminated as a result of the nation's past nuclear activities. Accelerating the completion of projects will reduce long-term costs.

**Closed Military Bases:** \$300 million for cleanup activities at closed military installations allowing local communities to redevelop these properties for productive use. The Department estimates that there is a \$3.5 billion environmental cleanup backlog at bases closed during previous BRAC rounds.

**NOAA Habitat Restoration:** \$400 million for ready-to-go habitat restoration projects.

**Brownfields:** \$100 million for competitive grants for evaluation and cleanup of former industrial and commercial sites - turning them from problem properties to productive community use. Last year EPA was only able to fund 37% of Brownfields applications.

**Reducing Wildfires Threats:** \$850 million for hazardous fuels removal and other efforts to prevent wildfires on public lands. Making these investments today will create jobs in the short run, but also save long term costs of fighting fires in the future.

**State and Private Forest Service Wildfire:** \$550 million for state and local volunteer programs and hazardous fuels reduction efforts which states and communities have determined are of the highest priority.

**Federal Forest Service Wildfire:** \$300 million for urgently needed hazard reduction on federal lands.

**Bureau of Indian Affairs:** \$500 million to address maintenance backlogs at schools, dams, detention and law enforcement facilities, and over 24,000 miles of roads. BIA schools alone have an over \$1 billion construction and maintenance backlog including shamefully unsafe conditions.

### **EDUCATION FOR THE 21st CENTURY**

We will put people to work building 21st century classrooms, labs, and libraries to help our kids compete with any worker in the world.

#### **21st Century Classrooms**

**School Construction:** \$20 billion, including \$14 billion for K-12 and \$6 billion for higher education, for renovation and modernization, including technology upgrades and energy efficiency improvements. Also includes \$100 million for school construction in communities that lack a local property tax base because they contain non-taxable federal lands such as military bases or Indian reservations, and \$25 million to help charter schools build, obtain, and repair schools.

**Education Technology:** \$1 billion for 21st century classrooms, including computer and science labs and teacher technology training.

**Higher Education:** Tuition is up, unemployment is up, and as a result more people are choosing to go to school to upgrade their skills and more of these students need student aid. This investment addresses those short term needs while investing in our nation's future economic strength.

**Pell Grants:** \$15.6 billion to increase the maximum Pell Grant by \$500, from \$4,850 to \$5,350.

**College Work-Study:** \$490 million to support undergraduate and graduate students who work.

**Student Loan Limit Increase:** Increases limits on unsubsidized Stafford loans by \$2,000.

**Student Aid Administration:** \$50 million to help the Department of Education administer surging student aid programs while navigating the changing student loan environment.

**K-12 Education:** As states begin tackling a projected \$350 billion in budget shortfalls these investments will prevent cuts to critical education programs and services.

**IDEA Special Education:** \$13 billion for formula grants to increase the federal share of special education costs and prevent these mandatory costs from forcing states to cut other areas of education.

**Title I Help for Disadvantaged Kids:** \$13 billion for grants to help disadvantaged kids in nearly every school district and more than half of all public schools reach high academic standards.

**Statewide Data Systems:** \$250 million for competitive grants to states to design and develop data systems that analyze individual student data to find ways to improve student achievement, providing teachers and administrators with effective tools.

**Education for Homeless Children and Youth:** \$66 million for formula grants to states to provide services to homeless children including meals and transportation when high unemployment and home foreclosures have created an influx of homeless kids.

**Improving Teacher Quality:** \$300 million, including \$200 million for competitive grants to school districts and states to provide financial incentives for teachers and principals who raise student achievement and close the achievement gaps in high-need schools and \$100 million for competitive grants to states to address teacher shortages and modernize the teaching workforce.

## **Early Childhood Development**

**Child Care Development Block Grant:** \$2 billion to provide child care services for an additional 300,000 children in low-income families while their parents go to work. Today only one out of seven eligible children receives care.

**Head Start:** \$2.1 billion to provide comprehensive development services to help 110,000 additional children succeed in school. Funds are distributed based on need. Only about half of all eligible preschoolers and less than 3 percent of eligible infants and toddlers participate in Head Start.

**IDEA Infants and Families:** \$600 million for formula grants to help states serve children with disabilities age 2 and younger.

## **LOWER HEALTHCARE COSTS**

To save not only jobs, but money and lives, we will update and computerize our healthcare system to cut red tape, prevent medical mistakes, and help reduce healthcare costs by billions of dollars each year.

**Health Information Technology:** \$20 billion to jumpstart efforts to computerize health records to cut costs and reduce medical errors.

**Prevention and Wellness Fund:** \$3 billion to fight preventable chronic diseases, the leading cause of deaths in the U.S., and infectious diseases. Preventing disease rather than treating illnesses is the most effective way to reduce healthcare costs. This includes hospital infection prevention, Preventive Health and Health Services Block Grants for state and local public health departments, immunization programs, and evidence-based disease prevention.

**Healthcare Effectiveness Research:** \$1.1 billion for Healthcare Research and Quality programs to compare the effectiveness of different medical treatments funded by Medicare, Medicaid, and SCHIP. Finding out what works best and educating patients and doctors will improve treatment.

**Community Health Centers:** \$1.5 billion, including \$500 million to increase the number of uninsured Americans who receive quality healthcare and \$1 billion to renovate clinics and make health information technology improvements. More than 400 applications submitted earlier this year for new or expanded CHC sites remain unfunded.

**Training Primary Care Providers:** \$600 million to address shortages and prepare our country for universal healthcare by training primary healthcare providers including doctors, dentists, and nurses as well as helping pay medical school expenses for students who agree to practice in underserved communities through the National Health Service Corps.

**Indian Health Service Facilities:** \$550 million to modernize aging hospitals and health clinics and make healthcare technology upgrades to improve healthcare for underserved rural populations.

## **HELP WORKERS HURT BY THE ECONOMY**

High unemployment and rising costs have outpaced Americans' paychecks. We will help workers train and find jobs, and help struggling families make ends meet.

### **Helping Workers Find Jobs**

**Training and Employment Services:** \$4 billion for job training including formula grants for adult, dislocated worker, and youth services (including \$1.2 billion to create up to one million summer jobs for youth). The needs of workers also will be met through dislocated

worker national emergency grants, new competitive grants for worker training in high growth and emerging industry sectors (with priority consideration to “green” jobs and healthcare), and increased funds for the YouthBuild program. Green jobs training will include preparing workers for activities supported by other economic recovery funds, such as retrofitting of buildings, green construction, and the production of renewable electric power.

**Vocational Rehabilitation State Grants:** \$500 million for state formula grants to help persons with disabilities prepare for gainful employment.

**Employment Services Grants:** \$500 million to match unemployed individuals to job openings through state employment service agencies and allow states to provide customized services. Funds are targeted to states with the greatest need based on labor force, unemployment, and long-term unemployed rates.

**Community Service Employment for Older Americans:** \$120 million to provide subsidized community service jobs to an additional 24,000 low-income older Americans.

### **Unemployment Insurance Benefits**

**Benefits Extension:** \$27 billion to continue the current extended unemployment benefits program – which provides up to 33 weeks of extended benefits - through December 31, 2009 given rising unemployment.

**Increased Benefits:** \$9 billion to increase the current average unemployment insurance benefit from roughly \$300 per week, paid out of State trust funds, by \$25 per week using Federal funds, through December 2009. There are currently 5.3 million workers receiving regular UI and an additional 1.9 million receiving extended benefits.

**Unemployment Insurance Modernization:** Provides funds to states through a “Reed Act” distribution, tied to states’ meeting specific reforms to increase unemployment insurance coverage for low-wage, part-time, and other jobless workers.

**COBRA Healthcare for the Unemployed:** \$30.3 billion to extend health insurance coverage to the unemployed, extending the period of COBRA coverage for older and tenured workers beyond the 18 months provided under current law. Specifically, workers 55 and older, and workers who have worked for an employer for 10 or more years will be able to retain their COBRA coverage until they become Medicare eligible or secure coverage through a subsequent employer. In addition, subsidizing the first 12 months of COBRA coverage for eligible persons who have lost their jobs on or after September 1, 2008 at a 65 percent subsidy rate, the same rate provided under the Health Care Tax Credit for unemployed workers under the Trade Adjustment Assistance program. [Ways and Means]

**Medicaid Coverage for the Unemployed:** Provides 100 percent federal funding through 2010 for optional State Medicaid coverage of individuals (and their dependents) who are receiving unemployment benefits or have exhausted those benefits and have no health insurance coverage. Other optional coverage groups are individuals (and their dependents) who are involuntarily unemployed and uninsured and whose family income does not exceed 200 percent of poverty, and unemployed uninsured individuals who are receiving food stamps.

### **Attacking the Housing Crisis**

**Public Housing Capital Fund:** \$5 billion for building repair and modernization, including critical safety repairs. Every dollar of Capital Fund expenditures produces \$2.12 in economic return. \$4 billion of the funds will be distributed to public housing authorities through the existing formula and \$1 billion will be awarded through a competitive process for projects that improve energy efficiency.

**HOME Investment Partnerships:** \$1.5 billion to help local communities build and rehabilitate low-income housing using green technologies. Thousands of ready-to-go housing projects have been stalled by the credit crunch. Funds are distributed by formula.

**Native American Housing Block Grants:** \$500 million to rehabilitate and improve energy efficiency at some of the over 42,000 housing units maintained by Native American housing programs. Half of the funding will be distributed by formula and half will be competitively awarded to projects that can be started quickly.

**Neighborhood Stabilization:** \$4.2 billion to help communities purchase and rehabilitate foreclosed, vacant properties in order to create more affordable housing and reduce neighborhood blight.

**Homeless Assistance Grants:** \$1.5 billion for the Emergency Shelter Grant program to provide short term rental assistance, housing relocation, and stabilization services for families during the economic crisis. Funds are distributed by formula.

**Rural Housing Insurance Fund:** \$500 million to support \$22 billion in direct loans and loan guarantees to help rural families and individuals buy homes during the credit crunch. Last year these programs received a record number of applications.

**Self-Help and Assisted Homeownership Program:** \$10 million for rural, high-need areas to undertake projects using sustainable and energy-efficient building and rehabilitation practices. Funds will be awarded by competition to projects that can begin quickly.

**Lead Paint:** \$100 million for competitive grants to local governments and nonprofit organizations to remove lead-based paint hazards in low-income housing.

**Rural Community Facilities:** \$200 million to support \$1.2 billion in grants and loans to rural areas for critical community facilities, such as for healthcare, education, fire and rescue, day care, community centers, and libraries. There are over \$1.2 billion in applications pending.

### **Alleviating Hunger**

**Supplemental Nutrition Assistance:** \$20 billion to provide nutrition assistance to modest-income families and to lift restrictions that limit the amount of time individuals can receive food stamps.

**Senior Nutrition Programs:** \$200 million for formula grants to states for elderly nutrition services including Meals on Wheels and Congregate Meals.

**Afterschool Meals:** \$726 million to increase the number of states that provide free healthy dinners to children in need.

**\*Emergency Food Assistance Program:** \$150 million to purchase commodities for food banks to refill emptying shelves.

**Supplemental Nutrition Program Information Systems:** \$100 million to improve state management information systems for the WIC program.

**Payments to Disabled and Elderly:** \$4.2 billion to help 7.5 million low-income disabled and elderly individuals with rising costs by providing an additional SSI payment in 2009 equal to the

average monthly federal payment under the program (approximately \$450 for an individual and \$630 for a couple). This one-time payment will serve as an immediate economic stimulus as half of SSI recipients have no other form of income and the other half average outside income of less than \$450 per month.

**Community Services Block Grant:** \$1 billion for grants to local communities to support employment, food, housing, and healthcare efforts serving those hardest hit by the recession. Community action agencies have seen dramatic increases in requests for their assistance due to rising unemployment, housing foreclosures, and high food and fuel prices.

**Community Development Block Grants:** \$1 billion for community and economic development projects including housing and services for those hit hard by tough economic times.

**Emergency Food and Shelter:** \$200 million to help local community organizations provide food, shelter, and support services to the nation's hungry, homeless, and people in economic crisis including one-month utility payments to prevent service cut-off and one-month rent or mortgage assistance to prevent evictions or help people leave shelters. Funds are distributed by formula based on unemployment and poverty rates.

**Low-Income Home Energy Assistance:** \$1 billion to help low-income families pay for home heating and cooling at a time of rising energy costs.

**Child Support Enforcement:** \$1 billion to provide federal incentive funds for states to collect support owed to families.

**Social Security Administration Disability Backlog and Claims Processing:** \$500 million to help the Social Security Administration process a steep rise in disability and retirement claims, getting people their benefits faster, and preventing existing backlogs from getting worse. Within this total, \$40 million will help SSI upgrade health information technology.

**Centers for Independent Living:** \$200 million for state formula grants to help individuals with disabilities continue to live in their communities.

**AmeriCorps Programs:** \$200 million to put approximately 16,000 additional AmeriCorps members to work doing national service, meeting needs of vulnerable populations and communities during the recession.

**Compassion Capital Fund:** \$100 million for grants to faith- and community-based organizations to provide critical safety net services to needy individuals and families.

**Department of Labor Worker Protection and Oversight:** \$80 million to ensure that worker protection laws are enforced as recovery infrastructure investments are carried out.

## **SAVE PUBLIC SECTOR JOBS AND PROTECT VITAL SERVICES**



We will provide relief to states, so they can continue to employ teachers, firefighters, and police officers and provide vital services without having to unnecessarily raise middle class taxes.

**Medicaid Aid to States (FMAP):** Approximately \$87 billion to states, increasing through the end of FY 2010 the share of Medicaid costs the federal government reimburses states, with additional relief tied to rates of unemployment. In the previous recession the federal government increased its contribution to Medicaid to help states avoid cuts in health benefits at a time when low-income patient loads are increasing and State revenues are declining.

**State Education and Other Budget Priorities:** \$120 billion to states and school districts to stabilize budgets and prevent tax increases and deep cuts to critical education programs, including:

- \$41 billion to local school districts through Title I (\$13 billion), IDEA (\$13 billion), a new School Modernization and Repair Program (\$14 billion), and the Education Technology program (\$1 billion).
- \$79 billion in state fiscal relief, including: \$39 billion to local school districts and public colleges and universities distributed through existing state and federal formulas; \$15 billion to states as bonus grants as a reward for meeting key performance measures; and \$25 billion to states for other high priority needs such as public safety and other critical services, which may include education.

**Temporary Assistance for Needy Families:** \$2.5 billion for block grants to help States deal with the surge in families needing help during the recession and to prevent them from cutting work programs and services for abused and neglected children.

**State and Local Law Enforcement:** \$4 billion to support state and local law enforcement including \$3 billion for the Byrne Justice Assistance formula grants to support local law enforcement efforts with equipment and operating costs, and \$1 billion for the COPS hiring grant program, to hire about 13,000 new police officers for three years. The grantee is responsible for at least 25% in matching funds and must commit to use their own funds to keep the officer on board in the fourth year.

**Periodic Census and Programs, Communications:** \$1 billion for work necessary to ensure a successful 2010 census, including \$150 million for expanded communications and outreach programs to minimize undercounting of minority groups.

## **OTHER IMPORTANT POLICY PROVISION**

**Medicare and Medicaid Regulations:** The bill extends the moratorium on Medicaid and Medicare regulations.

**\*E-Verify:** Extends the E-Verify authorization for 5 years as passed by the House in July 2008 (H.R. 6633) on a vote of 407-2.

**\*Buy America:** Mandates that iron and steel used in construction and repair projects funded under the bill be produced in the United States unless found to be prohibitively expensive.

**\*Davis Bacon:** Requires that federal contractors and subcontractors pay workers no less than the local prevailing wage.

**\*Illinois:** Prevents Governor Blagojevich from directing the use of funds provided in the package

# TRAVIS COUNTY COMMISSIONERS COURT AGENDA REQUEST

19

Voting Session: February 3, 2009

I. A. Request made by: Margaret J. Gómez Phone #: 854-9444  
(Elected Official/Appointed Official/Executive Manager/County Attorney)

B. Requested text: Appoint Lynn Perkins to serve on the Board of the Children's Protective Services

C. Approved by: Margaret J. Gómez  
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 5:00pm on Mondays for the next week's meeting. Late or incomplete requests may be deferred to the next meeting.

## LYNN R. PERKINS

7103 Treasure Cove \*Austin, TX 78745\*(512)416-7726

### OBJECTIVE

Long-term employment in a field which will capitalize on my leadership, experience, education, training & skills.

### PROFESSIONAL PROFILE

#### ***MC CULLOUGH ACADEMY OF EXCELLENCE – AUSTIN, TX. 9/2005 – 12/2008***

*School Counselor – Responsible for providing services for students needing assistance in areas such as academic, social, emotional and developmental guidance. Act as Facilitator of groups where participants could sharpen skills that they were lacking and helping them eliminate things that prevented them from focusing on their academics. Act as resource person and consultant to parents regarding their child's progress or lack of. Act as liaison between teachers and administration. Responsible for parent outreach efforts and development of new resources for them. Serve as Site Coordinator for Mentorship program. Monitor targeted students on either weekly or bi-weekly bases and serve in proactive role in counseling these students. Serve as Administrator on Duty in the absence of Principle and Dean of Student Life..*

#### ***FOSTER FAMILY NETWORK-LONG BEACH, CA. 8/02-12/04***

*Social Worker-Monitor foster parents on case load to ensure their compliance with Title 22 regulations. Assist in reports & audits to ensure agency remains in compliance. Instructor for parenting classes for foster parents & natural families. Contributed information for quarterly court reports as well as supervisor of therapy, IEP seminars & other community outreach services.*

#### ***AVIVA CHILDREN & FAMILY SERVICES-LOS ANGELES, CA 05/00 – 8/02***

*Residential Counselor-Supervision & monitoring of level 14 dual diagnosed girls in residential setting. Direct care of daily functions & activities of residents. Schedule all medical, dental & outreach services as required by state regulations. Monitor & evaluate treatment plans & make recommendations for further placements. Provide individual counseling & participate in group therapy sessions.*

#### ***ROYAL PERSONNEL SERVICES-WOODLAND HILLS, CA 1/90 - 2/00***

*Receptionist/Office Manager-As office manager worked on several long term assignments. Performed basic daily functions for fast paced offices including phones, scheduling, file maintenance, testing & training new staff, & monitoring visits for foster care agencies.*

#### ***L.B. HENDERSON & ASSOCIATES-AUSTIN, TX 2/83 – 1/90***

*Administrative Assistant-Schedule & budget for busy Real Estate office. Participate in preparation of multi-media PR presentations. Produced & audit monthly & quarterly reports for franchise & broker, utilizing state of the art office & communication equipment.. Light selling & customer service.*

**UNIVERSITY OF ALASKA-ANCHORAGE, AK**

**5/79 - 1/83**

**Manager of School of Nursing**-Supervised 10 work study students in audio-tutorial nursing resource center. Assist in development of LEARN ALASKA NETWORK providing one way video & two ways audio to rural communities in Alaska. Produced yearly budget proposals & compiled statistical data for outreach programs. Created & budgeted youth job shadowing programs for under represented youths.

- 
- Master of Science in Counseling & Guidance–California Lutheran Univ., Thousand Oaks, CA
  - Bachelor of Science in Sociology – Texas A&M University, Commerce, TX

**VOLUNTEER EXPERIENCE**

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- Loren Miller Elementary School-Los Angeles, CA – Counseling Internship
- 76<sup>th</sup> Street Elementary School-Los Angeles, CA – Counseling Internship
- Gate Way Community School-Oxnard, CA – Counseling Internship
- Big Brothers/Big Sisters-Anchorage, AK – Camp Counselor
- Youth Suicide Prevention Hotline-Anchorage, AK – Counselor
- Woman’s Domestic Violence Shelter-Anchorage, AK & Austin, TX – Counselor



# Travis County Commissioners Court Agenda Request

Meeting Date: February 3, 2009

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

B. Specific Agenda Wording:

CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPOINT DEPUTY CONSTABLES FOR PRECINCT ONE FOR 2009.

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 JUDGE'S OFFICE  
09 JAN 27 PM 3:58

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.



# DANNY THOMAS

TRAVIS COUNTY CONSTABLE  
PRECINCT ONE  
1811 SPRINGDALE ROAD, STE. 120  
AUSTIN, TEXAS 78721  
OFFICE (512) 854-7510 FAX (512) 929-0981

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January 21, 2009

To: Honorable Judge Samuel T Biscoe and Members of the Commissioner's Court

From: Danny Thomas, Constables for Precinct One

Re: Deputy Appointments for 2009

Please appoint the following Deputy Constables for Precinct One, 2009.

Willie Madison  
Dedric Knox  
Jesse Villalovos  
Sean Williams  
Billy Newton  
Tonya Nixon  
Richard Furs  
Dereck Williams  
Gino Trevino  
Joseph Jiles  
Darrell Johnson  
Anna Harper  
Melva Richardson  
Thomas Harper  
Edward Banks  
Elaine Garrett

Thanks, Gwendolyn

RECEIVED  
COUNTY JUDGE'S OFFICE  
09 JAN 27 AM 10:56



22 ✓

RECEIVED  
COUNTY JUDGE'S OFFICE

VS# 2/3/09

09 JAN 23 AM 11:30

**TRAVIS COUNTY COMMISSIONER'S COURT  
AGENDA REQUEST**

Please consider the following item for Voting Session on:

I. A. Request made by: K9 Unit - Captain A. Cardenas <sup>AC</sup> Phone No. **854-9776**

B. Requested Text:

**Vote and approve to accept a four year old German Shepherd canine trained in police work as a donation from Kustom Krates/Mark Natinsky. Upon acceptance of the donation the canine will be utilized department wide for patrol related duties.**

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:

**Sheriff Greg Hamilton 854-9788**

**Chief James Sylvester 854-9787**

**Major Mark Sawa 854-9758**

**Major Phyllis Clair 854-9759**

**Captain Cardenas 854-9776**

**Francisco Ordaz 854-3249**

<sup>MW</sup> **Maria Wedhorn 854-4474**

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.



Greg Hamilton, Travis County Sheriff

## **MEMORANDUM**

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January 15, 2009

### MEMORANDUM

TO: Travis County Commissioners Court

FROM: Art Cardenas 650, Captain

*AC 650*

RE: K-9 Donation

Enclosed with this memorandum is a document prepared by Mr. Mark Natinsky of "Kustom Krates" in regard to a donation of a K-9 that he wishes to donate to the Travis County Sheriff's Office. The K-9 which Mr. Natinsky wishes to donate is a 4-year old German Shepherd male by the name of "Owen." If approved by the Commissioners Court, Owen will be assigned to the Travis County Sheriff's Office Law Enforcement K-9 Unit. He will be trained and utilized for patrol related duties.

Your consideration and approval in this regard is appreciated.

# Kustom Krates

---

8923 Burleson Manor Rd.

Manor, TX 78653

(512) 272-9651

11/1/08

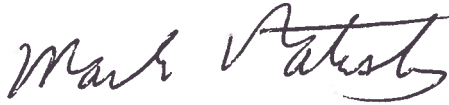
To : Travis County Sheriff Dept.

From: Mark Natinsky  
8923 Burleson Manor Rd  
Manor, TX 78653

Dear Dale:

Please accept Owen as a donation from us to the Travis County K9 Dept. He is free and clear of any debt. I own him outright and in full.

Thanks so Much!



Mark Natinsky  
**Kustom Krates**  
(512) 272-9651

*We contain 'em, so you can train 'em!*



23

Agenda Item No. \_\_\_\_\_

**TRAVIS COUNTY COMMISSIONERS COURT AGENDA REQUEST**

Work Session \_\_\_\_\_

Voting Session: February 3, 2009

- I. A. Request made by: **Dana DeBeauvoir, County Clerk**  
(Elected Official/Appointed Official/Executive Manager/County Attorney)
- B. Requested Text:

**Discuss and take action on the formation of the County Clerk Elections Study Group for the purpose of studying and making recommendations for future Travis County voting systems.**

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:

Travis County Purchasing  
ITS  
Travis County Tax Assessor-Collector  
Planning and Budget Office

*County Attorney*

**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.

09 JAN 27 PM 4:14  
RECEIVED  
COUNTY JUDGE'S OFFICE

## **Outline of Study Group Mission, Background Issues, and Process**

### **Mission for Study Group**

1. Ensure that Travis County voters have an accurate, fair, and accessible voting system.
2. Determine a minimum and maximum time range as to when replacement of the current voting system is necessary. When the voting system was purchased in 2003, it was assumed that the life of this type of technology was at least ten years.
3. Evaluate concerns regarding the existing electronic voting system and any other type of system that may be under consideration. These concerns include security; ease of use for voters; intent of voter issues; accessibility; accuracy of count; and efficient use of taxpayer money to purchase, operate, and maintain a system.
4. Make recommendations to Commissioners Court regarding options for upgrading or replacing the current election system.

### **Travis County is in a Strong Position to Work From**

1. Travis County has had a six-year history of success with the current system.
2. No system failures have occurred or are imminent and require emergency action.
3. Travis County is a national leader in security testing protocols for electronic voting systems.
4. The use of a Study Group for election administration has a history of success. This will be the third time this method has been used within the last twenty years to examine voting systems.

### **Background Issues**

1. Confidence in elections was severely damaged during the 2000 Presidential Election and continues to be an issue. Issues of recent concern to voters include potential for software tampering, lack of voter-verifiable paper receipts, questions of interpretation of voter intent on optical scan or paper ballots, and problems with proper administrative handling of optical scan or paper ballots.
2. There is a high potential for new federal or state legislation on regulations for voting systems. This includes possible additional federal funds being made available for systems meeting federal standards. There are also several outstanding lawsuits that could affect requirements for voting systems.
3. The economic situation may make it difficult for Travis County to make a large purchase within the next few years. Many unknowns exist as to how hard the economic downturn will affect Travis County. It may be necessary for Commissioners to know the consequences of delaying a purchase, have creative alternatives for purchase, and/or options for a phased-in approach.

4. Plans for implementing a new voting system must address the challenges of bringing on a new or upgraded system, especially during a Primary or November candidate election. Ample time and opportunity must exist for communicating any significant voting changes to the appropriate entities (such as the Department of Justice) and most importantly to voters.
5. Travis County purchased the current system with the assistance and cooperation of other local entities. This investment must be properly protected and potential changes carefully communicated to the other entities and their feedback considered as part of any decision. Federal funds reimbursed a substantial portion of the purchase of the current system. Research will need to be done regarding how this affects any changes that are proposed.

### **A Careful Review of the Different Voting Systems will be Required**

A major responsibility of this Study Group will be to develop a working knowledge of the different voting systems that have been certified at the state and federal level. This includes systems that have met full ADA compliance. With this background, the committee can develop a list of the pros and cons of each system and determine where additional research is needed. A risk analysis of key negative aspects of each system may also be required. The main categories of systems that will be reviewed are hand-counted paper ballots, optical scan systems (with and without precinct ballot counters), and electronic voting (with and without a voter-verified receipt). We will also want to review new technologies in development for the future.

### **Possible Meeting Topics**

These are not in a particular order, and some of the items may take more than one meeting.

1. Planning meeting to discuss the goals, format, and schedule for the Study Group.
2. Review of why Travis County's previous community Elections Task Force recommended the purchase of the Hart Intercivic Electronic Voting System.
3. A tour of the Clerk's Elections facility and demonstration of the current system.
4. Discussion of the pros and cons of the current system including specific security concerns and an examination as to how those risks are being mitigated.
5. Current and future technologies that assist voters with disabilities.
6. Presentation of the real-life practicalities of a large-scale hand-count paper ballot system with examples from like-size counties that use this method.
7. Presentation of the real-life practicalities of using a voter-verifiable receipt system and the different post election audit strategies that are used in like-sized counties.
8. Presentation of the real-life practicalities of using a precinct ballot count optical scan system with examples from like-size counties that use this method.
9. Update on new products that address improvements to voter-verifiable paper ballot systems, accessibility features, ballot-on-demand technology, and security.

10. Pros and cons of operating a hybrid voting system.
11. Sample vendor presentations of systems that are of interest to the committee.
12. Cost estimates of purchase and operation of systems.
13. Presentations to inform the Study Group on Federal Elections Assistance Committee and Texas Secretary of State responsibilities to ensure election integrity.
14. Presentations by Federal and State Representatives on potential new legislation.
15. Suggestions for implementation schedules and cost saving ideas.
16. Compilation of Study Group Findings.
17. Recommendations for final report submitted to Commissioners Court.

### **Committee Structure, Timeline, and Rules of Conduct**

Travis County Clerk Dana DeBeauvoir will serve as the Chair of these meetings and will provide Commissioners Court progress reports and the final report with recommendations.

The County Clerk will develop a committee that represents a wide variety of interests and our diverse community. Among the membership, the County Clerk will seek to include representatives from the following areas:

- Representatives from Democratic, Republican, Libertarian, and Green Parties
- Representatives from other governmental entities who will be using system, especially City of Austin, AISD, and ACC
- Representatives from Disability Community
- Representatives from League of Women Voters
- Representatives from Voter Rescue, People for the American Way, NAACP, LULAC, and/or Common Cause
- Representatives with Computer security expertise
- Representative from the Secretary of State
- Representatives of Presiding, Election Day, and Early Voting Judges
- Representative from the media
- Representative from the Voter Registrar's Office of the County Tax Assessor-Collector
- Representatives from the Purchasing Office and ITS

The Chair will ensure that:

Courtesy and respect toward all members is maintained.  
Free discussion and exchanges of ideas and information are encouraged.  
Discussions stay on topic and are kept on schedule so all items can be covered and meetings are kept within a determined time slot.  
Discussions focus on fact-based evidence and analysis and not on anecdotal information.



# Travis County Commissioners' Court Agenda Request


RECEIVED  
COUNTY CLERK'S OFFICE  
09 JAN 28 PM 3:14

Meeting Date: FEBRUARY 3, 2009

I. A. Requestor: COMMISSIONER SARAH ECKHARDT Phone # 854-9222

B. Specific Agenda Wording:

**DISCUSS INTERNSHIP OPPORTUNITIES WITHIN TRAVIS COUNTY GOVERNMENT AND FUNDING OPTIONS FOR AUSTIN COMMUNITY COLLEGE STUDENTS DURING THE FALL 2009 AND SPRING 2010 SEMESTERS.**

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

**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.





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

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

**MEMORANDUM**

**TO:** Commissioners Court  
*Travis R. Gatlin*  
**FROM:** Travis R. Gatlin, Sr. Planning and Budget Analyst  
**DATE:** January 29, 2009  
**RE:** ACC Internship Program

The Commissioners Court is scheduled to discuss internship opportunities with Travis County Government and funding options for Austin Community College Students during the fall 2009 and spring 2010 semesters. Commissioner Davis requested that I contact the departments that have participated in the program. Based on information provided by the Human Resources Management Department (HRMD), there were six County departments that participated in the past and are noted in the table below. Five of the six contacted departments have a desire and internal resources to participate again. The cost for one intern is an estimated \$5,177. This is based on a salary rate of \$15 per hour for twenty hours per week for a total of sixteen weeks and assumes that retirement is not included since they will work less than 900 hours. In addition, the amount does not include life insurance and health insurance in keeping with the benefits for other temporary/seasonal employees.

Department	Would department participant again?	Internal Resources Available
County Judge	Yes	Yes
Commissioner, Pct 2	Yes	Yes
Administration Operations	Yes	Yes
Purchasing	No	N/A
Transportation and Natural Resources	Yes	Yes
Criminal Justice Planning	Yes	Yes

Since the majority of the program will be within the FY 10 budget, PBO would recommend that any department wishing to participate to plan accordingly and identify resources within their FY 10 budget submission. In FY 07, the Commissioners Court approved an earmark against the Allocated Reserve for \$20,000 in the event a department had a demonstrated need for an intern, but

could not identify internal resources. Since all departments internally funded the program, the earmark was not used.

cc: Executive Managers  
Linda Moore Smith, HRMD  
Cyd Grimes, Purchasing Agent

Leroy Nellis, PBO  
PBO Analysts

**TRAVIS COUNTY COMMISSIONERS COURT AGENDA REQUEST**

27 ✓

VOTING SESSION 02/3/09  
(DATE)

WORKING SESSION 02/03/09  
(DATE)

I. A. REQUEST MADE BY: COUNTY ATTORNEY EAC 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 ON ATTORNEY'S FEES; IN **RELIABLE CONSULTANTS, INC., D/B/A**  
**DREAMERS v. RONNIE EARLE, ET AL., NO. A-0-CA-086-LY** (REQUESTED BY COUNTY  
ATTORNEY) (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T. CODE ANN  
SECTION 551.071 (1) (A) AND 551.071 (1) (B))

EAC

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.

DAN MANSOUR, RISK MANAGEMENT, 854-9499  
RONNIE EARLE, DISTRICT ATTORNEY, 854-9400

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

**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.

09 JAN 2009 2:24 PM  
RECEIVED  
COUNTY JUDGE'S OFFICE

32

Travis County Commissioners Court Agenda Request

Voting Session Tuesday, February 3, 2009  
(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 January 13, 2009**

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 JANUARY 13, 2009

### TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 13<sup>th</sup> day of January 2009, the Commissioners' Court convened the Voting Session at 9:13 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Ned Granger Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Commissioners Court retired to Executive Session at 9:57 AM.

The Commissioners Court reconvened the Voting Session at 10:07 AM.

The Commissioners Court retired to Executive Session at 10:07 AM.

The Commissioners Court reconvened the Voting Session at 12:18 PM.

The Commissioners Court recessed the Voting Session at 12:18 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle), convened at 1:41 PM and adjourned at 1:42 PM.

The Commissioners Court, meeting as the Travis County Bee Cave Road District #1 (Galleria), convened at 1:42 PM and adjourned at 1:42 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:42 PM and adjourned at 2:24 PM.

The Commissioners Court reconvened the Voting Session at 2:25 PM.

The Commissioners Court retired to Executive Session at 2:25 PM.

The Commissioners Court reconvened the Voting Session at 3:54 PM.

The Commissioners Court adjourned the Voting Session at 3:57 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, the Capital Industrial Development Corporation, and the Travis County Cultural Education Facilities Finance Corporation, convened at 3:57 PM and adjourned at 3:58 PM.

**Clerk's Note** Judge Biscoe noted that because Inauguration Day is Tuesday, January 20, 2009, the next Voting Session of the Commissioners Court would take place on Wednesday, January 21, 2009.

### PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING A REQUEST TO TEMPORARILY CLOSE MANDA ROAD IN PRECINCT ONE FOR DRAINAGE IMPROVEMENTS BEGINNING JANUARY 14, 2009 AND CONTINUING THROUGH FEBRUARY 4, 2009 OR UNTIL CONSTRUCTION IS COMPLETED. (ACTION ITEM #5)  
(9:13 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 5 for a summary of the action item.

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to open the public hearing.

**Motion carried:**

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

**Members of the Court heard from:** Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR).

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to close the public hearing.

**Motion carried:**

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

### CITIZENS COMMUNICATION

**Members of the Court heard from:** Ronnie Gjemre, Travis County Resident; Gus Peña, Travis County Resident; and Barbara Wilson, Travis County Resident.  
(9:15 AM)

CONSENT ITEMS

Motion by Commissioner Gómez and seconded by Commissioner Davis to approve the following Consent Items: C1-C5 and Items 4, 5, 6, 7, 8, 11, 12, 13, and 14. (9:25 AM)

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF DECEMBER 30, 2008.
- C3. REAPPOINT NASH MARTINEZ TO SERVE ON THE BOARD OF TRAVIS CENTRAL APPRAISAL DISTRICT. (COMMISSIONER GÓMEZ)
- C4. **REVISED LANGUAGE:** REAPPOINT EFREN BRITO, TERRY STRUBLE AND **GEORGE MENTZER** TO SERVE AS FIRE COMMISSIONERS TO EMERGENCY SERVICES DISTRICT NO. 2 BOARD EFFECTIVE IMMEDIATELY THROUGH DECEMBER 31, 2010. (COMMISSIONER ECKHARDT)
- C5. REAPPOINT TOMMY NOBLES TO SERVE AS PRECINCT TWO APPOINTEE ON THE HOUSING AUTHORITY OF TRAVIS COUNTY BOARD OF COMMISSIONERS EFFECTIVE IMMEDIATELY THROUGH DECEMBER 31, 2010. (COMMISSIONER ECKHARDT)

## RESOLUTIONS AND PROCLAMATIONS

2. APPROVE PROCLAMATION RECOGNIZING THE 26<sup>TH</sup> ANNUAL AUSTIN INDEPENDENT SCHOOL DISTRICT AFRICAN-AMERICAN HERITAGE CELEBRATION. (JUDGE BISCOE) (9:27 AM)

**Members of the Court heard from:** Veronica Sanchez, Department of Schools, Community Education.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve the Proclamation 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 Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

## SPECIAL ITEMS

3. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:30 AM)

**Members of the Court heard from:** Pete Baldwin, Emergency Management Coordinator, Emergency Services; and Hershel Lee, Assistant Fire Marshal.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve another order, which would extend the burning ban through February 11, 2009.

**Motion carried:**

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



**PURCHASING OFFICE ITEMS**

4. APPROVE CONTRACT AWARD FOR CONSTRUCTION SERVICES FOR THE GATTIS SCHOOL ROAD PROJECT, IFB NO. B090031LP, TO THE LOW BIDDER, CASH CONSTRUCTION COMPANY, INC. (9:25 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.

**TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS**

5. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A REQUEST TO TEMPORARILY CLOSE MANDA ROAD IN PRECINCT ONE FOR DRAINAGE IMPROVEMENTS BEGINNING JANUARY 14, 2009 AND CONTINUING THROUGH FEBRUARY 4, 2009 OR UNTIL CONSTRUCTION IS COMPLETED. (9:25 AM)

**Clerk's Note:** Item 5 is the action item for the public hearing on Agenda Item 1.

**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. CONSIDER AND TAKE APPROPRIATE ACTION ON A PROPOSED THIRD AMENDMENT TO CONTRACT FOR THE EXISTING IMPROVED COMMERCIAL PROPERTY CONTRACT BETWEEN TRAVIS COUNTY AND BALCONES RESOURCES, INC. FOR THE SALE OF PROPERTY LOCATED ON JOHNNY MORRIS ROAD IN PRECINCT ONE. (9:25 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.

**ADMINISTRATIVE OPERATIONS ITEMS**

- 7. 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 \$489,210.01 FOR THE PERIOD OF DECEMBER 26, 2008 TO JANUARY 1, 2009. (9:25 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.

- 8. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:25 AM)

**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 CONSTABLE PRECINCT TWO PROPOSAL TO TRANSITION CERTAIN PEACE OFFICES FROM THE CLASSIFIED PAY SCALE TO NON-TRAVIS COUNTY SHERIFF'S OFFICER PEACE OFFICER PAY SCALE EFFECTIVE JANUARY 16, 2009. (9:33 AM)

**Members of the Court heard from:** Luane Shull, Compensation Manager, Human Resources Management Department (HRMD); Travis Gatlin, Budget Analyst, Planning and Budget Office (PBO); Alicia Perez, Executive Manager, Administrative Operations; Leroy Nellis, Budget Manager, PBO; and Randy Lott, Budget Analyst, PBO.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve Item 9.

**Motion carried:**

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

**Clerk's Note:** The Court noted that approval of Item 9 will add \$15,630.00 to Fiscal year 2009 budget, but efforts will be made by the Constable Precinct 2 office to generate this amount through salary savings or some other method.

10. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM THE TEXAS HOUSE OF REPRESENTATIVES TO USE TRAVIS COUNTY CHANNEL 17 (TCTV-17) FOR CABLECASTING THE LEGISLATIVE SESSION THAT RUNS TUESDAY, JANUARY 13 TO MONDAY, JUNE 1, 2009, WHICH REQUIRES A WAIVER OF TRAVIS COUNTY CODE CHAPTER 43.004.  
(9:47 AM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; and Steven W. Broberg, Director, Records Management and Communication Resources (RMCR).

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve the request in Item 10.

**Motion carried:**

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

### **JUSTICE AND PUBLIC SAFETY ITEMS**

11. CONSIDER AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY'S APPLICATION FOR REIMBURSEMENT OF EXPENSES INCURRED DURING HURRICANE GUSTAV. (9:25 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 TRAVIS COUNTY'S APPLICATION FOR REIMBURSEMENT OF EXPENSES INCURRED DURING HURRICANE IKE. (9:25 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.

## OTHER ITEMS

13. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:25 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.

14. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPOINT DEPUTY CONSTABLES FOR PRECINCT FIVE FOR 2009. (9:25 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 APPOINTMENTS TO AUSTIN CITY COUNCIL, AUSTIN INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES, TRAVIS COUNTY COMMISSIONERS COURT JOINT SUBCOMMITTEE. (JUDGE BISCOE) (9:53 AM)

**Clerk's Note:** The Court noted that Judge Biscoe and Commissioner Gómez had attended previous meetings of the Joint Subcommittee in 2008 at the request of Austin Independent School District (AISD). It was felt that the Joint Subcommittee had potential. The County Judge requested that this committee should be added to the list of Board and Committee Assignments set for the Commissioners Court the first voting session of each calendar year.

**Motion by Commissioner Gómez and seconded by Commissioner Huber** to approve this subcommittee to continue.

**Motion carried:**

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

16. CONSIDER AND TAKE APPROPRIATE ACTION ON INTERLOCAL BETWEEN TRAVIS COUNTY, THE CITY OF AUSTIN AND THE AUSTIN INDEPENDENT SCHOOL DISTRICT FOR THE MEN AND BOYS HARVEST FOUNDATION TO ENHANCE THE EDUCATIONAL AND ECONOMIC OPPORTUNITIES OF TRAVIS COUNTY YOUTH. (9:13 AM)

Item 16 postponed until January 21, 2009.

### **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.

17. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE STATUS OF INVESTIGATION OF CLAIMS BY KAREN STEITL, INCLUDING THE CLAIMS IN EEOC CHARGE NO. 31C-2008-01470. <sup>1</sup>  
(9:57 AM) (10:07 AM) (3:54 PM)

**Clerk's Note:** Judge Biscoe announced that Item 17 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** to agree to the requested mediation with the Equal Employment Opportunity Commission (EEOC) and that we indicate our intention to name a representative next Wednesday, January 21, 2009.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Item 17 to be reposted on Wednesday, January 21, 2009.

18. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE STATUS OF INVESTIGATION OF CLAIMS BY CHUCK KELLEY, INCLUDING THE CLAIMS IN EEOC CHARGE NO. 31C-2008-01436 AND EEOC CHARGE NO. 450-2009-00943. <sup>1</sup> (9:57 AM) (10:07 AM) (3:55 PM)

**Clerk's Note:** Judge Biscoe announced that Item 18 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.

Discussion only. No formal action taken.

Item 18 to be reposted on January 21, 2009.

19. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING THE PENDING LITIGATION IN TRAVIS COUNTY, TEXAS AND STATE OF TEXAS VS. COLDWATER DEVELOPMENT LTD. AND RODMAN EXCAVATION, INC., ET. AL. <sup>1</sup> (9:57 AM) (2:25 PM) (3:55 PM)

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

Discussion only. No formal action taken.

Item 19 to be reposted on January 21, 2009.

20. A. RECEIVE LEGAL BRIEFING FROM COUNTY ATTORNEY ON ISSUES REGARDING CONFIDENTIAL CLIMATE ASSESSMENT RECEIVED FROM EMPLOYMENT PRACTICES SOLUTIONS AND TAKE APPROPRIATE ACTION <sup>1</sup>; AND
- B. DELIBERATE RESULTS OF CONFIDENTIAL CLIMATE ASSESSMENT IN RELATION TO EXECUTIVE MANAGER OF ADMINISTRATIVE OPERATIONS; DIRECTOR OF HUMAN RESOURCES MANAGEMENT DEPARTMENT (HRMD); AND HRMD SLOT NUMBERS 23, 16 AND 9 AND TAKE APPROPRIATE ACTION. <sup>1</sup> (9:57 AM) (10:07 AM) (3:56 PM)

**Clerk's Note:** Judge Biscoe announced that Items 20.A& B 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.

Discussion only. No formal action taken.

Items 20.A& B to be reposted on January 21, 2009.

21. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION ON COMPLAINTS REGARDING AUSTIN POLICE DEPARTMENT ARREST REVIEW AND TRAVIS COUNTY SHERIFF'S OFFICE JAIL CONDITIONS. <sup>1</sup> (9:57 AM) (2:25 PM) (3:56 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.

**Clerk's Note:** The Court indicated that it would respond to the letter received from the lawyer and share that with the Commissioners Court and otherwise proceed to test the conditions complained of, and as soon as the results are received indicating findings and recommendations, have it back on the Court's agenda for appropriate action.

Item 21 to be reposted when ready.

**ADJOURNMENT**

**Motion by Judge Biscoe and seconded by Commissioner Gómez to adjourn the Voting Session. (3:57 PM)**

**Motion carried:** County Judge Samuel T. Biscoe                      yes  
Precinct 1, Commissioner Ron Davis                            yes  
Precinct 2, Commissioner Sarah Eckhardt                     yes  
Precinct 3, Commissioner Karen Huber                         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 February 3, 2009  
(Date)

Work Session \_\_\_\_\_  
(Date)

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

Phone # 854-9383

B. Requested Text:

Approve setting a Public Hearing on Tuesday, February 17, 2009, to receive comments regarding a request to temporarily close Oasis Bluff Drive to through traffic from Comanche Trail to Bullick Hollow Road in Precinct three for the "Cold Fusion Sizzler" slalom skateboard races to be held on March 28, 2009, from 8:00am to 8:00pm.

C. C. Approved by: \_\_\_\_\_

Karen Huber, Travis County Commissioner, 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 this Agenda Request and backup to them.

Don Ward, TNR (854-9317)  
David Greear, TNR (854-7650)

Greg Hamilton, County Sheriff, (854-9770)  
TCSO Dispatch (974-0845, #3)

Cheryl McVey, TNR Dispatch (854-9433)

Emergency Services District #6 (266-2533)

Leander I.S.D. (434-5008)

TCSO Dispatch (974-0800)

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 the backup memorandum and exhibits should be submitted to the County Judges 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.

RECEIVED  
COUNTY JUDGE'S OFFICE  
FEB 27 PM 3:09



**TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT**  
JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 W. 13th St.  
Eleventh Floor  
P.O. Box 1748  
Austin, Texas 78767  
(512) 854 -9383  
FAX (512) 854 -4697

**MEMORANDUM**

**January 23, 2009**

**TO:** Members of the Commissioners Court  
**THROUGH:** Joseph P. Gieselman, Executive Manager  
**FROM:** Donald W. Ward, P.E. *Ref for Don Ward*  
Division Director, Road Maintenance & Fleet Services  
**SUBJECT:** Temporary Closure of Oasis Bluff Drive for "Cold Fusion Sizzler" slalom skateboard races

**PROPOSED MOTION:**

Approve setting a Public Hearing on Tuesday, February 17, 2009, to receive comments regarding a request to temporarily close Oasis Bluff Drive to through traffic from Comanche Trail to Bullick Hollow Road in Precinct three for the "Cold Fusion Sizzler" slalom skateboard races to be held on March 28, 2009, from 8:00am to 8:00pm.

**SUMMARY AND STAFF RECOMMENDATION:**

Staff recommends closing Oasis Bluff Drive. The "Cold Fusion Sizzler" slalom skateboard races are scheduled to begin after 8:00am and finish by 8:00pm on March 28<sup>th</sup>, 2009. Every 15 minutes, traffic will be allowed to access Oasis Bluff Drive from Bullick Hollow to reach Villa Montana Way by traffic control and TCSO officers through the closure. All other times, the roadway will closed to through traffic.

A Release of Liability for Use of County Road is required from the event coordinator before the race begins.

**ISSUES AND OPPORTUNITIES:**

The road closure is necessary for the safety of racers, event staff, and observers.

**BUDGETARY ISSUE:**

This closure will require some work by Travis County road maintenance crews to post public notice signs.

**REQUIRED AUTHORIZATIONS:**

This recommendation is made in accordance with Chapter 251 of the Transportation Code.

**BACKGROUND:**

None.

**EXHIBITS:**

Area map showing closure location.

cc: Don Ward  
Richard Duane  
David Greear



## **NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Travis County Commissioners' Court, Travis County, Texas, will hold a Public Hearing on Tuesday, February 17, 2009, at 9:00 a.m. to consider the temporary closure of Oasis Bluff Drive for the "Cold Fusion Sizzler" slalom skateboard races.

The Public Hearing will be held in the Commissioners' Courtroom in the Travis County Administration Building (first floor), 314 West 11<sup>th</sup> Street, Austin, Texas.

STATE OF TEXAS

§

COUNTY OF TRAVIS

§

§

ORDER \_\_\_\_\_

**WHEREAS**, Transportation and Natural Resources has recommended a temporary road closure of Oasis Bluff Drive for slalom skateboard races on March 28th, 2009 from 8:00am to 8:00pm; and

**WHEREAS**, a public hearing was held on Tuesday, February 17, 2009 in the Commissioners' Court of Travis County, Texas, following required advance notice prior to the approval of this Order; then

**BE IT THEREFORE ORDERED** by the Commissioners' Court of Travis County, Texas, that the following road be temporarily closed as listed below:

**PRECINCT THREE:**

**Oasis Bluff Drive** Closed to through traffic from Comanche Trail to Bullick Hollow Road.

PASSED AND ADOPTED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009.

\_\_\_\_\_  
Samuel T. Biscoe  
County Judge

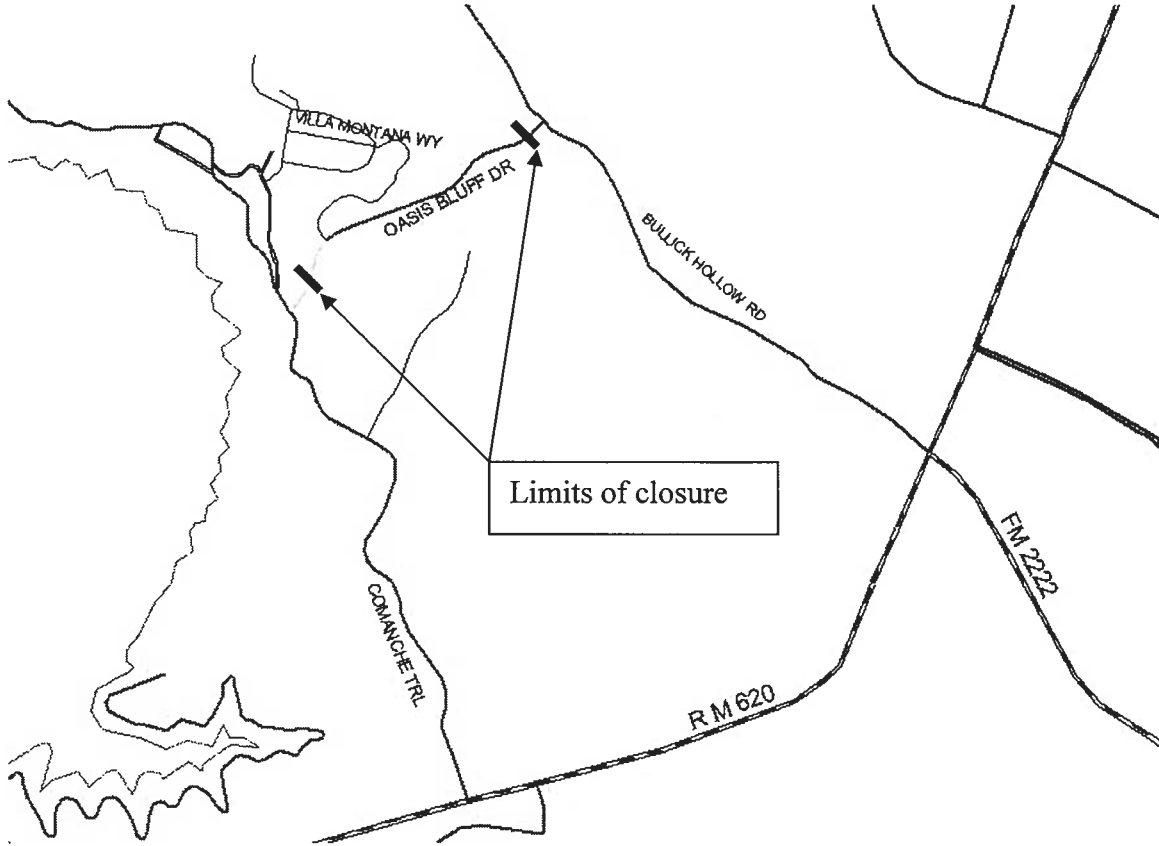
\_\_\_\_\_  
Ron Davis  
Commissioner, Precinct 1

\_\_\_\_\_  
Sarah Eckhardt  
Commissioner, Precinct 2

\_\_\_\_\_  
Karen Huber  
Commissioner, Precinct 3

\_\_\_\_\_  
Margaret Gomez  
Commissioner, Precinct 4

**Oasis Bluff Drive closure  
for  
“Cold Fusion Sizzler” slalom skateboard race**



**BOARD OF DIRECTORS**  
**NORTHWEST TRAVIS COUNTY ROAD DISTRICT NO. 3**

Voting Session Tuesday, February 3, 2009  
(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 Session of January 13, 2009**

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 – JANUARY 13, 2009

### NORTHWEST TRAVIS COUNTY ROAD DISTRICT NO. 3

On Tuesday, the 13<sup>th</sup> day of January 2009, 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, 1<sup>st</sup> Floor of the Ned Granger Administration Building, 314 West 11<sup>th</sup> 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)

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve the investment of funds in Item 1.

**Motion carried:**

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

2. APPROVE N.W.T.C.R.D.#3 MINUTES FOR THE VOTING SESSION OF JANUARY 6, 2009. (1:41 PM)

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve 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 Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**ADJOURNMENT**

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to adjourn the Voting Session of the Northwest Travis County Road District No. 3. (1:42 PM)

**Motion carried:**

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

**MINUTES APPROVED BY THE ROAD DISTRICT BOARD**

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**Date of Approval**

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**Samuel T. Biscoe, Travis County Judge**