

Travis County Commissioners Court Agenda Request

Voting Session ~~1/27/09~~ 3/3/09
(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:

A. Approve setting a public hearing for March 3, 2009 to discuss and approve a partial vacation in Precinct One: Hidden Lake Estates, Section 1 , (Long form plat – 95 Lots – 121.57 acres – Lockwood Drive – City of Austin 5 Mile 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:

AB Joe Arriaga: 854-7562
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 9, 2009

TO: Members of the Commissioners Court

THROUGH: Joseph P. Gieselman, Executive Manager

FROM:  Anna Bowlin, Division Director, Development Services

SUBJECT: Partial Vacation of Hidden Lakes Estates, Section 1 - Subdivision

- A. Approve setting a public hearing for March 3, 2009 to discuss and approve a partial vacation in Precinct One: Hidden Lake Estates, Section 1 , (Long form plat – 95 Lots – 121.57 acres – Lockwood Drive – City of Austin 5 Mile ETJ).**

SUMMARY AND STAFF RECOMMENDATION:

The applicant is requesting a partial vacation for Hidden Lakes Estates, Section 1, as per Texas Local Government Code 212.013. The request is for a vacation of 95 lots which includes residential, drainage, public utility easements, and right-of-way lots. The applicant is not proposing to vacate Lot 24 and a part of right-of-way for Lockwood Drive.

This partial vacation application meets all Single Office (Travis County and City of Austin) standards and has been approved by the City of Austin, TNR staff recommends approval.

ISSUES:

Staff has not received any contact from any neighborhood group or any adjacent property owner.

BUDGETARY AND FISCAL IMPACT:

None

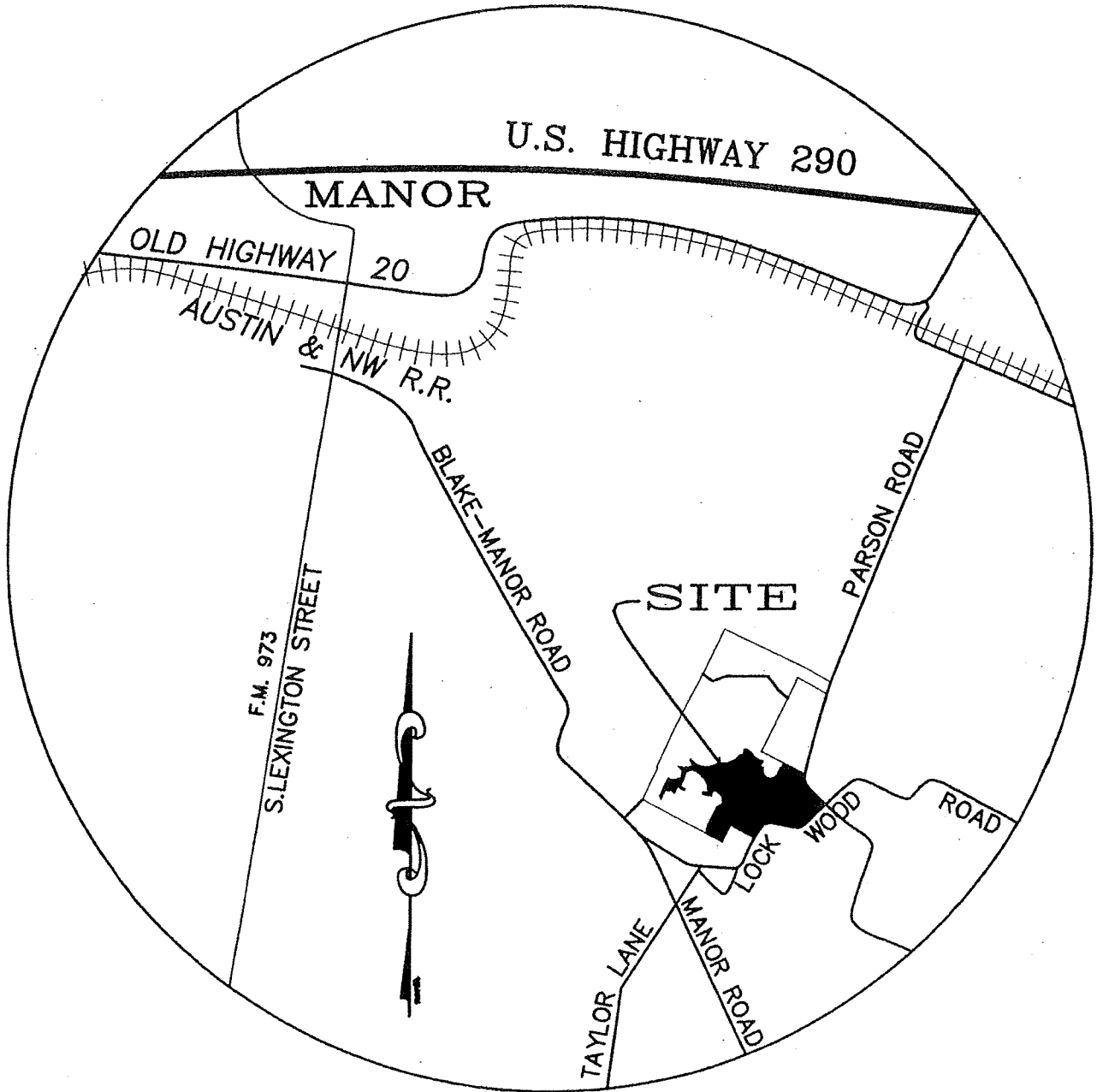
REQUIRED AUTHORIZATIONS:

None

EXHIBITS:

Location map, Original plat and Vacation Document

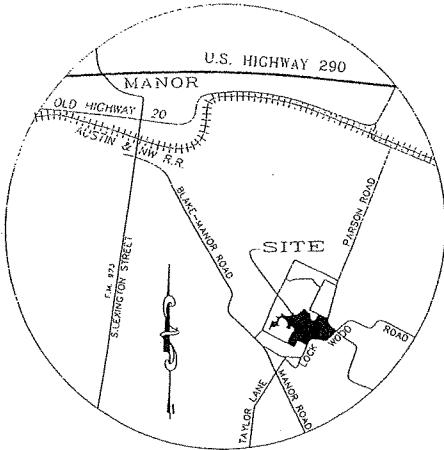
AMB: JA



LOCATION MAP

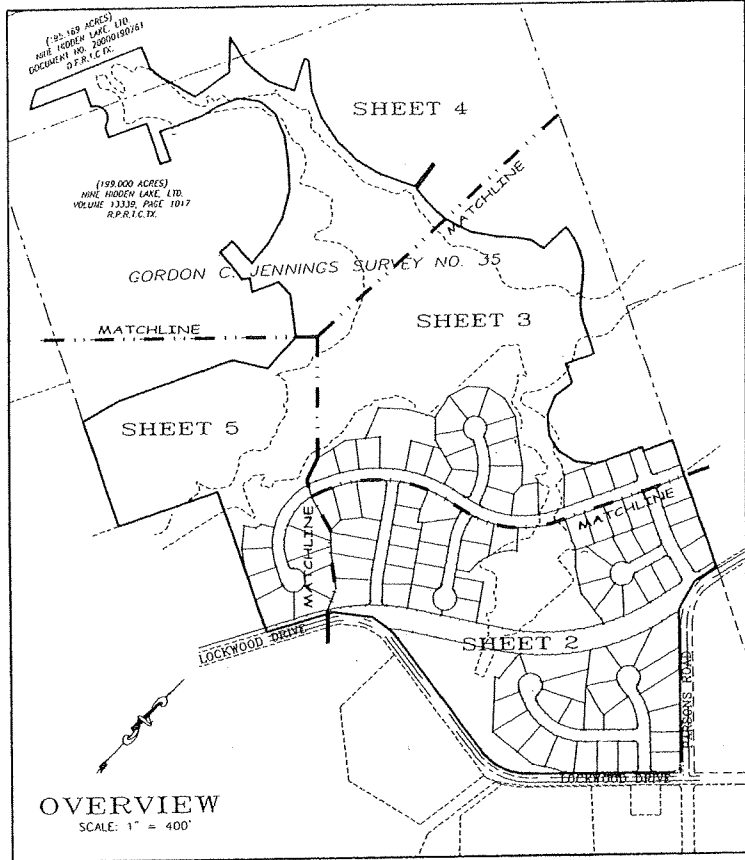
NOT TO SCALE

HIDDEN LAKE ESTATES SECTION 1

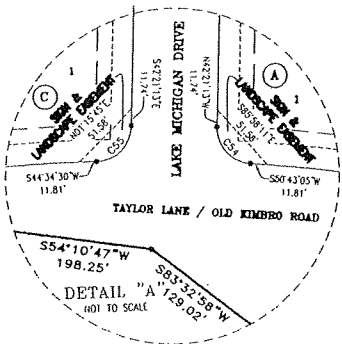


LOCATION MAP
NOT TO SCALE

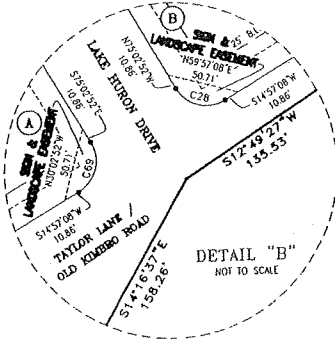
LINEAR FOOTAGE OF RIGHT-OF-WAY		
STREET NAME	R.O.W. WIDTH	LINEAR FT.
LAKE MONO COVE	60'	510'
LAKE GEORGE COVE	60'	735'
LAKE HURON COVE	60'	280'
LAKE SUPERIOR LANE	60'	2525'
LAKE HURON DRIVE	70'	754'
LAKE ONTARIO PLACE	60'	892'
LAKE MICHIGAN DRIVE	60'	728'
TAYLOR LANE/OLD KIMBRO ROAD	114'	1680'
TOTAL		8115'



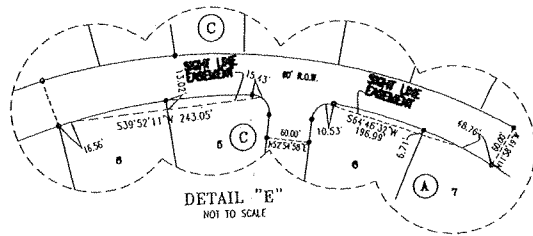
OVERVIEW
SCALE: 1" = 400'



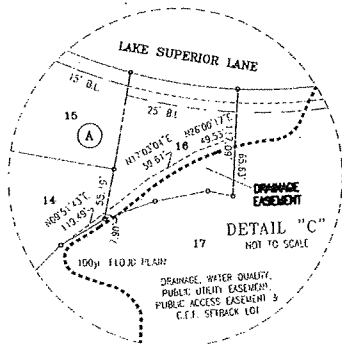
DETAIL "A"
NOT TO SCALE



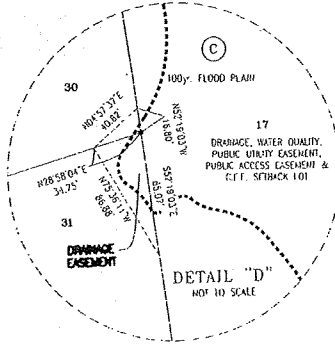
DETAIL "B"
NOT TO SCALE



DETAIL "E"
NOT TO SCALE



DETAIL "C"
NOT TO SCALE



DETAIL "D"
NOT TO SCALE

OWNER: NINE HIDDEN LAKE LTD.
6801A BEE CAVES ROAD
AUSTIN, TEXAS 78746

ACREAGE: 126.069 ACRES
SURVEY: GORDON C. JENNINGS SURVEY NO. 35

NO. OF SF LOTS: 92
NO. OF OPEN SPACE LOTS: 3
NO. OF AMENITIES LOTS: 1
TOTAL NO. OF LOTS: 96
NO. OF BLOCKS: 3

BENCHMARK:
FOUND 4" ALUM DISC ON CONCRETE POST. "USGS" BENCHMARK "71 RDS 1954"
HARD 29 THIRD ORDER ELEVATION
NORTHEAST OF LOTS 1 AND 2 BLOCK 0, AS SHOWN SEE SHEET 2 OF 8.
ELEVATION 661.14 (601.143)

DATE: APRIL 27, 2004
F.E.M.A. MAP NO. 48453C-0055E DATED: 06-16-93
TRAVIS COUNTY, TEXAS

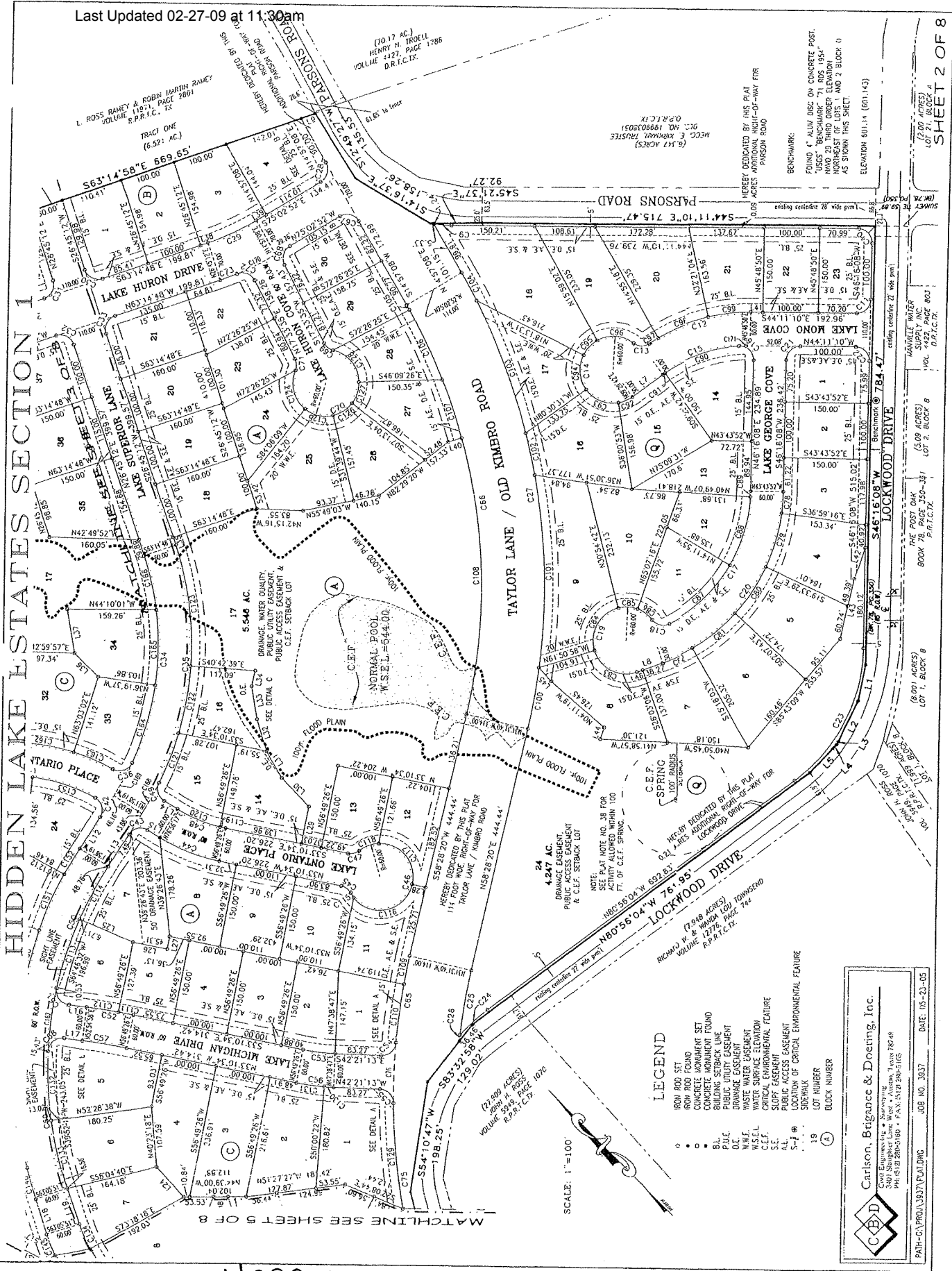
SHEET 1 OF 8

Carlson, Brigrance & Doering, Inc.
Civil Engineering • Surveying
2401 Slaughter Lane West • Austin, Texas 78746
PH: 512-290-5161 • FAX: 512-290-5165

PATH-C:\PROJ\9337\PLAI.DWG JOB NO. 3937 DATE: 04-27-04

Last Updated 02-27-09 at 11:30am

HIDDEN LAKE ESTATES SECTION 1



LEGEND

- IRON ROD FOUND
- CONCRETE MONUMENT SET
- BUILDING SETBACK LINE
- P.U.C. PUBLIC UTILITY EASEMENT
- D.C. DRAINAGE EASEMENT
- W.W.E. WASTE WATER EASEMENT
- W.S.E.L. WATER SURFACE ELEVATION
- C.E.P. CRITICAL ENVIRONMENTAL FEATURE
- A.E. ACCESS EASEMENT
- S-f @ LOCATION OF CRITICAL ENVIRONMENTAL FEATURE
- SIDEWALK
- 19 LOT NUMBER
- BLOCK NUMBER

CEB
 Carlson, Brugnace & Dretting, Inc.
 Civil Engineers & Surveyors
 3401 Shaugbue Lane West • Aniston, Texas 78748
 Phone: 512-280-0100 • Fax: 512-280-5105

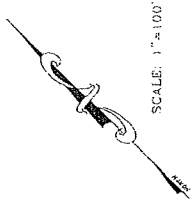
DATE: 05-23-05
 JOB NO. 3937

PATH-C:\PROJ\3937\BUILDING
 SHEET 2 OF 8
 HIDDEN LAKE ESTATES SEC. 1
 Doc # 800700011

MATCHLINE SEE SHEET 5 OF 8

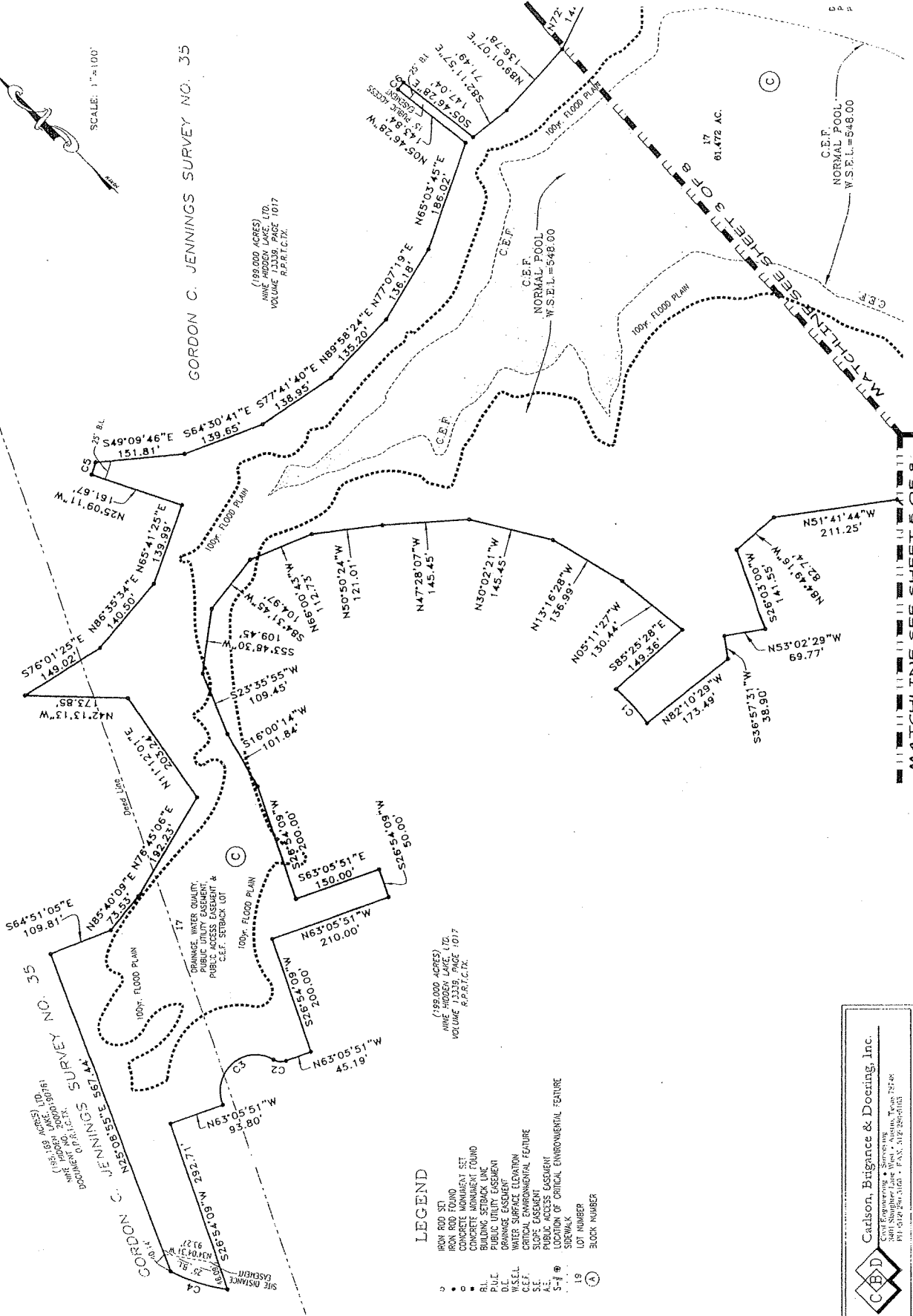


HIDDEN LAKE ESTATES SECTION 1



GORDON C. JENNINGS SURVEY NO. 35

(199,000 ACRES)
NINE HIDDEN LAKE, LTD.
VOLUME 13339, PAGE 1017
P.P.R.T.C.T.X.



(199,000 ACRES)
NINE HIDDEN LAKE, LTD.
VOLUME 13339, PAGE 1017
P.P.R.T.C.T.X.

LEGEND

- IRON ROD SET
- IRON ROD FOUND
- CONCRETE MONUMENT FOUND
- CONCRETE MONUMENT FOUND
- BUILDING SETBACK LINE
- PUBLIC UTILITY EASEMENT
- DRAINAGE EASEMENT
- D.I.C.
- WATER SURFACE ELEVATION
- C.E.F.
- SLOPE EASEMENT
- PUBLIC ACCESS EASEMENT
- SLOPE OF CRITICAL ENVIRONMENTAL FEATURE
- SLOPE
- 19 LOT NUMBER
- 18 BLOCK NUMBER

CBD Carlson, Brignace & Doring, Inc.
Civil Engineering • Surveying
10000 Highway 101, Suite 100
P.O. Box 100 • P.A.S. #19200001
P.A.S. #19200001
— 498 NO. 3937 DATE: 04-27-04
P.A.S. #19200001

MATCHLINE SEE SHEET 5 OF 8
MATCHLINE SEE SHEET 3 OF 8
MATCHLINE SEE SHEET 4 OF 8
C8J-02-0066.1A

11000000

HIDDEN LAKE ESTATES SECTION 1

MATCHLINE SEE SHEET 4 OF 8

MATCHLINE SEE SHEET 3 OF 8

MATCHLINE SEE SHEET 2 OF 8

(198.000 ACRES)
 NINE HIDDEN LAKE, LTD.
 VOLUME 7836, PAGE 1017
 R.P. 121.C.T.R.

(15.00 ACRES)
 KEITH E. KELLY & ELAINE M. KELLY
 VOLUME 7836, PAGE 452 D.R.T.C.T.R.

SCALE: 1"=100'

LEGEND

- IRON ROD SET
- IRON ROD FOUND
- CONCRETE MONUMENT SET
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- BUILDING MONUMENT FOUND
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- ▂ BUILDING MONUMENT FOUND
- ▁ BUILDING MONUMENT FOUND
- LOCATION OF CRITICAL ENVIRONMENTAL FEATURE
- ① LOT NUMBER
- Ⓐ BLOCK NUMBER

STATE OF TEXAS,
 COUNTY OF TARRANT,
 I, BRETT R. PASQUARELLA, P.E., AM AUTHORIZED TO PRACTICE THE PROFESSION OF CIVIL ENGINEERING IN THE STATE OF TEXAS, AND HEREBY CERTIFY THAT THE ENGINEERING PORTIONS OF THIS PLAN COMPLY WITH CHAPTER 215 OF THE AUSTIN CITY CODE, OF 1981, AS AMENDED.
 FLOOD PLAIN NOTE: THE 100 YEAR FLOOD PLAIN IS CONTAINED WITHIN THE DRAINAGE EASEMENTS SHOWN HEREON. A PORTION OF THIS TRACT IS WITHIN THE BOUNDARIES OF THE 100-YEAR FLOOD PLAIN OF A WATERWAY THAT IS WITHIN THE LIMITS OF STUDY OF THE FEDERAL FLOOD INSURANCE ADMINISTRATION FIRM PANEL NUMBER 48431C-0055E, FOR TARRANT COUNTY, TEXAS, DATED JUNE 16, 1993.




ENGINEERING BY:
 BRETT R. PASQUARELLA, P.E., LICENSE NO. 84769, DATE 1-22-07
 BRETT R. PASQUARELLA ENGINEERING, INC.
 3401 SAUGHNER LAKE WEST
 AUSTIN, TEXAS 78748

STATE OF TEXAS,
 COUNTY OF TARRANT,
 I, Douglas E. Bunker, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THIS PLAN COMPLES WITH CHAPTER 215 OF THE AUSTIN CITY CODE, AS AMENDED, AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY AND UNDER MY SUPERVISION ON THE GROUND.



SURVEYED BY:
 DOUGLAS E. BUNKER, S., LICENSE NO. 122-07, DATE 1-22-07
 CARLSON, BRIGANCE & DOERING, INC.
 3401 SAUGHNER LAKE WEST
 AUSTIN, TEXAS 78748



Carlson, Brigance & Doering, Inc.
 Civil Engineering & Surveying
 3401 Saughner Lake West • Austin, Texas 78748
 PH: (512) 280-5168 • FAX: (512) 280-5167

JOB NO. 3517 DATE: 01-27-08

11000000

PARTIAL VACATION OF PLAT
(Hidden Lake Estates Section 1)

THIS PARTIAL VACATION OF PLAT is entered into this 15TH day of December, 2008 by Nine Hidden Lake, Ltd. ("Owner").

WITNESSETH:

WHEREAS, Owner is the owner in fee simple of all of the land encompassed in that certain Plat entitled Hidden Lake Estates Section 1, a subdivision within the Extraterritorial Jurisdiction of the City of Austin, Texas, and within Travis County, Texas, and recorded as Document No. 200700011 of the Official Public Records of Travis County, Texas; and

WHEREAS, Owner desires to vacate all of the lands and lots encompassed by the Plat, save and except the Excluded Lot and Excluded ROW (as hereinafter defined), in accordance with the procedures set forth in Section 212.013 of the Texas Local Government Code.

WHEREAS, the following lot and land is expressly excluded from this Partial Vacation of Plat:

Lot 24, Block Q of Hidden Lake Estates Section 1 according to the Plat filed under Document No. 200700011 in the Official Public Records of Travis County (the "Plat"), and being that certain five foot (5') wide additional right-of-way containing .21 acres of land situated between Lot 24, Block Q of Hidden Lake Estates Section 1, as described above, and Lockwood Drive as shown on the Plat (collectively, the "Excluded Lot" and "Excluded ROW"); and

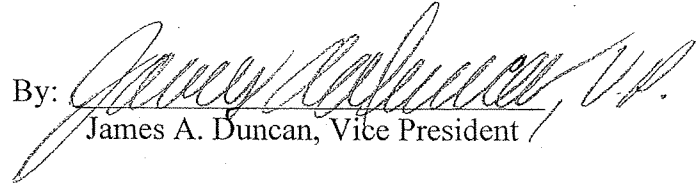
NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that the Owner does hereby declare that, subject to the approval of the City of Austin's City Council and Travis County Commissioner's Court, that all of the real property constituting the Plat, save and except the Excluded Lot and Excluded ROW, be vacated and is hereby reduced back to acreage and that all streets, alleys, easements, block lines, tract lines, phase lines, sections, setbacks and restrictions contained in said Plat be and are hereby vacated. There is expressly excluded from this Partial Vacation of Plat the Excluded Lot and Excluded ROW.

The Owner further requests that the City of Austin, Texas and the Commissioner's Court of Travis County, Texas approve said vacation.

[Signature Page Immediately Follows This Page]

NINE HIDDEN LAKE, LTD.,
a Texas limited partnership

By: Nine Interests, Inc., a Texas corporation,
General Partner

By: 
James A. Duncan, Vice President

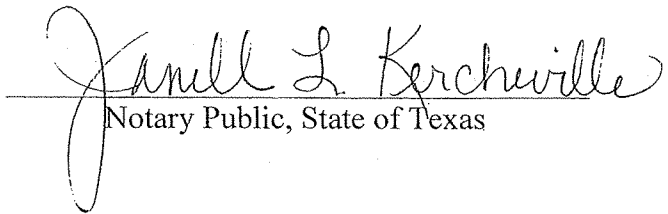
Address: 6601-A Bee Caves Road
Austin, Texas 78746-5003

THE STATE OF TEXAS §
 §
COUNTY OF §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared James A. Duncan, Vice President of Nine Interests, Inc., a Texas corporation, known to me to be the General Partner of NINE HIDDEN LAKE, LTD., a Texas limited partnership, and acknowledged to me that he executed the same as the act and deed of said limited partnership, for the purposes and consideration therein expressed, and in his capacity as a General Partner of said limited partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 15th day of December, 2008.




Notary Public, State of Texas

Approval of Partial Plat Vacation

BE IT KNOWN, that on the ____ day of _____, 200__, the Zoning and Platting Commission of the City of Austin, at its regular meeting, did approve the partial vacation of the subdivision known as Hidden Lake Estates Section 1, a subdivision located in Travis County, Texas, and within the Extraterritorial Jurisdiction of the City of Austin, which is recorded in Document No. 200700011 of the Official Records of Travis County, Texas, upon application therefore by the sole owner of all of the lots and land in said subdivision.

EXECUTED, this ____ day of _____, 200__.

Betty Baker, Chair
Zoning and Platting Commission
City of Austin
Travis County, Texas

ATTEST:

Clarke Hammond, Executive Secretary
Zoning and Platting Commission
City of Austin

THE STATE OF TEXAS
COUNTY OF TRAVIS

Before me, the undersigned authority, a Notary Public for the State of Texas, on this day personally appeared Betty Baker, known to me to be the person whose name is subscribed to in the foregoing instrument of writing as Chair of the Zoning and Platting Commission of the City of Austin, Texas, a municipal corporation, and she acknowledged to me that she executed the same for the purpose and consideration therein expressed and in capacity therein stated.

Given under my hand and seal of office, this the ____ day of _____, 200_.

Notary Public in and for the State of Texas

My Commission Expires: _____

STATE OF TEXAS

COUNTY OF TRAVIS

On _____, 20 _____, the Travis County Commissioners Court approved the partial cancellation of the subdivision known as Hidden Lake Estates Section 1 as described above.

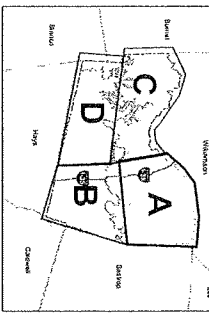
EXECUTED, this _____ day of _____, 20 _____.

Dana Debeauvoir, County Clerk
Travis County, Texas

By: _____
Deputy

Return to:
Travis County TNR
Attention: Sarah Sumner
P.O. Box 1748
Austin, TX 78767

Travis County Location Map

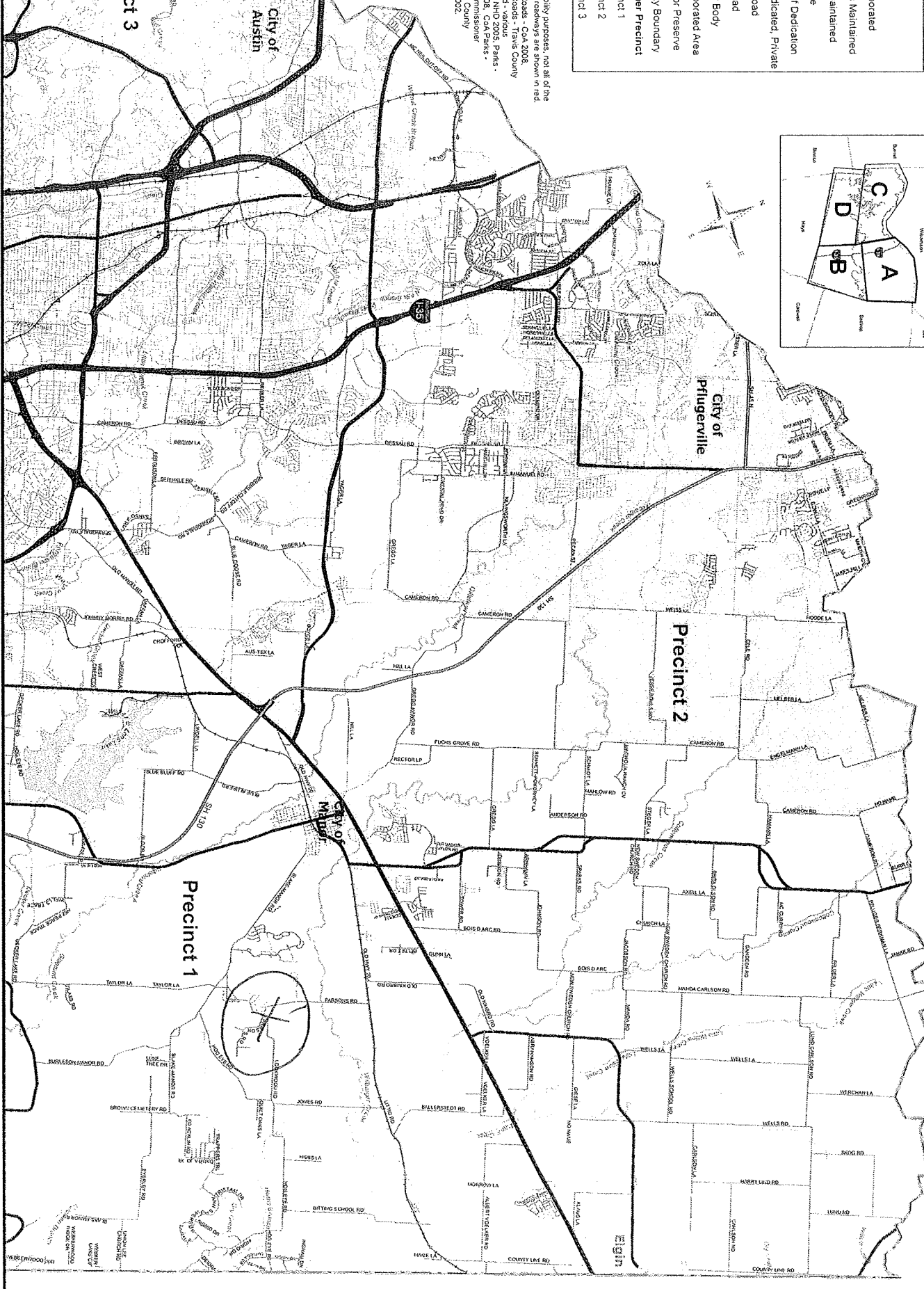


Legend

- State
- Incorporated
- Travis Maintained
- Not Maintained
- Private
- Rel. of Dedication
- Undedicated, Private
- Toll Road
- Railroad
- Water Body
- Incorporated Area
- Park or Preserve
- County Boundary
- Commissioner Precinct
- Precinct 1
- Precinct 2
- Precinct 3

Note: For readability purposes, not all of the State maintained roadways are shown in red. Source(s): CoA Roads - CoA 2008. Unincorporated Roads - Travis County 5/2008, Toll Road - various. State Parks - Travis County 2008, CoA Parks - CoA 12/2009, Commissioner Precincts - Travis County Voter Register 2002.

Last Updated 02-11-09 at 11:30am



Travis County Roadways, Map A

Text Scale:
1 inch equals 1.002 miles
1 inch equals 5.292 feet

Map Disclaimer: This map was created for the Travis County Sign Crew for identifying Travis County's with no guarantee of any kind. For questions, contact the Travis County GIS Coordinator at (512) 854-9333.

Map Prepared by: Travis County, Dept. of Transportation & Natural Resources. Date: 6/2/08
<http://www.co.travis.tx.us/maps>

Travis County Commissioners Court Agenda Request

Voting Session 1-27-09 3/3/09
(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:
Approve setting the public hearing for March 3, 2009 to receive comments on:

A. Take appropriate action on a partial plat vacation in Precinct One: Parsons Meadows Section One (Partial vacation – 57 Lots – 16.174 acres – save and except for Lot 2, Block L and 27' of additional ROW containing .21 acres between Lot 2, Block L and Parsons Road - Parsons Road and Lake Champlain Lane – City of Austin 5 mile 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:

AB Sarah C. Sumner: 854-7687 Dennis Wilson: 854-4217
Anna Bowlin: 854-7561

III. Required Authorizations: Please check if applicable:

Planning and Budget Office (854-9106)

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

Human Resources Department (854-9165)

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

Purchasing Office (854-9700)

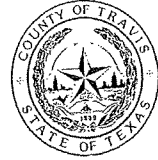
- ___ Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9415)

- ___ Contract, Agreement, Policy & Procedure

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

Last Updated 02-27-09 at 11:30am



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER


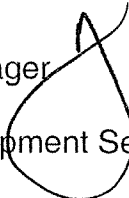
411 West 13th Street
Executive Office Building
PO Box 1748
Austin, Texas 78767
(512) 854-9383

MEMORANDUM

Jan. 16, 2009

TO: Members of the Commissioners Court

THROUGH: Joseph P. Gieselman, Executive Manager

FROM:  Anna Bowlin, Division Director, Development Services 

SUBJECT: Parsons Meadows Section One, Precinct One

PROPOSED MOTION:

Approve setting the public hearing for March 3, 2009 to receive comments on:

A. Take appropriate action on a partial plat vacation in Precinct One: Parsons Meadows Section One (Partial vacation – 57 Lots – 16.174 acres – save and except for Lot 2, Block L and 27' of additional ROW containing .21 acres between Lot 2, Block L and Parsons Road - Parsons Road and Lake Champlain Lane – City of Austin 5 mile ETJ).

SUMMARY AND STAFF RECOMMENDATION:

The applicant is requesting a partial vacation to recorded subdivision, namely Parsons Meadows, Section 1 which consists of 51 single family lots, 3 drainage easement, 2 landscape and 1 CEF lot and 1,838 feet of right-of-way. One single family lot and a small strip of right-of-way along Parsons Road will not be vacated, this enabling the applicant to keep the preliminary plan alive for the future.

As this plat application meets all Travis County standards and has been approved by the City of Austin, TNR staff recommends approval of the plat.

ISSUES:

Staff has received no inquiries about this project at this time.

BUDGETARY AND FISCAL IMPACT:

None.

REQUIRED AUTHORIZATIONS:

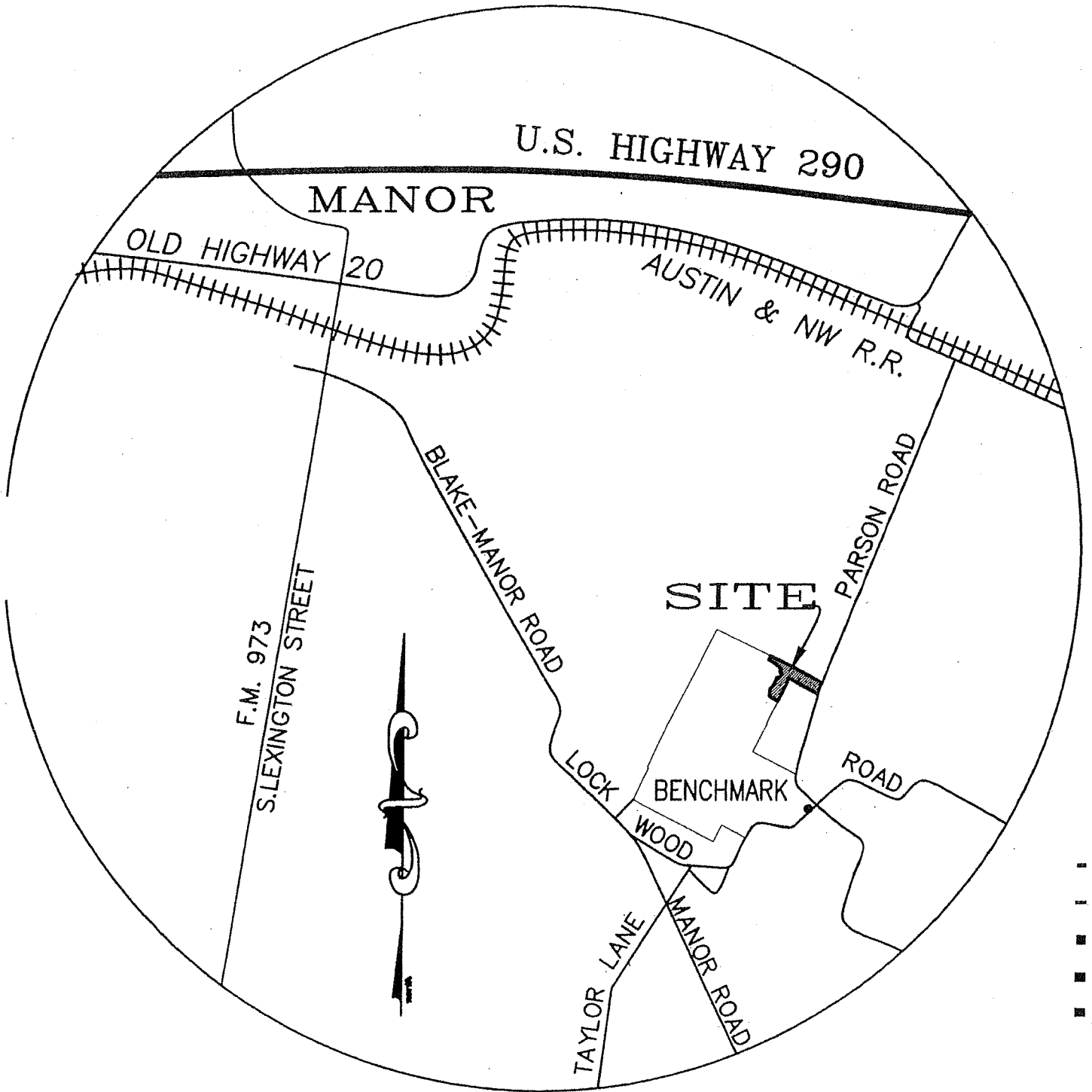
None.

EXHIBITS:

Last Updated 02-27-09 at 11:30am

Location map, Original Plat, Vacation Document, Precinct Map

SCS 0607



LOCATION MAP

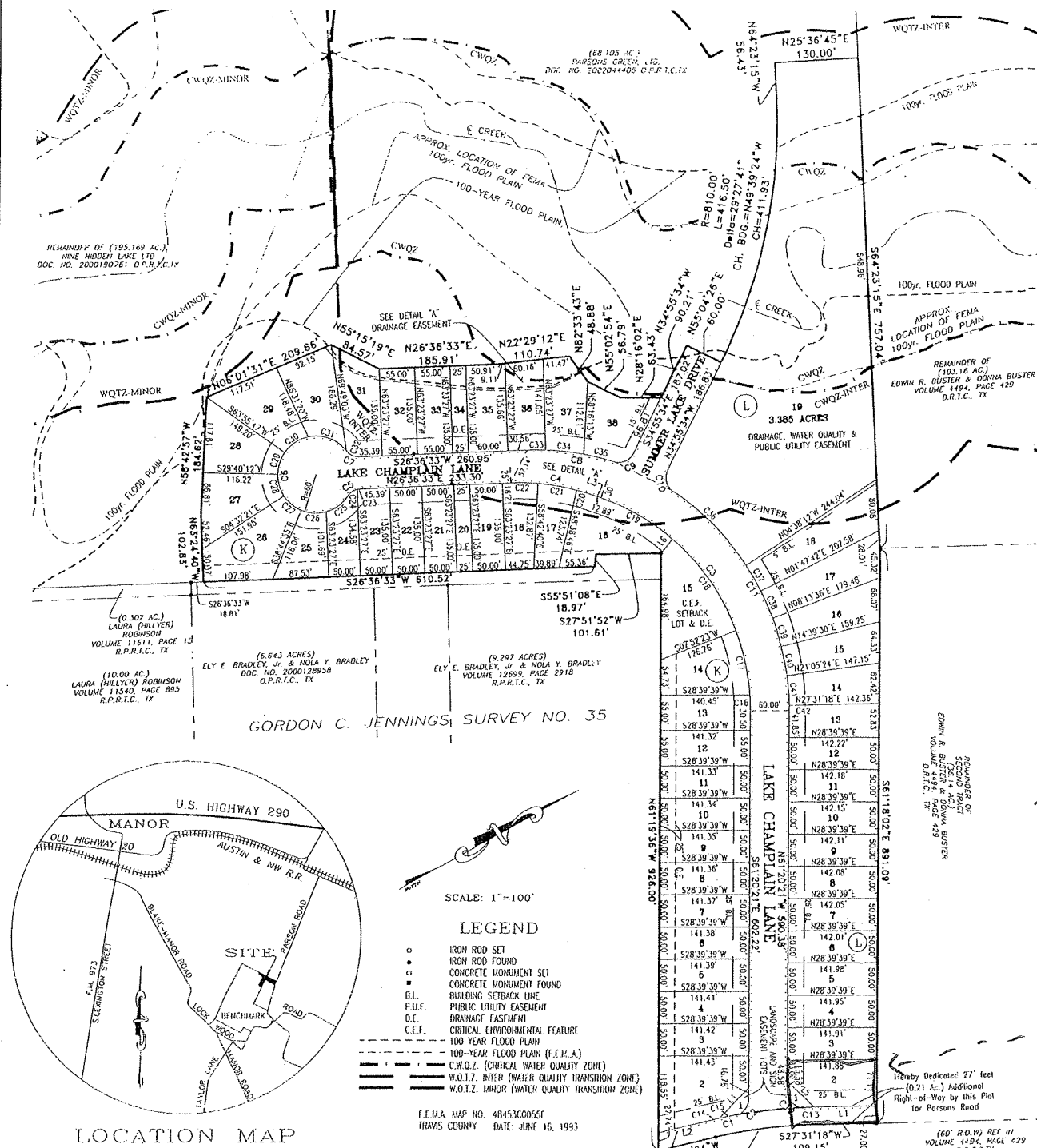
NOT TO SCALE

200700012

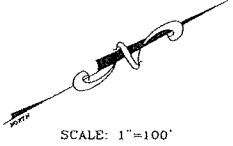
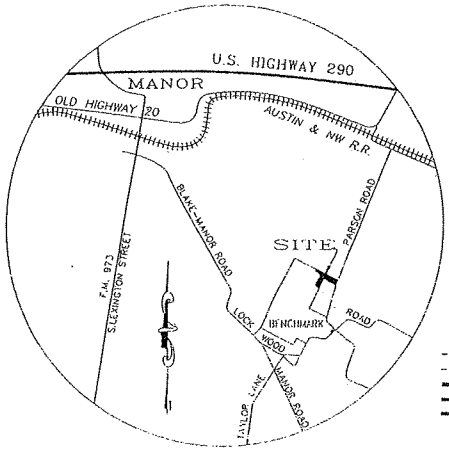
PARSONS MEADOWS SECTION 1

PARSONS MEADOWS SEC. 1
Doc # 200700012

Original Plat to be vacated except Lot 2 Block 1



GORDON C. JENNINGS SURVEY NO. 35



SCALE: 1"=100'

- LEGEND**
- IRON ROD SET
 - IRON ROD FOUND
 - CONCRETE MONUMENT SET
 - CONCRETE MONUMENT FOUND
 - BL. BUILDING SETBACK LINE
 - P.U.E. PUBLIC UTILITY EASEMENT
 - D.E. DRAINAGE EASEMENT
 - C.E.F. CRITICAL ENVIRONMENTAL FEATURE
 - - - 100-YEAR FLOOD PLAIN
 - - - 100-YEAR FLOOD PLAIN (F.E.H.A.)
 - - - C.W.O.Z. (CRITICAL WATER QUALITY ZONE)
 - - - W.O.T.Z. INTER (WATER QUALITY TRANSITION ZONE)
 - - - W.O.T.Z. MINOR (WATER QUALITY TRANSITION ZONE)

F.E.H.A. MAP NO. 484530005F
TRAVIS COUNTY DATE: JUNE 16, 1993

LOCATION MAP
NOT TO SCALE

OWNER: PARSON GREEN, LTD
2316 CP. 112, 8th GENERAL PARTNERS
JAMES A. DUNCAN, MEMBER
6601A BEL CAVES ROAD
AUSTIN, TEXAS 78746

ACRAGE: 16.174 ACRES
SURVEYS: GORDON C. JENNINGS SURVEY NO. 35

REMARKS:
FOUND 4" ALUM DISC ON CONCRETE POST
"1665" BENCHMARK "73 RDS 1954"
HARD 29 THIRD ORDER ELEVATION
NORTHEAST OF LOTS 1 AND 2 BLOCK D
AS SHOWN BY "GORDON JUNG"
ELEVATION 60' 14" (601143)

(12.950 ACRES)
RANNEY D & RONNA P. HANSON
DOC NO. 2000054483
O.P.R.T.C. TX

RIGHT-OF-WAY PAVEMENT TABLE

STREET	R.O.W.	PAVEMENT WIDTH	SIDEWALK	LINEAR FT.
LAKE CHAMPLAIN LANE	60'	40'	4" WIDE	1600
SHAMBLER LAKE DRIVE	60' & 50'	40' & 30'	4" WIDE	238
TOTAL				1838

Carlson, Briggance & Doering, Inc.
Civil Engineering • Surveying
3601 Slaughter Lane West • Austin, Texas 78748
PH: 512-250-5160 • FAX: 512-250-5165

PA111-C:\P111\9338\PLAT1.DWG JOB NO. 3938 DATE: 04-28-04

SHEET 1 OF 4

CBJ-02-0076.1A

PARTIAL VACATION OF PLAT
(Parsons Meadows Section 1)

THIS PARTIAL VACATION OF PLAT is entered into this 15TH day of December, 2008 by Parsons Green, Ltd. ("Owner").

WITNESSETH:

WHEREAS, Owner is the owner in fee simple of all of the land encompassed in that certain Plat entitled Parsons Meadows Section 1, a subdivision within the Extraterritorial Jurisdiction of the City of Austin, Texas, and within Travis County, Texas, and recorded as Document No. 200700012 of the Official Public Records of Travis County, Texas; and

WHEREAS, Owner desires to vacate all of the lands and lots encompassed by the Plat, save and except the Excluded Lot and Excluded ROW (as hereinafter defined), in accordance with the procedures set forth in Section 212.013 of the Texas Local Government Code.

WHEREAS, the following lot and land is expressly excluded from this Partial Vacation of Plat:

Lot 2, Block L of Parsons Meadows Section 1 according to the Plat filed under Document No. 200700012 in the Official Public Records of Travis County (the "Plat"), and being that certain twenty-seven foot (27') wide additional right-of-way containing .21 acres of land situated between Lot 2, Block L of Parsons Meadows Section 1, as described above, and Parsons Road as shown on the Plat (collectively, the "Excluded Lot" and "Excluded ROW"); and

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that the Owner does hereby declare that, subject to the approval of the City of Austin's City Council and Travis County Commissioner's Court, that all of the real property constituting the Plat, save and except the Excluded Lot and Excluded ROW, be vacated and is hereby reduced back to acreage and that all streets, alleys, easements, block lines, tract lines, phase lines, sections, setbacks and restrictions contained in said Plat be and are hereby vacated. There is expressly excluded from this Partial Vacation of Plat the Excluded Lot and Excluded ROW.

The Owner further requests that the City of Austin, Texas and the Commissioner's Court of Travis County, Texas approve said vacation.

[Signature Page Immediately Follows This Page]

PARSONS GREEN, LTD.,
a Texas limited partnership

By: 2316 GP, LLC, a Texas limited liability
company, General Partner

By: *James A. Duncan, Member*
James A. Duncan, Member

Address: 6601-A Bee Caves Road
Austin, Texas 78746-5003

THE STATE OF TEXAS

§
§
§

COUNTY OF

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared James A. Duncan, Member of 2316 GP, LLC, a Texas limited liability company, known to me to be the General Partner of PARSONS GREEN, LTD., a Texas limited partnership, and acknowledged to me that he executed the same as the act and deed of said limited partnership, for the purposes and consideration therein expressed, and in his capacity as a General Partner of said limited partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 15th day of December, 2008.



Janell L. Kercheville
Notary Public, State of Texas

Approval of Partial Plat Vacation

BE IT KNOWN, that on the ____ day of _____, 200__, the Zoning and Platting Commission of the City of Austin, at its regular meeting, did approve the partial vacation of the subdivision known as Parsons Meadows Section 1, a subdivision located in Travis County, Texas, and within the Extraterritorial Jurisdiction of the City of Austin, which is recorded in Document No. 200700011 of the Official Records of Travis County, Texas, upon application therefore by the sole owner of all of the lots and land in said subdivision.

EXECUTED, this ____ day of _____, 200__.

Betty Baker, Chair
Zoning and Platting Commission
City of Austin
Travis County, Texas

ATTEST:

Clarke Hammond, Executive Secretary
Zoning and Platting Commission
City of Austin

THE STATE OF TEXAS
COUNTY OF TRAVIS

Before me, the undersigned authority, a Notary Public for the State of Texas, on this day personally appeared Betty Baker, known to me to be the person whose name is subscribed to in the foregoing instrument of writing as Chair of the Zoning and Platting Commission of the City of Austin, Texas, a municipal corporation, and she acknowledged to me that she executed the same for the purpose and consideration therein expressed and in capacity therein stated.

Given under my hand and seal of office, this the ___ day of _____, 200_.

Notary Public in and for the State of Texas

My Commission Expires: _____

STATE OF TEXAS

COUNTY OF TRAVIS

On _____, 20 _____, the Travis County Commissioners Court approved the partial cancellation of the subdivision known as Parsons Meadows Section 1 as described above.

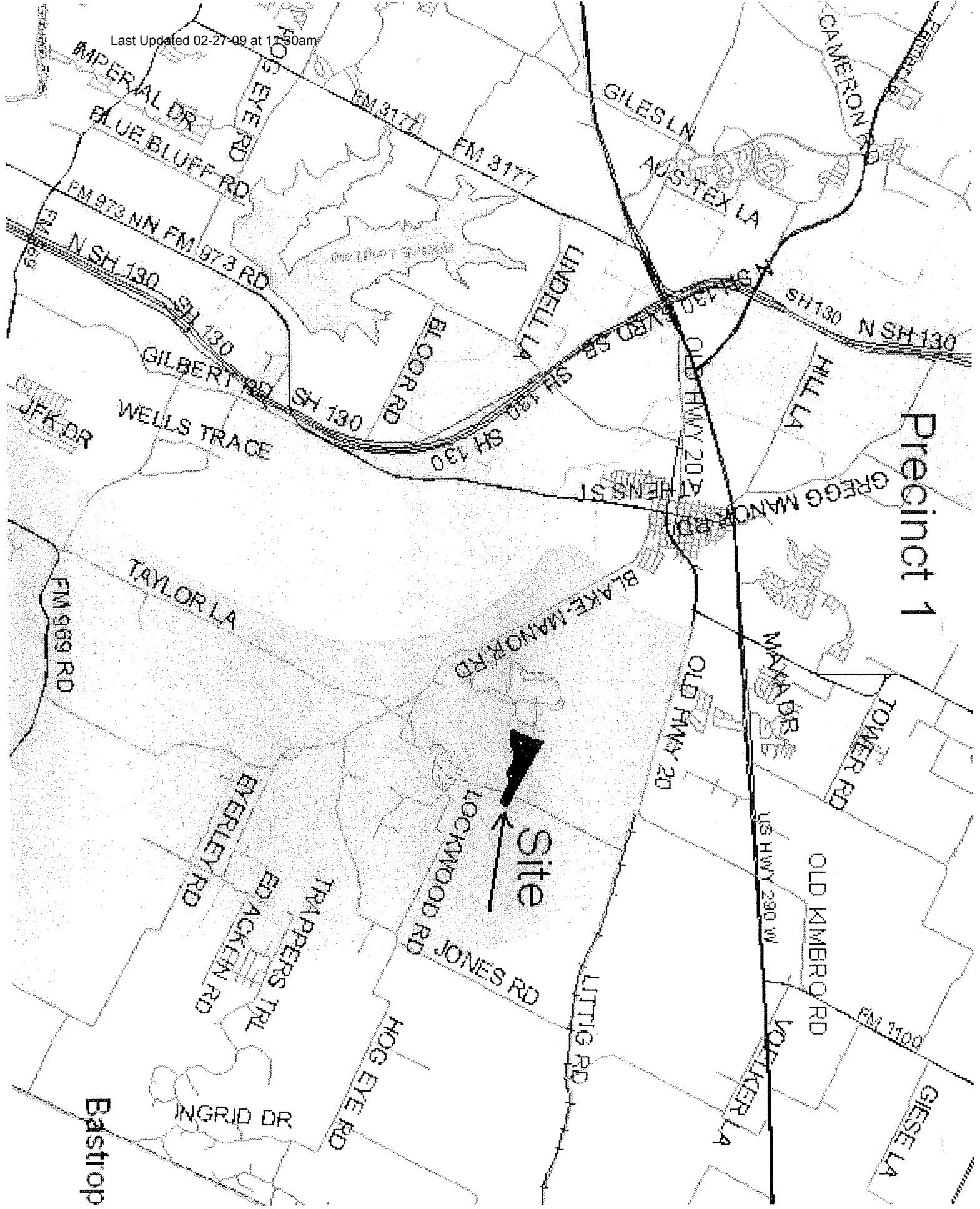
EXECUTED, this _____ day of _____, 20 _____.

Dana Debeauvoir, County Clerk
Travis County, Texas

By: _____
Deputy

Return to:
Travis County TNR
Attention: Sarah Sumner
P.O. Box 1748
Austin, TX 78767

Precinct 1



Bastrop

24 #3

Travis County Commissioners Court Agenda Request

Voting Session ~~1-27-09~~ 3/3/09
(Date)

Work Session _____
(Date)

RECEIVED
COUNTY JUDGE'S OFFICE
09 FEB 26 PM 4: 10

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

B. Requested Text:

Approve setting the public hearing for March 3, 2009 to receive comments on:

A. Take appropriate action on a total plat vacation in Precinct One: Parsons Meadows Section Two (Total vacation – 84 Lots – 27.980 acres – Parsons Road and Lake Champlain Lane – City of Austin 5 mile 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
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)

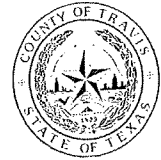
___ Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9415)

___ Contract, Agreement, Policy & Procedure

Last Updated 02-27-09 at 11:30am

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

Jan. 16, 2009

TO: Members of the Commissioners Court

THROUGH: Joseph P. Gieselman, Executive Manager

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

SUBJECT: Parsons Meadows Section Two, Precinct One

PROPOSED MOTION:

Approve setting the public hearing for March 3, 2009 to receive comments on:

A. Take appropriate action on a total plat vacation in Precinct One: Parsons Meadows Section Two (Total vacation – 84 Lots – 27.980 acres – Parsons Road and Lake Champlain Lane – City of Austin 5 mile ETJ).

SUMMARY AND STAFF RECOMMENDATION:

This section consists of 82 single family lots, 2 utility lots and 3795 lf of ROW. No replat has been submitted at this time and it is likely the developer would like to get their fiscal back given the current economic situation.

As this plat application meets all Travis County standards and has been approved by the City of Austin, TNR staff recommends approval of the plat.

ISSUES:

Staff has received no inquiries about this project at this time.

BUDGETARY AND FISCAL IMPACT:

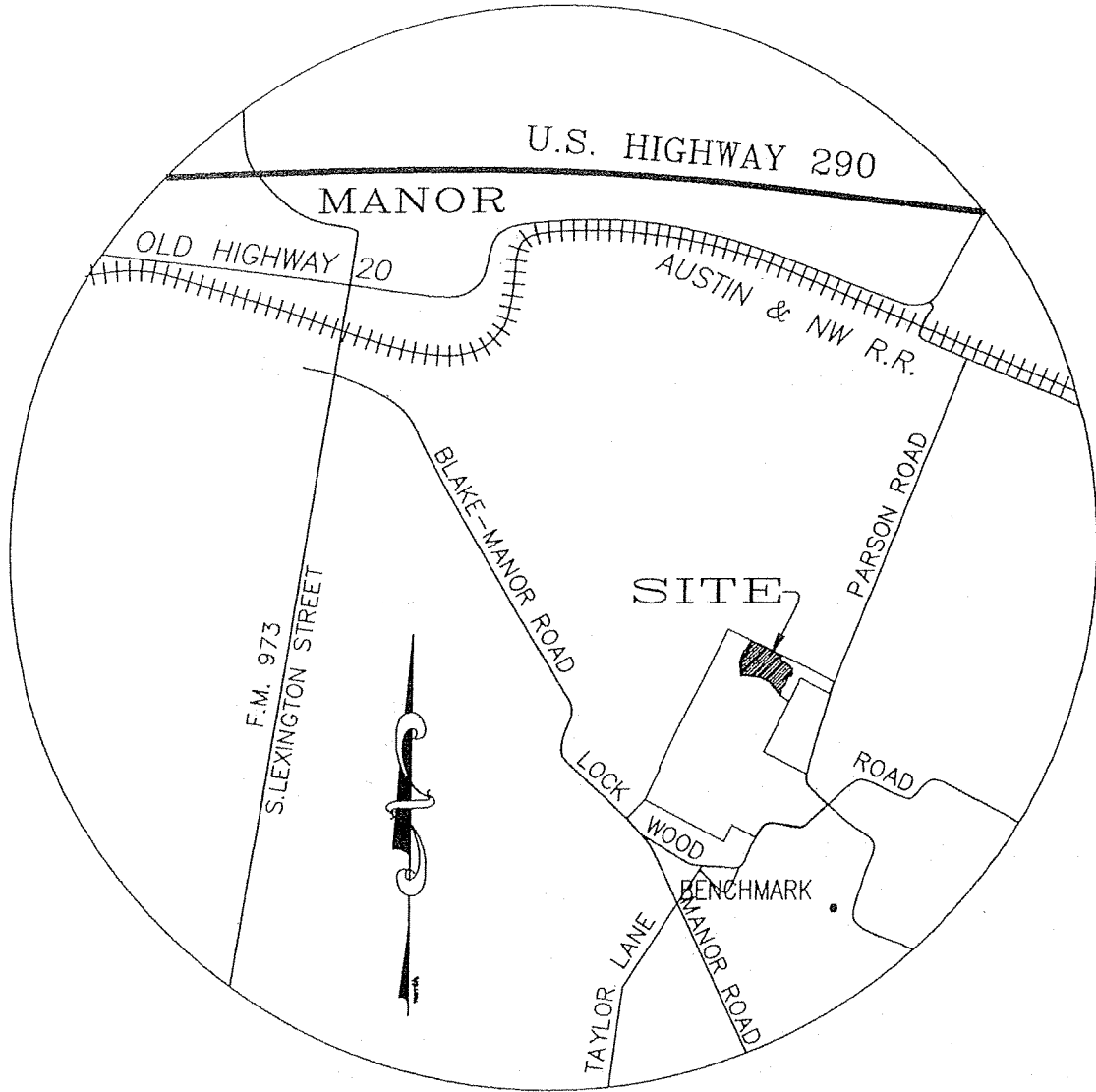
None.

REQUIRED AUTHORIZATIONS:

None.

EXHIBITS:

Location map, Original Plat, Vacation Document, Precinct Map

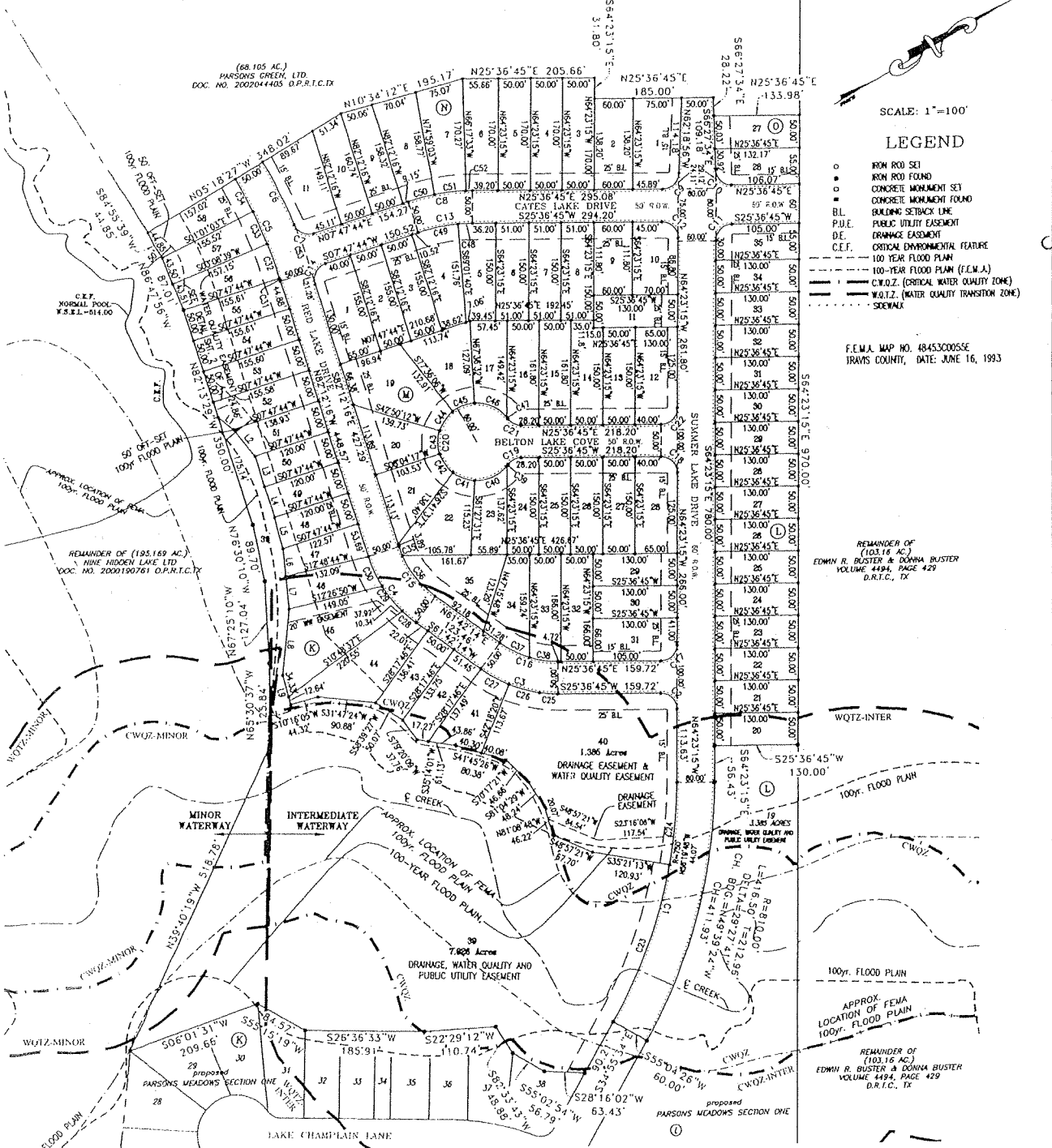


LOCATION MAP

NOT TO SCALE

200100013

PARSONS MEADOWS SECTION 2



SCALE: 1"=100'

LEGEND

- IRON ROD SET
- IRON ROD FOUND
- CONCRETE MONUMENT SET
- CONCRETE MONUMENT FOUND
- BUILDING SETBACK LINE
- PUBLIC UTILITY EASEMENT
- DRAINAGE EASEMENT
- CRITICAL ENVIRONMENTAL FEATURE
- 100-YEAR FLOOD PLAIN
- 100-YEAR FLOOD PLAN (F.E.M.A.)
- C.W.Q.Z. (CRITICAL WATER QUALITY ZONE)
- W.Q.T.Z. (WATER QUALITY TRANSITION ZONE)
- SIDEWALK

F.E.M.A. MAP NO. 48453C0005SE
TRAVIS COUNTY, DATE: JUNE 16, 1993

REMAINDER OF (103.16 AC.)
EDWIN R. BUSTER & DONNA BUSTER
VOLUME 4484, PAGE 429
D.R.I.C., TX

REMAINDER OF (103.16 AC.)
EDWIN R. BUSTER & DONNA BUSTER
VOLUME 4484, PAGE 429
D.R.I.C., TX

Original Plat to be vacated

BENCHMARKS:

FOUND 4" ALUM DISC ON CONCRETE POST.
N265°25'00"W 71.95 1854'
HAND 29 THIRD ORDER ELEVATION
NORTH-EAST OF LOTS 1 AND 2 BLOCK O, HOODEN
LAKE ESTATES, AS SHOWN IN LOCATION MAP
ELEVATION 601.14 (601.143)

RIGHT-OF-WAY PAVEMENT TABLE

STREET	R.O.W.	PAV'T WIDTH	SIDEWALK	LINEAR FT.
BELTON LAKE COVE	50'	30'	4' WIDE	370'
RED LAKE DRIVE	50'	30'	4' WIDE	1175'
CATES LAKE DRIVL	60' & 50'	40' & 30'	4' WIDE	790'
SUMMER LAKE DRIVE	60' & 50'	40' Varies to 30'	4' WIDE	1460'
TOTAL				3795'

OWNER: PARSON GREEN, LTD
2316 CP, L.L.C., IT'S GENERAL PARTNERS
JAMES A. DUNCAN, MEMBER
6601A BEE CAVES ROAD
AUSTIN, TEXAS 78746

ACREAGE: 27.980 ACRES
SURVEYS: GORDON C. JENNINGS SURVEY NO. 35

NO. OF RES. LOTS: 82
NO. OF DRAINAGE EASEMENT & WATER QUALITY: 1
NO. OF WATER QUALITY, PUBLIC UTILITY & PUBLIC ACCESS EASEMENTS: 1

LOT TOTAL: 84
NO. BLOCKS: 5

SHEET 1 OF 4

Carlson, Brigrance & Doering, Inc.
Civil Engineering & Surveying
5301 West Williams Canyon Drive Austin, Texas 78749
PH: 512-251-0400 • FAX: 512-251-5266

C8J-02-0076.2A

PATH-G:\PROJ\4024\PLAT.DWG JOB NO. 4024

VACATION OF PLAT
(Parsons Meadows Section 2)

THIS VACATION OF PLAT is entered into this 15TH day of December, 2008 by Parsons Green, Ltd. ("Owner").

WITNESSETH:

WHEREAS, Owner is the owner in fee simple of all of the land included in that certain Plat entitled Parsons Meadows Section 2, a subdivision within the Extraterritorial Jurisdiction of the City of Austin, Texas and within the unincorporated area of Travis County, Texas, and recorded as Document No. 200700013 of the Official Public Records of Travis County, Texas; and

WHEREAS, Owner desires to vacate the Plat in accordance with the procedures set forth in Section 212.013 of the Texas Local Government Code.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that the Owner does hereby declare that the Plat be and is hereby in all things abandoned, that all of the real property constituting the Plat be and is hereby reduced back to acreage and that all streets, alleys, easements, block lines, tract lines, phase lines, sections, setbacks and restrictions contained in said Plat be and are hereby vacated.

The Owner further requests that the City of Austin, Texas (to the extent required by law) and the Commissioner's Court of Travis County, Texas (to the extent required by law) approve said vacation.

PARSONS GREEN, LTD.,
a Texas limited partnership

By: 2316 GP, LLC, a Texas limited
liability company,
its general partner

By: 
James A. Duncan, Member

Address: 6601-A Bee Caves Road
Austin, Texas 78746-5003

THE STATE OF TEXAS

§

COUNTY OF

§

§

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared James A. Duncan, Member of 2316 GP, LLC, a Texas limited liability company, known to me to be the General Partner of PARSONS GREEN, LTD., a Texas limited partnership, and acknowledged to me that he executed the same as the act and deed of said limited partnership, for the purposes and consideration therein expressed, and in his capacity as a General Partner of said limited partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 15th day of December, 2008.



Janell L. Kercheville
Notary Public, State of Texas

Approval of Vacation of Plat

BE IT KNOWN, that on the ____ day of _____, 200__, the Zoning and Platting Commission of the City of Austin, at its regular meeting, did approve the total vacation of the subdivision known as Parsons Meadows Section 2, a subdivision located in Travis County, Texas, and within the Extraterritorial Jurisdiction of the City of Austin, which is recorded in Document No. 200700013 of the Official Records of Travis County, Texas, upon application therefore by the sole owner of all of the lots and land in said subdivision.

EXECUTED, this ____ day of _____, 200__.

Betty Baker, Chair
Zoning and Platting Commission
City of Austin
Travis County, Texas

ATTEST:

Clarke Hammond, Executive Secretary
Zoning and Platting Commission
City of Austin

THE STATE OF TEXAS
COUNTY OF TRAVIS

Before me, the undersigned authority, a Notary Public for the State of Texas, on this day personally appeared Betty Baker, known to me to be the person whose name is subscribed to in the foregoing instrument of writing as Chair of the Zoning and Platting Commission of the City of Austin, Texas, a municipal corporation, and she acknowledged to me that she executed the same for the purpose and consideration therein expressed and in capacity therein stated.

Given under my hand and seal of office, this the ____ day of _____, 200__.

Notary Public in and for the State of Texas

My Commission Expires: _____

STATE OF TEXAS

COUNTY OF TRAVIS

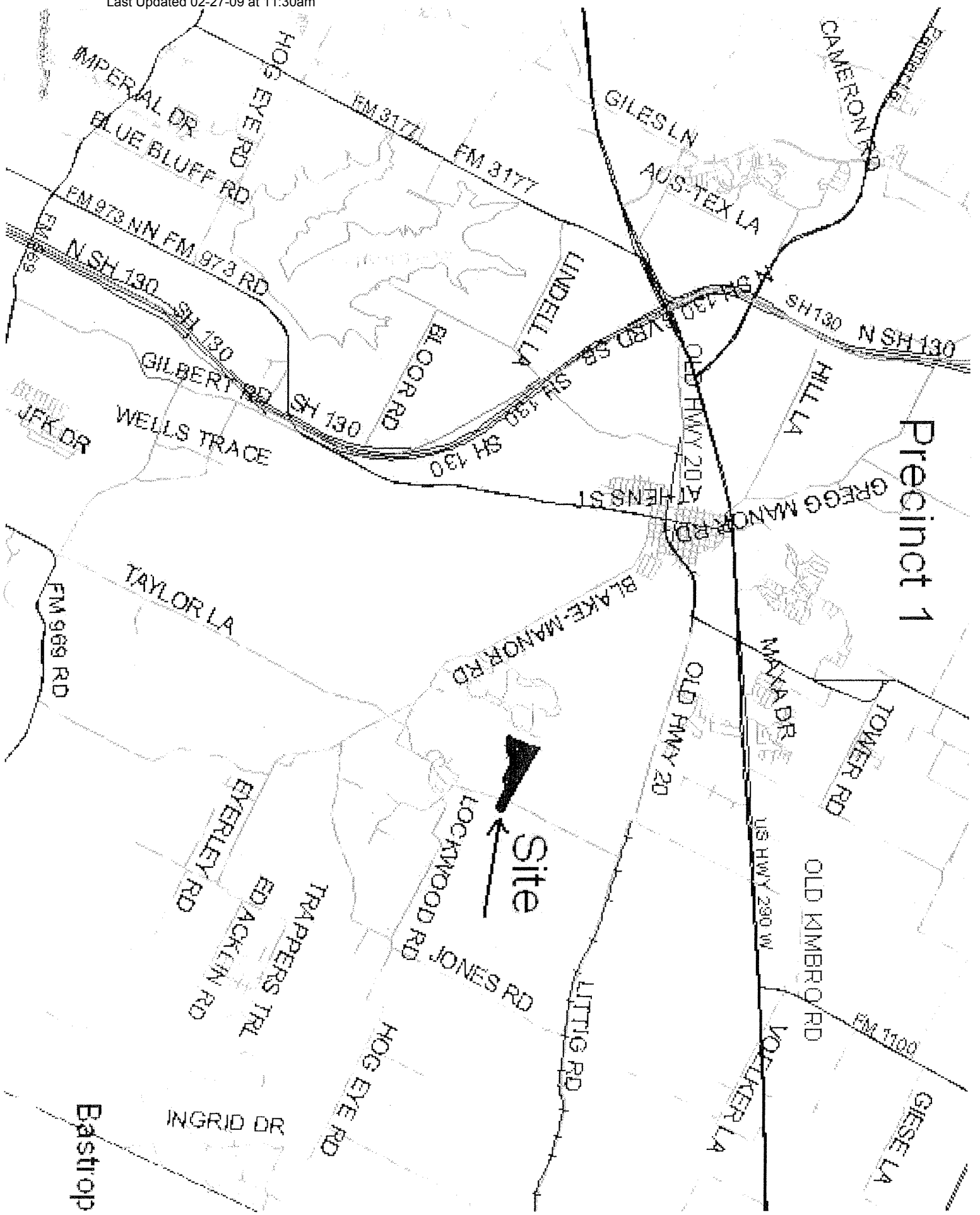
On _____, 20 _____, the Travis County Commissioners Court approved the partial cancellation of the subdivision known as Parsons Meadows Section 2 as described above.

EXECUTED, this _____ day of _____, 20 _____.

Dana Debeauvoir, County Clerk
Travis County, Texas

By: _____
Deputy

Return to:
Travis County TNR
Attention: Sarah Sumner
P.O. Box 1748
Austin, TX 78767

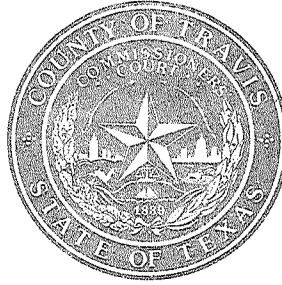


Precinct 1

Site

Bastrop

Travis County Commissioners Court



Resolution

WHEREAS, social workers stand up for others to make sure everyone has access to the same basic rights, protections and opportunities;

WHEREAS, social workers have been the driving force behind important social movements in the United States and abroad;

WHEREAS, social workers connect individuals, families and communities to available resources;

WHEREAS, social workers have the right education, licensure, and experience to guide individuals, families, and communities through complex issues and choices;

WHEREAS, professional social workers help individuals, families and children cope with problems and prevent trouble saving the community and taxpayers' money in the long run; and

WHEREAS, social workers help people help themselves, whenever and wherever they need it most, particularly in Travis County, where social workers provide services through the Courts, Corrections, Probation, Health & Human Services & Veteran Services, Child Protective Services, Research and Planning, and many other settings, such as private practices, family counseling, nursing homes, hospices, mental health programs, hospitals, schools, universities, prisons, corporations, as well as public and private agencies.

NOW, THEREFORE, BE IT RESOLVED BY THE TRAVIS COUNTY COMMISSIONERS COURT, THAT ALL CITIZENS OF TRAVIS COUNTY ARE URGED TO RECOGNIZE PROFESSIONAL SOCIAL WORKERS AND THEIR COMMITMENT AND DEDICATIONS TO INDIVIDUALS, FAMILIES AND COMMUNITIES THROUGH ADVOCACY, SERVICE DELIVERY, RESEARCH AND EDUCATION, OBSERVING MARCH 2009 AS

"PROFESSIONAL SOCIAL WORK MONTH"

JOINING THE NATIONAL ASSOCIATION OF SOCIAL WORKERS IN CELEBRATION AND SUPPORT OF SOCIAL WORKERS AND THE SOCIAL WORK PROFESSION.

SIGNED AND ENTERED THIS ____ DAY OF MARCH 2009.

SAMUEL T. BISCOE
COUNTY JUDGE

RON DAVIS
COMMISSIONER, PRECINCT 1

SARAH ECKHARDT
COMMISSIONER, PRECINCT 2

KAREN L. HUBER
COMMISSIONER, PRECINCT 3

MARGARET J. GOMEZ
COMMISSIONER, PRECINCT 4

Travis County Commissioners Court Agenda Request

Meeting Date: March 3, 2009

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

B. Specific Agenda Wording:

APPROVE RESOLUTION HONORING DAN T. RICHARDS FOR 22 YEARS OF SERVICE TO TRAVIS COUNTY AND EXPRESSING APPRECIATION FOR A LIFE OF PUBLIC SERVICE. (JUDGE BISCOE)

C. Sponsor: _____
County Commissioner or County Judge

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

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

III. Required Authorizations: Please check if applicable:

Planning and Budget Office (854-9106)

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

Human Resources Department (854-9165)

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

Purchasing Office (854-9700)

- Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9415)

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

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

TRAVIS COUNTY COMMISSIONERS COURT AGENDA REQUEST



Voting Session: MARCH 3, 2009

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

B. Requested topic: CONSIDER AND TAKE APPROPRIATE ACTION ON HELICOPTER LICENSE AGREEMENT BETWEEN AVELEX TECHNOLOGIES CORPORATION AND TRAVIS COUNTY.

C. Approved by: _____
Signature of Commissioner or Judge

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

III. Required Authorizations: Please check if applicable.

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

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

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

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

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



Last Updated 02-27-09 at 11:30am

Austin-Travis County
STAR Flight



7800 Old Manor Road
Austin, TX 78724
www.starflightrescue.org

Dispatch 1-800-531-STAR
Administration (512) 854-6464
Fax (512) 854-6466

To: Travis County Commissioners Court
Through: Danny Hobby, Executive Manager, Emergency Services
From: Casey Ping, Program Manager. **STAR Flight**
Date: February 23, 2009
Subject: Avalex Technology Request

Avalex Technology is the manufacturer of the mapping system installed in Travis County aircraft. These systems were installed by Metro Aviation and approved by the Federal Aviation Administration (FAA).

The mapping system provides street level mapping, satellite photos, topographic maps, wild land fire mapping and audio/video recording.

Avalex Technology is now interested in acquiring a Supplemental Type Certificate (STC) for installation of their mapping and recording systems in EC145 aircraft. The STC will allow Avalex to sell mapping kits with a FAA approved installation. In order to complete the STC, the FAA requires Avalex to complete a series of flight tests to demonstrate capability with existing systems.

Avalex Technology has requested the use of one Travis County aircraft for a period of up to four flight hours to conduct the required testing. All testing will be completed in the Travis County area and conducted with a Travis County pilot flying the aircraft.

In exchange for the use of the Travis County aircraft Avalex Technology is willing to:

1. Purchase the fuel required for the test.
2. Replace and upgrade both of our existing systems.
3. Upgrade the software on our systems.

4. Offer extended warranties for our systems for 2 years.

We estimate the cost to Travis County in flight and personnel to be approximately \$4,000.

We estimate the value of Avalex's offer to be:

1. 70 gallons per hour, 4 hours flight time. 280 gallons. Current fuel cost \$1.51. \$425.00.
2. Cost of the replacement systems is \$32,000 per aircraft.
3. Software upgrades \$2,000 per aircraft.
4. Unable to estimate the value of the extended warranty at this time.

In order to complete the test, the aircraft must be placed in an experimental status for the duration of the test. Travis County Risk Management and the insurance carrier have both been contacted and their suggestions have been included in the final revisions of the attached license agreement.

The aircraft will not be required to perform any unusual maneuvers and will be operated in its normal operating mode when completing the test.

It is our assessment that this would be beneficial to both Travis County and Avalex Technology and we recommend approval of the Helicopter License Agreement.

Please let us know if you have any additional questions.

HELICOPTER LICENSE AGREEMENT

This License Agreement (this "Agreement") is made and entered into by and between Travis County, a political subdivision of the State of Texas ("County") and Avalex Technologies Corp. ("Licensee"), a Georgia corporation.

RECITALS

Licensee desires to use a Eurocopter EC145 helicopter to obtain an STC for the installation of its Map System in Eurocopter EC145 helicopters.

County desires to allow Licensee use of one County helicopter for this purpose.

Licensee fully understands the safety sensitive nature of the use of the Eurocopter EC145 helicopter and intends to fully cooperate with County and take whatever steps are necessary to minimize all adverse impacts upon the helicopter during Licensee's use of it.

AGREEMENT

County and Licensee, in consideration of the mutual promises expressed in this license and the compensation agreed to be paid in it, covenant and agree to and with each other as follows:

I. DEFINITIONS

1.1 "FAA" means the Federal Aviation Administration.

1.2 "FAA Flight Test" means a flight of the Licensed Helicopter flown by a pilot provided by County with the Map System installed for the purpose of verifying that the installed Map System does not interfere with existing aircraft systems in flight circumstances. The anticipated approximate flight time is four hours.

1.3 "License" means all of the rights granted to Licensee and subject to all of the limitations in this document.

1.4 "License Term" means one day—currently designated as Monday, March 9, 2009, commencing at approximately 6:00 a.m. and terminating at approximately 5:00 p.m.; provided, however, in the event inclement weather, maintenance issues, or other event prevents the FAA Flight Test occurring on the date designated in this paragraph 1.4, the parties agree to confer and reschedule the FAA Flight Test for a later date, as soon as practicable after the License Term.

1.5 “Licensed Helicopter” means the County Eurocopter EC145 helicopter registered as Travis County Purchasing Office EC145 Registration Number N373TC, Serial Number 9073 of which Travis County is the beneficial owner.

1.6 “Map System” means the Avalex Technologies AMS 7100 Digital Moving Map system.

1.7 “STC” means an FAA Supplemental Type Certificate.

II. GRANT OF LICENSE

2.1 County, as the beneficial owner of the Licensed Helicopter, hereby grants a license to Licensee, its employees, and agents, to access, enter in, and use the Licensed Helicopter during the License Term to assist Licensee in obtaining an STC for the installation of the Map System in Eurocopter EC145 helicopters.

2.2 Use under this License is limited to the following:

2.2.1 installation of the Map System in the Licensed Helicopter without making any structural changes to the Licensed Helicopter

2.2.2 the right to provide one FAA designee pilot to witness the FAA Flight Test from the left seat of the Licensed Helicopter, and

2.2.3 one FAA Flight Test.

2.3 Licensee shall de-install the Map System immediately after completion of the FAA Flight Test. Licensee agrees to leave the Licensed Helicopter in the same and as good a condition as when it was received, normal wear and tear excepted as determined by County.

2.4 Licensee acknowledges the following information pertinent to the FAA Flight Test:

2.4.1 The FAA Flight Test will be accomplished in accordance with a FAA approved flight test procedure.

2.4.2 All Flight Test procedures will be accomplished within the FAA approved operating limitations of the helicopter.

2.5 Licensee is not authorized to use any publicity or promotion arising out of or in connection with this License other than providing information to the FAA related to obtaining the STC.

III. TERM OF LICENSE

3.1 The License is for the License Term. Licensee acknowledges and agrees that this date and these times are subject to postponement and/or rescheduling due to any cause or reason beyond the control of Licensee or as determined to be necessary by County.

IV. COUNTY OBLIGATIONS

4.1 County, as beneficial owner, shall authorize the Travis County Purchasing Office to provide a notarized letter authorizing STAR Flight to act as the agent for Travis County the beneficial owner and Travis County Purchasing Office, the registered owner, in signing the FAA Form 8130-6, Application for US Airworthiness Certification.

4.2 County, through STAR Flight, shall submit an application to the FAA to temporarily change the airworthiness certificate from standard to experimental for the duration of the FAA Flight Test.

4.3 County shall provide an appropriately rated pilot to act as the Pilot in Command (PIC) during the FAA Test Flight.

4.4 County shall provide the normal ground support required to launch and recover the Licensed Helicopter.

4.5 County shall invoice Licensee for the fuel required to complete the FAA flight.

V. CONSIDERATION TO COUNTY

5.1 In consideration of the License granted under this document, Licensee shall, at its own expense,

5.1.1 Provide the FAA designee pilot to witness the FAA Flight Test from the left seat of the Licensed Helicopter,

5.1.2 Pay County for all of the fuel required to complete the FAA flight test, anticipated to be approximately \$540.00 for a four hour flight within 10 days of receipt of the invoice for the fuel,

5.1.3 Upon completion of the FAA Flight Test, remove the Avalex Technologies AMS 7100 Digital Moving Map system (Digital Processor and AMLCD) from the helicopter; pull, collar and label the associated circuit breakers INOP to allow the Standard Airworthiness Certificate to be returned to the helicopter immediately after completion of the FAA Flight Test,

5.1.4 Replace the original AMS7100 systems in the two Eurocopter 145 helicopters currently registered in the name of "Travis County Purchasing Office" with new processor assemblies (P/N AMS7102) which includes the

Processor (P/N AMS7102), Keyboard (P/N ARK9210), and VGA Cable (P/N AMS7100-426),

5.1.5 Extend the warranty coverage of the Map Systems for the two Eurocopter 145 helicopters currently registered in the name of "Travis County Purchasing Office" for (2) years from the date the replacement processors are provided which will cover the AMS7100 system which includes the Processor (P/N AMS7102), Keyboard (P/N ARK9210), and VGA Cable (P/N AMS7100-426),

5.1.6 Provide the Software updates for the AMS7100 systems installed in the two Eurocopter 145 helicopters currently registered in the name of "Travis County Purchasing Office" during the (2) year warranty period, and

5.1.7 Provide a second VGA Cable (P/N AMS7100-426) with the new processors for the two Eurocopter 145 helicopters currently registered in the name of "Travis County Purchasing Office."

VI. PERMITS

6.1 Licensee shall be solely responsible for the costs and the securing of any permits required by the FAA and any other governmental entities.

VII. CONTROL OF TRAVIS COUNTY

7.1 Licensee and its agents shall at all times obey the direction and commands of the Executive Manager, Emergency Services, or his designees (including the Director of Aviation, the Chief Pilot and the Pilot in Charge), while installing and de-installing the Map System in the Licensed Helicopter and while flying in the Licensed Helicopter.

7.2 During the License Term, Licensee shall comply with all instruction of the Pilot in Charge to ensure the safety and integrity of the Licensed Helicopter, the persons in the Licensed Helicopter, and the property installed into the Licensed Helicopter for the purposes authorized under this License. If the Pilot in Charge, in his sole discretion, determines that the safety of the Licensed Helicopter is endangered by continuing the FAA Flight, the Pilot in Charge is authorized to terminate the FAA Flight immediately and the Licensee shall comply with 2.3 and 5.1.2 and 5.1.7 despite the termination of the FAA Flight.

7.3 Any disregard of the directions, restrictions, rules or regulations referenced in this section shall be grounds for immediate revocation of the License by the Executive Manager, Emergency Services, Director of Aviation, the Chief Pilot and the Pilot in Charge, and such action is expressly authorized herein by the Travis County Commissioners Court.

VIII. USE AND REPAIRS

8.1 Licensee shall not use the Licensed Helicopter for any purpose other than that stated in this License. Licensee shall repair or replace any damage to the Helicopter caused by Licensee.

IX. INDEMNIFICATION

9.1 **LICENSEE 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 ANY KIND, INCLUDING ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEYS' FEES, FOR INJURY TO OR INJURY TO OR DEATH OF ANY PERSON, FOR ANY ACT OR OMISSION BY LICENSEE, OR FOR DAMAGE TO ANY PROPERTY, ARISING OUT OF OR IN CONNECTION WITH THIS LICENSE OR LICENSEE'S USE OF THE LICENSED HELICOPTER.**

9.2 Without in any way limiting the liability of Licensee or its obligations under this License, Licensee agrees to maintain during the term of the License Commercial General Liability Insurance with a combined minimum Bodily Injury and Property Damage limits of \$1,000,000 per occurrence and \$1,000,000 in the aggregate, with Travis County named as an additional insured. Licensee has provided County with a certificate from its carrier evidencing such insurance, which certificate is attached hereto as **Exhibit A** and made a part of this License.

9.3 In addition, Licensee agrees to execute the Release of Liability/Waiver attached hereto as **Exhibit B** and made a part of this License.

X. SAFETY

10.1 County reserves the right to prohibit persons from entering the Licensed Helicopter at any time safety may be a concern.

XI. AMENDMENTS

11.1 This License may be amended only by written instrument signed by both County and Licensee. **IT IS ACKNOWLEDGED BY LICENSEE THAT NO OFFICER, AGENT, EMPLOYEE OR REPRESENTATIVE OF TRAVIS COUNTY HAS ANY AUTHORITY TO CHANGE OR AMEND THE TERMS OF THIS LICENSE OR ANY ATTACHMENTS TO IT OR TO WAIVE ANY BREACH OF THIS LICENSE UNLESS EXPRESSLY GRANTED THAT SPECIFIC AUTHORITY BY THE COMMISSIONERS COURT OF TRAVIS COUNTY.**

XII. NON-ASSIGNMENT OF RIGHTS

12.1 Licensee may not assign this License or any portion or right of it without the prior written consent of County.

XIII. NOTICES

13.1 Any notice to be given hereunder by either party to the other shall be in writing and may be effected by personal delivery, in writing, or registered or certified mail, return receipt requested. Notices shall be sufficient if made or addressed as follows:

If to Licensee: Avalex Technologies
 c/o Fred Entrekin
 115A Gregory Square
 Pensacola, Fl 32502
 fentrekin@avalex.com
 850-470-8464

If to County: Honorable Samuel T. Biscoe (or successor in office)
 Travis County Judge
 P.O. Box 1748
 Austin, Texas 78767

And: Danny Hobby (or successor)
 Executive Manager, Emergency Services
 P.O. Box 1748
 Austin, Texas 78767

XIV. VENUE AND CHOICE OF LAW

14.1 The obligations and undertakings of each of the parties to this License shall be performable in Travis County, Texas, and this License shall be governed by and construed in accordance with the laws of the State of Texas.

XV. MEDIATION

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

XVI. ENTIRETY OF AGREEMENT

16.1 This License represents the sole, entire and integrated agreement between County and Licensee with respect to the subject matter in it and supersedes all prior negotiations, representations or agreements either oral or written.

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

TRAVIS COUNTY:

LICENSEE:

By: _____

Samuel T. Biscoe
Travis County Judge

Date: _____

By: _____

Name
Title

Date: _____

EXHIBIT A

Insurance Certificate

EXHIBIT B
Release of Liability/Waiver

Austin-Travis County EMS

STAR Flight

Ride-Out Release

In this Release,

- "Non-employment participation in the **STAR Flight** program" means every occasion when I am allowed to accompany **STAR Flight** personnel on helicopter missions and to participate otherwise in the Emergency Medical Services Program of the City of Austin and Travis County when not required to participate as a result of job duties assigned by my supervisor.
- "**STAR Flight** participants" means the City of Austin, Travis County, their officers, agents, representatives and employees, especially **STAR Flight** crewmembers:

_____ / _____ / _____

In participation for my participation in the **STAR Flight** program, I, _____, agree to the following conditions:

I hereby release and shall not hold the **STAR Flight** participants liable for any claims, losses, damages, causes of action, suits or liability of any kind, including any expenses of litigation, court costs and attorney's fees for injury to or death of any person or for damage to any property arising out of or in connection with my non-employment participation in the **STAR Flight** program whether such injuries, death or damages are caused by the sole negligence of any **STAR Flight** participant and any other person or entity.

Further, I shall indemnify and hold harmless the **STAR Flight** participants from and against any claims, losses, damages, causes of action, suits and liability of every kind, including all expenses of litigation, court costs, attorney's fees for injury to or death of any person or for damage to property arising out of or in connection with any act of omission by me or caused by my non-employment participation in the **STAR Flight** program.

I have received, read and understand and I shall abide by all Ride-Out Rules and Regulations and the policy on ride-outs.

In addition, I make the following representations and acknowledgments upon which I intend that the **STAR Flight** participants rely:

1. During my non-employment participation in the **STAR Flight** program, I am only a lay observer and bystander with no active role whatsoever and I will not have nor be given any duties, rights, powers or authority whatsoever except those conferred by law upon any other person in similar circumstances.
2. During my non-employment participation in the **STAR Flight** program, I am not acting as an agent, servant, representative or employee of the City of Austin or Travis County for any purpose including any worker's compensation benefits, death benefits or disability benefits.
3. As an inherent incident of my non-employment participation in the **STAR Flight** program, at unpredictable times I may be placed in both foreseeable and unforeseeable conditions of extreme danger and the **STAR Flight** participants shall not be obligated to take any steps or actions to protect me or my property or provide any means of withdrawal or retreat for me and I acknowledge that they have no duty to do so as a result of this Release.
4. I shall not use any information that I may gain through non-employment participation in the **STAR Flight** program for any purpose other than my own personal education and I shall keep all of this information confidential unless I am summoned as a witness in an administrative hearing or court proceeding.
5. My non-employment participation in the **STAR Flight** program is a privilege that may be revoked at any time by the Director of Austin-Travis County Emergency Medical Services or the Travis County Executive Manager of Justice and Public Safety.

All of the conditions, agreements, releases, representations and acknowledgments in this Release shall be binding upon my heirs, executors, administrators and assigns.

By my signature, I agree to be bound by all of the conditions in this Release and indicate that I have read the entire content of this Release and understand it thoroughly and I have executed it in consideration of this opportunity for my non-employment participation in the STAR Flight program.

Signature: _____ Date: _____

Witness: _____ Date: _____

Emergency Contact Person: _____ **Phone Number:** _____

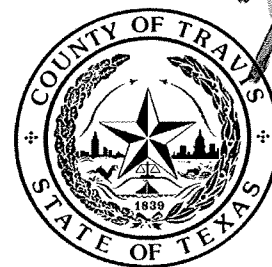
STAR Flight

Rider / Observer Briefing

1. Rider release signed
2. HIPPA Regulations
3. Flight suit and helmet issue
 - a. *Nomex should fit loosely*
 - b. *Rider will be issued "Observer" nametag*
4. Approaching / departing aircraft under the rotor blades if blades are turning
 - a. *Approach only from front of helicopter*
 - b. *Always get clear approval signal from pilot before approaching / departing*
 - c. *Always leave aircraft as a group rather than individually*
5. No smoking - *None onboard or within 50' of helicopter*
6. Cabin area
 - a. *Use of safety belts*
 - b. *Seat adjustment*
 - c. *Operation of doors*
 - d. *Emergency exits*
 - e. *ICS control box*
7. Cockpit area
 - a. *Use of safety belts*
 - b. *Operation of door*
 - c. *ICS control box*
8. Location and use of fire extinguishers
 - a. *Halon*
 - b. *Pull ring, point and pull trigger*
9. Sterile cockpit
10. Aircraft / obstacle avoidance - *Use the "clock position" when giving location*
11. Survival equipment
12. Operational Considerations
 - a. Public Safety Missions
 - b. Specialty Team Missions
 - c. Weight / Balance Considerations

TRAVIS COUNTY COMMISSIONERS COURT

Last Updated 02-27-09 at 11:30am **AGENDA REQUEST**



VOTING SESSION: 03/03/09

I. Request made by: Roger Jefferies, Executive Manager, JPS 

Requested topic:

CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO PAY FOR TRAVEL COSTS OF A SAFEPLACE EMPLOYEE MEMBER FOR THE OFFICE ON VIOLENCE AGAINST WOMEN IN REGARDS TO A SAFE HAVEN ALL SITE TRAINING.

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:
- Caryl Colburn, CES Director, 44618
Katie Petersen, PBO Budget Analyst, 49346
DeDe Bell, Auditor's Office, 47827
Julie Cullen, Criminal Justice Planning, 44751

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

TRAVIS COUNTY COUNSELING AND EDUCATION SERVICES
P.O. BOX 1748, AUSTIN, TX 78767 (512) 854-9540; FAX 854-9146
CARYL CLARKE COLBURN, DIRECTOR



MEMORANDUM

To: Travis County Commissioners Court
Through: Roger Jefferies, Executive Manager, Justice and Public Safety 
From: Caryl Colburn, Director, CES 
Subject: Request to Cover Safe Place Employee Travel Cost
Date: February 24, 2009

On 11/04/08 Travis County Commissioners Court approved an award for \$200,000 from the Department of Justice, Office on Violence Against Women (OVW) for a Safe Havens: Supervised Visitation and Exchange Grant Program. This is a much needed award for Travis County, as there is currently not a primary site for visitation and exchange of children of divorced or divorcing parents, especially for those who are victims of domestic violence. The grant provides monies to plan for such a place. The Domestic Relations Office (DRO) currently has oversight authority, given by the Juvenile Board, for visitation center services. They are currently contracting with a network of private providers offering visitation services until a new plan is developed under the OVW Safe Havens grant. Travis County has partnered with multiple community agencies to form the Travis County Safe Havens Advisory Group to help develop a new plan to provide enhanced supervised visitation and exchange services. From this Advisory Group a Collaboration Team has been formed to complete much of the planning work.

The OVW cooperative agreement provides a large amount of technical assistance to the grantee. Three required technical assistance meetings are set for the first year out of this two year grant. Four members of the Collaboration Team attended the first training in Alexandria, VA on December 10, 11 and 12 of 2008. The second training is scheduled for March 18, 19 and 20 in Dallas, TX. Three grant partners, who are members of the Collaboration Team, are slated to go to the Dallas training. They are a Domestic Relations Office (DRO) employee, a family law judge and a victim advocate from Safe Place.

Travis County is paying up-front for the travel costs of the attendees who are county employees (DRO staff and family law judge) and will be reimbursed once the county has received the grant funding. Once we receive final approval on the grant budget, we may draw down funds. As the county is fronting travel costs for county employees until the grant budget is approved, CES staff is recommending that the county pay up-front for the Safe Place employee, as well. Travis County will be reimbursed for all costs of travel by the OVW Safe Havens Grant once the grant budget is approved.

The administrating department, CES, has the funds to cover the travel costs for this training in Dallas in its line item of 001-4020-586-6503 TRAVEL, MEALS, LODGING. There is no fee for the training itself and the attendees will be driving. Travel costs for each participant is approximately \$766.00. OVW grant funds will reimburse the above line item as soon as grant funds can be drawn down.

Dear OVV Safe Havens Development Grantees,

Our next 2.5-day all-site meeting on **March 18-20, 2009 in Dallas, Texas** is nearing. The registration deadline is this **Friday February 20th, 2009**. If you need an extension to this deadline, please contact me directly so that we can accommodate your specific needs.

This meeting will focus on advancing your policy development work by grounding you in the Safe Havens Guiding Principles. In addition, each site will have the opportunity to meet as a team, with the goal of using the information presented to advance your planning work and prepare you for implementation. To help ensure that the perspectives of multiple grant partners are included in this process, we are asking that you bring at least three, but up to four of the following individuals:

- A representative from the government organization grantee (mandatory attendance)
- A representative from supervised visitation services (mandatory attendance)
- A representative from your partnering domestic violence agency (mandatory attendance)
- A representative from the court or another community partner (strongly recommended, optional attendance)

The primary point of contact for your grant is responsible for coordinating and making a final determination about whom from your site attends this meeting.

Logistics

The meeting will be held at the Sheraton Dallas North at 4801 Lyndon B. Johnson Freeway, Dallas, TX 75224 (972) 661-3600. Please note that you are responsible for making all hotel and travel arrangements yourself, as well as for paying for all lodging and travel costs out of your Supervised Visitation Development Grant funds. When you make your room reservations, please make sure to mention "ALSO" to receive the room block government rate of \$109 per night plus tax. To reserve a room online, follow this link:

<http://www.starwoodmeeting.com/StarGroupsWeb/res?id=0902067833&key=76837>.

To reserve by phone, call 1-800-325-3535. **The Sheraton will accept reservations until February 27th and honor this room rate. Reservations made after this date cannot be guaranteed.**

Registration

Below is a link for online registration, which contains all necessary travel and hotel information; please complete and submit it no later than Friday February 20th. If you have any trouble with online registration, please paste the link into your web browser. We have also attached a hard copy of the registration form that you can complete and fax back to us at 773-235-5747.

http://www.surveymonkey.com/s.aspx?sm=anXuxs4Q1Z1bplDLBu4xOg_3d_3d

Agenda

A draft agenda has been attached to this e-mail and it outlines which meals will be provided for you at the conference.

Please feel free to contact me with any questions about registration for this meeting.

Aminah Williams

Event Manager
Alliance of Local Service Organizations (ALSO)
3401 W. Armitage Avenue
Chicago, IL 60647
p: 773-235-5705
f: 773-235-5747
www.also-chicago.org



02-27-09 at 11:30am

TRAVIS COUNTY PURCHASING OFFICE

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

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

8

Approved by: _____

Cyd V. Grimes 2/26/09 MB

Voting Session: Tuesday, March 3, 2009

REQUESTED ACTION: APPROVE CONTRACT AWARD WITH BWM GROUP, RFQ NO. Q080290-LP, PROFESSIONAL ENGINEERING SERVICES FOR UNION CREEK GREENBELT PROJECT. (TNR)

RECEIVED
COUNTY JUDGE'S OFFICE
09 FEB 25 PM 1:36

Points of Contact:

- Purchasing:** Jason G. Walker
- Department:** (TNR), Joe Gieselman, Executive Director
- County Attorney (when applicable):** Chris Gilmore
- County Planning and Budget Office:** Leroy Nellis
- County Auditor's Office:** Susan Spataro, 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.
- TNR, with Purchasing's concurrence, requests contract approval for the design services for the Onion Creek Greenbelt Project to BWM Group for \$97,989.00.
- TNR requested the development of a pre-qualified list of professional engineering and architecture firms that can complete small roadway, drainage, and park projects as the need arises. An RFQ was subsequently established. Thirty-three (33) A/E firms submitted qualification statements. All were approved by Commissioners Court on November 18, 2008, as well as the procedures for utilizing the list.
- In accordance with the approved procedures, TNR has reviewed the qualification statements of the firms on the pre-qualified list of A/E's for small projects. TNR staff has determined the highest qualified firm for the Onion Creek Greenbelt Project to be BWM Group.
- The above referenced contract is for architectural/engineering design services that are necessary for the development of the Onion Creek Greenbelt Vision Plan and Segment One Master Plan.
- **Contract Expenditures:** Within the last 12 months \$0.00 has been spent against this contract.

Not applicable

➤ **Contract-Related Information:**

Award Amount: \$97,989.00 (Not-to-Exceed)
Contract Type: Architect/Engineer
Contract Period: Through project completion

➤ **Contract Modification Information:**

Modification Amount: \$0.00 (Firm Amount) (Add'l. comments)
Modification Type: N/A
Modification Period: N/A

➤ **Solicitation-Related Information:**

Solicitations Sent: N/A Responses Received: N/A
HUB Information: Vendor is not a HUB % HUB Subcontractor: N/A

➤ **Special Contract Considerations:**

- Award has been protested; interested parties have been notified.
 - Award is not to the lowest bidder; interested parties have been notified.
 - Comments: BWM Group is on the list of pre-qualified professional A/E firms for small projects as a result of RFQ Q080290-LP.
- The original contracts have been signed and returned by the consultant and are currently being routed for signatures of all Travis County persons.
- Standard Purchasing procedures of double sided printing of contracts were not followed, as the consultant printed the contracts in order to complete and submit.

➤ **Funding Information:**

- Purchase Requisition in H.T.E.: 464085
- Funding Account(s): 511-4911-809-8112
- Comments:

➤ **Statutory Verification of Funding:**

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



Jason
2-19-09
MB

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

RECEIVED
TRAVIS COUNTY
2009 FEB 18 PM 3:30
PURCHASING
OFFICE

February 18, 2009

MEMORANDUM

TO: Cyd Grimes, Purchasing Agent
FROM: Joseph P. Gieselman, Executive Manager
SUBJECT: Place item on the Commissioner's Court Agenda to Award a Professional Services Agreement with BWM Group for the Onion Creek Greenbelt Project.

TNR recommends award of a professional services agreement with BWM Group for a not-to-exceed amount of \$97,989.00 for the 2005 bond Onion Creek Buyout project. The Consultant shall provide professional landscape, architectural and technical consulting services necessary for development of the Onion Creek Greenbelt Vision Plan and Segment One Master Plan. Services include, but are not limited to, the following adjacent properties: Austin Bergstrom International Airport property, Moya Park, Morris Institutional District, Timber Creek Recreational Area, Berdoll tract, SH 71 right of way, Barkley Meadow Park, SH 130 right of way, Southeast Metro Park, and Watersedge Park. The \$97,989.00 is encumbered under requisition number 464085 and the commodity/sub-commodity is 961/103. The account number is 511-4911-809-8112.

If you have any questions or require additional information please contact Brunilda Cruz at extension 47679.

BC:JPG:bc

Copy Jessica Rio, Planning and Budget Office
Kapp Schwebke, County Auditor's Office
Steve Manilla, TNR
Brunilda Cruz, TNR

Jason, I take it we've already negotiated w/this Consultant, and this memo. is a result of said negs.?
MB

Account Balance Inquiry

Account Number: 511-4911-809.81-12
Last Updated: 02-27-09 at 11:30am

Fund	:	511	L/T PERM IMPRVMT BDS,2008
Department	:	49	TNR (TRANS & NATRL RESRC)
Division	:	11	LAND DEVELOPMENT SERVICES
Activity basic	:	80	CAPITAL PROJECTS
Sub activity	:	9	COMM&ECON DEV (PKS & REC)
Element	:	81	CAPITAL OUTLAY
Object	:	12	LAND

Original budget	:	0	
Revised budget	:	1,710,000	10/01/2008
Actual expenditures - current	:	41,951.00	
Actual expenditures - ytd	:	528,012.37	
Unposted expenditures	:	.00	
Encumbered amount	:	41,011.95	
Unposted encumbrances	:	.00	
Pre-encumbrance amount	:	97,989.00	
Total expenditures & encumbrances:		708,964.32	41.5%
Unencumbered balance	:	1,001,035.68	58.5

F5=Encumbrances **F7=Project data** **F8=Misc inquiry**
F10=Detail trans **F11=Acct activity list** **F12=Cancel** **F24=More keys**

Last Updated 02-27-09 at 11:30am

Account number: 511-4911-809-81.12

CAPITAL OUTLAY / LAND

Position to Requisition number _____
or Po number _____

Type selections, press Enter.

1=Select

Opt	Requisition Number	Purchase Order	Amount	Year	Project
-	0000464085		97,989.00	2009	05020C

F12=Cancel

PURCHASE REQUISITION NBR: 0000464085

DATE: 2/18/09

DELIVER BY DATE: 2/18/09

STATUS: AUDITOR APPROVAL
 REASON: PARKLAND ATTN: MARVIN BRICE
 SUGGESTED VENDOR: BWM GROUP

REQUISITION BY: BRUNILDA CRUZ 854-7679
 SHIP TO LOCATION: AS INDICATED BELOW

LINE NBR	DESCRIPTION	QUANTITY UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	ONION CREEK GREENBELT VISION PLAN COMMODITY: MISC. PROFESSIONAL SVCS SUBCOMMOD: SERVICES/LAND & REAL EST	38154.00	DOL 1.0000	38154.00	
2	ONION CREEK GREENBELT SEGMENT ONE MASTER PLAN COMMODITY: MISC. PROFESSIONAL SVCS SUBCOMMOD: SURVEY/LAND & REAL ESTATE	24890.00	DOL 1.0000	24890.00	
3	CONTEXT SENSITIVE DESIGN (PARSONS BRINKERHOFF) COMMODITY: MISC. PROFESSIONAL SVCS SUBCOMMOD: SURVEY/LAND & REAL ESTATE	22080.00	DOL 1.0000	22080.00	
4	ON CALL CONSULTATION (PARSONS BRINKERHOFF) COMMODITY: MISC. PROFESSIONAL SVCS SUBCOMMOD: SURVEY/LAND & REAL ESTATE	12865.00	DOL 1.0000	12865.00	
REQUISITION TOTAL:				97989.00	

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

LINE #	ACCOUNT	PROJECT	%	AMOUNT
1	51149118098112	CAPITAL OUTLAY LAND	100.00	38154.00
2	51149118098112	CAPITAL OUTLAY LAND	100.00	24890.00
3	51149118098112	CAPITAL OUTLAY LAND	100.00	22080.00
4	51149118098112	CAPITAL OUTLAY LAND	100.00	12865.00
REQUISITION TOTAL:				97989.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

20090218 RT COURT

 VENDOR'S INFO

BWM GROUP
 ATTN: TIM A. BARGAINER
 102 EAST MAIN STREET
 SUITE 200
 ROUND ROCK, TX 78664
 (512) 238-8912



02-27-09 at 11:30am

TRAVIS COUNTY PURCHASING OFFICE

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

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

9

Approved by: _____

Cyd V. Grimes 2/20/09
MB

Voting Session: Tuesday, March 3, 2009

REQUESTED ACTION: APPROVE CONTRACT AWARD FOR PROFESSIONAL ENGINEERING SERVICES, PAVEMENT CONDITION SURVEY, RFQ NO. Q080251-JW, TO THE HIGHEST QUALIFIED RESPONDENT, IMS INFRASTRUCTURE MANagements SERVICES, LLC (TNR)

Points of Contact:

Purchasing: Jason G. Walker

Department: (TNR), Don Ward, P.E.; David Greear, P.E.

County Attorney (when applicable): Julie Joe

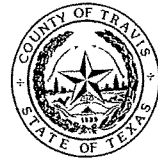
County Planning and Budget Office: Leroy Nellis

County Auditor's Office: Susan Spataro, 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 project is to assist TNR in maintaining the county road system to the current condition and to meet the Court mandated standard of 75% of the roads being rated Good to Fair. Through this survey, it will provide assistance to TNR in maintaining that rating, as well as be utilized as an integrated portion of future maintenance planning.
- On August 27, 2008 three (3) proposals were received for Q080251-JW. Upon final completion of the evaluations, TNR recommended IMS Infrastructure Management Services, LLC as the top firm to Commissioners Court, and on December 16, 2008 Commissioners Court authorized staff to negotiate a contract with IMS Infrastructure Management Services, LLC
- TNR and the Purchasing Office recommends approving the Professional Service Agreement with IMS Infrastructure Management Services, LLC in the amount of \$241,000.00.
- **Contract Expenditures:** Within the last 12 months \$0.00 has been spent against this contract.

Not applicable



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

January 9, 2009

MEMORANDUM

TO: Jason Walker, Assistant Purchasing Agent
FROM: Don Ward, P.E., Director, Road Maintenance & Fleet Services
SUBJECT: County-Wide Pavement Condition Survey , RFQ #Q080251-JW
Professional Services Agreement with IMS (Infrastructure Management Services)

RECEIVED
TRAVIS COUNTY
JAN 16 AM 9:36
PURCHASING
OFFICE

The following information is for your use in preparing an agenda item for Commissioner's Court action. Please contact me at 854-9317 if you have any questions or need additional information.

Proposed Motion:

Consider and take appropriate action on TNR's request to approve a Professional Services Agreement with IMS (Infrastructure Management Services) for a county-wide pavement condition survey.

Summary and Recommendation:

On July 1, 2008, TNR requested the Purchasing Office to obtain professional consulting services for the county-wide pavement condition survey. The Purchasing Office, together with TNR Road & Bridge, developed a RFQ for these services and received proposals from three (3) firms. TNR staff members evaluated and rated the qualifications of each firm using a standard rating form. On December 16, 2008, the Court approved TNR's recommendation and authorized TNR and Purchasing to negotiate a Professional Services Agreement with IMS.

Negotiations have been completed and staff recommends entering into the agreement with IMS for a total amount of \$241,000.00

Budgetary Issue:

Funding for this project was made available through line-item savings of \$250,000 on June 3, 2008 by the Commissioner's Court. The \$241,000 negotiated fee is encumbered on requisition number 441952. The account number is 099-4941-621-4007 and the commodity/sub-commodity is 918/096

Background:

The last pavement condition survey was completed in 2004 by Fugro. Travis County has historically completed this type of survey every three to five years since 1987. This survey and previous ones have assisted TNR in maintaining the county road system to the current condition and meeting the Court mandated standard of 75% of the roads being rated Good to Fair. This survey will assist TNR in maintaining that rating and will be utilized as an integrated portion of future maintenance planning.

cc: Don Ward
Richard Duane
Cynthia McDonald

Account Balance Inquiry

Last Updated 02-27-09 at 11:30am

Account number 99-4941-621.40-07
Fund : 099 ROAD & BRIDGE FUND
Department : 49 TNR (TRANS & NATRL RESRC)
Division : 41 ROAD & BRIDGE MAINTENANCE
Activity basic : 62 INFRA-ENV SCVS (TRNS&RDS)
Sub activity : 1 TNR (TRANS & NATRL RESRC)
Element : 40 PROFESSIONAL SERVICES
Object : 07 CONSULTING

Original budget : 20,000
Revised budget : 284,520 10/01/2008
Actual expenditures - current : 625.00
Actual expenditures - ytd : 2,735.00
Unposted expenditures : .00
Encumbered amount : 11,160.00
Unposted encumbrances : .00
Pre-encumbrance amount : 241,000.00
Total expenditures & encumbrances: 255,520.00 89.8%
Unencumbered balance : 29,000.00 10.2

F5=Encumbrances F7=Project data F8=Misc inquiry
F10=Detail trans F11=Acct activity list F12=Cancel F24=More keys

TRAVIS COUNTY
Pre-Encumbrance Detail

2/18/09
12:21:56

Account Number: 99-4941-621-40.07
Last Updated: 02-27-09 at 11:20am

Position to PROFESSIONAL SERVICES / CONSULTING
or Requisition number _____
Po number _____

Type selections, press Enter.

1=Select

Opt	Requisition Number	Purchase Order	Amount	Year	Project
_	0000441952		241,000.00	2009	

F12=Cancel

PURCHASE REQUISITION NBR: 0000441952
 STATUS: AUDITOR APPROVAL
 REASON: ROUTINE PSA ATTN: JASON
 SUGGESTED VENDOR: IMS INFRASTRUCTURE MGMT SRVS

REQUISITION BY: DONNA WILLIAMS 854-7677
 SHIP TO LOCATION: AS INDICATED BELOW
 DATE: 6/04/08
 DELIVER BY DATE: 6/15/08

LINE NBR DESCRIPTION

 1 PAVEMENT CONDITION SURVEY
 FY 2009. TRAVIS COUNTY
 POC DAVID GREER 854-7650
 COMMODITY: CONSULTING SERVICES
 SUBCOMMOD: TRANSPORTATION

QUANTITY UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
241000.00	DOL 1.0000	241000.00	

REQUISITION TOTAL: 241000.00

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

LINE #	ACCOUNT	PROJECT	%	AMOUNT
1	09949416214007	PROFESSIONAL SERVICES CONSULTING	100.00	241000.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:
 20080604 RT
 11/21/08 CONTRACT?EMD CJ.GMC
 1/9/9 RETURNED.GMC



Last Updated 02-27-09 at 11:30am

TRAVIS COUNTY PURCHASING OFFICE

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

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

#10 and #11

Approved by: _____

Cyd V. Grimes 2/24/09

Voting Session: Tuesday, March 03, 2009

REQUESTED ACTION: CONSIDER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF CONTRACT MODIFICATIONS FOR:

A. CONTRACT NO. PS000209JW, MODIFICATION NO.3 FOR RESIDENTIAL TREATMENT SERVICES WITH HAVEN OF HOPE.

B. CONTRACT NO. PS000211JW, MODIFICATION NO.4 FOR RESIDENTIAL TREATMENT SERVICES WITH HMIH - CEDAR CREST LLC, DBA CEDAR CREST HOSPITAL & RTC.

C. CONTRACT NO. PS080283VR, MODIFICATION NO. 1 FOR PSYCHOLOGICAL EVALUATION SERVICES WITH MARY KILPATRICK, PHD.

D. CONTRACT NO. PS080284VR, MODIFICATION NO. 1 FOR PSYCHOLOGICAL EVALUATION SERVICES WITH PHILLIP A. KERNE IV, PHD. (JUVENILE PROBATION)

Points of Contact:

Purchasing: Vania Ramaekers

Department: (JUVENILE PROBATION), Estela Medina, Chief Juvenile Probation Officer, Sylvia Mendoza;

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.

Juvenile Probation has indicated that Travis County no longer needs the contracted services for these contracts. Each contract contains a termination clause (Section 2.3 "Termination Clause"), that states, the contract may be terminated by either party at any time by giving written notice to the other party hereto of the intention to terminate. The above listed modifications will serve as an official notification to the Contractors of Travis County's intent to terminate in accordance with each contract termination clause requirement.

➤ **Contract Expenditures:** Within the last 12 months \$0 has been spent against this contract

Not applicable

➤ **Contract-Related Information:**

Award Amount: \$0.00 (Estimated quantity)

Contract Type:

Contract Period: N/A

➤ **Contract Modification Information:**

Modification Amount: \$0.00 (Firm Amount) (Add'l. comments)

Modification Type: N/A

Modification Period:

➤ **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:

➤ **Statutory Verification of Funding:**

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



RECEIVED
TRAVIS COUNTY
TRAVIS COUNTY JUVENILE PROBATION DEPARTMENT

ESTELA P. MEDINA
Chief Juvenile Probation
Officer

2009 FEB 18 AM 9:44

PURCHASING
OFFICE

ADMINISTRATIVE SERVICES
COURT SERVICES
DETENTION SERVICES
PROBATION SERVICES
RESIDENTIAL SERVICES
SUBSTANCE ABUSE SERVICES
DOMESTIC RELATIONS OFFICE
JUVENILE JUSTICE ALTERNATIVE
EDUCATION PROGRAM

TO: Cyd Grimes
Purchasing Agent
FROM: Estela P. Medina
Estela P. Medina
Chief Juvenile Probation Officer
RE: Recommendation for Contract Termination for Juvenile Probation
DATE: February 1³/₂, 2009

Travis County Juvenile Probation Department is currently contracting with the following vendors for Residential Treatment Services and Psychological Evaluation Services.

The department is requesting termination of the contracts listed below, as we no longer require the services of these vendors. The following details the line item being used for these contracts.

- PS000209JW Haven of Hope – 001-4530-593-6205**
- PS000211JW Cedar Crest LLC – 001-4530-593-6205**
- PS080283VR Dr. Mary D. Kilpatrick – 001-4514-593-6315**
- PS080284VR Dr. Philp A. Kerne IV – 001-4514-593-6315**

If you need additional information in order to proceed, please do not hesitate to call me.

cc: Britt Canary
Emmitt Hayes
Sylvia Mendoza
Gail Penney-Chapmond
Mike Williams
Barbara Swift

EPM: gc

MODIFICATION OF CONTRACT NUMBER: PS080284VR- Psychological Evaluation Services

Last Updated 02-27-09 at 11:30am

PAGE 1 OF 1 PAGES

ISSUED BY: PURCHASING OFFICE 314 W. 11TH ST., RM 400 AUSTIN, TX 78701	PURCHASING AGENT ASST: Vania Ramaekers TEL. NO: (512) 854-9700 FAX NO: (512) 854-9185	DATE PREPARED: February 19, 2009
ISSUED TO: Phillip A. Kerne IV, PhD. 10505 South Ih-35, Suite 732 Austin, Texas 78747	MODIFICATION NO.: 1	EXECUTED DATE OF ORIGINAL CONTRACT: September 30, 2008
ORIGINAL CONTRACT TERM DATES: <u>10/01/2008 - 9/30/2009</u>		CURRENT CONTRACT TERM DATES: 10/1/08- Until Terminated

FOR TRAVIS COUNTY INTERNAL USE ONLY:Original Contract Amount: \$ NA Current Modified Amount \$ NA**DESCRIPTION OF CHANGES: The above referenced contract is modified to reflect the changes as set forth below:**

A. Pursuant to section 2.3 "Termination", the above referenced contract may be terminated by either party at any time by giving thirty (30) days written notice to the other party hereto of the intention to terminate.

B. This modification serves as official notification that subject contract is hereby terminated effective thirty (30) days from receipt of this notice.

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.

Note to Vendor:

Complete and execute (sign) your portion of the signature block section below for all copies and return all signed copies to Travis County.

DO NOT execute and return to Travis County. Retain for your records.

LEGAL BUSINESS NAME: _____	<input type="checkbox"/> DBA
BY: _____ SIGNATURE	<input type="checkbox"/> CORPORATION
BY: _____ PRINT NAME	<input type="checkbox"/> OTHER
TITLE: _____ ITS DULY AUTHORIZED AGENT	DATE: _____
TRAVIS COUNTY, TEXAS BY: <u>Cyd V. Grimes</u> CYD V. GRIMES, C.P.M., TRAVIS COUNTY PURCHASING AGENT	DATE: <u>2/20/09</u>
TRAVIS COUNTY, TEXAS BY: _____ SAMUEL T. BISCOE, TRAVIS COUNTY JUDGE	DATE: _____

MODIFICATION OF CONTRACT NUMBER: PS080283VR- Psychological Evaluation Services

Last Updated 02-27-09 at 11:30am

PAGE 1 OF 1 PAGES

ISSUED BY: PURCHASING OFFICE
314 W. 11TH ST., RM 400
AUSTIN, TX 78701

PURCHASING AGENT ASST: Vania Ramaekers
TEL. NO: (512) 854-9700
FAX NO: (512) 854-9185

DATE PREPARED:
February 19, 2009

ISSUED TO:
Mary Kilpatrick, PhD.
4131 Spicewood Springs Road, N-3
Austin, Texas 78759

MODIFICATION NO.:
1

EXECUTED DATE OF ORIGINAL CONTRACT:
September 30, 2008

ORIGINAL CONTRACT TERM DATES: 10/01/2008 - 9/30/2009 CURRENT CONTRACT TERM DATES: 10/1/08- Until Terminated

FOR TRAVIS COUNTY INTERNAL USE ONLY:

Original Contract Amount: \$ NA Current Modified Amount \$ NA

DESCRIPTION OF CHANGES: The above referenced contract is modified to reflect the changes as set forth below:

- A. Pursuant to section 2.3 "Termination", the above referenced contract may be terminated by either party at any time by giving thirty (30) days written notice to the other party hereto of the intention to terminate.
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- DO NOT execute and return to Travis County. Retain for your records.

LEGAL BUSINESS NAME: _____

BY: _____
SIGNATURE

BY: _____
PRINT NAME

TITLE: _____
ITS DULY AUTHORIZED AGENT

DBA

CORPORATION

OTHER

DATE: _____

TRAVIS COUNTY, TEXAS

BY: Cyd V. Gimes
CYD V. GIMES, C.P.M., TRAVIS COUNTY PURCHASING AGENT

DATE: 2/20/09

TRAVIS COUNTY, TEXAS

BY: _____
SAMUEL T. BISCOE, TRAVIS COUNTY JUDGE

DATE: _____

MODIFICATION OF CONTRACT NUMBER: PS000211JW – Residential Treatment Services

Last Updated 02-27-09 at 11:30am

PAGE 1 OF 1 PAGES

ISSUED BY: PURCHASING OFFICE 314 W. 11TH ST., RM 400 AUSTIN, TX 78701	PURCHASING AGENT ASST: Vania Ramaekers TEL. NO: (512) 854-9700 FAX NO: (512) 854-9185	DATE PREPARED: February 19, 2009
--------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------	------------------------------------------------

ISSUED TO: HMIH-Cedar Crest LLC, dba Cedar Crest Hospital & RTC 3500 S. IH -35 Belton. Texas 76513	MODIFICATION NO.: 4	EXECUTED DATE OF ORIGINAL CONTRACT: May 30, 2000
----------------------------------------------------------------------------------------------------------------	----------------------------	--------------------------------------------------------

ORIGINAL CONTRACT TERM DATES: <u>5/30 /2000 – 9/30/2000</u>	CURRENT CONTRACT TERM DATES: 10/1/08- Until Terminated
-------------------------------------------------------------	--------------------------------------------------------

FOR TRAVIS COUNTY INTERNAL USE ONLY:Original Contract Amount: \$ NA Current Modified Amount \$ NA**DESCRIPTION OF CHANGES: The above referenced contract is modified to reflect the changes as set forth below:**

- A. Pursuant to section 2.3 "Termination", the above referenced contract may be terminated by either party at any time by giving ten (10) days written notice to the other party hereto of the intention to terminate.
- B. This modification serves as official notification that subject contract is hereby terminated effective ten (10) days from receipt of this notice.

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.

Note to Vendor:

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

LEGAL BUSINESS NAME: _____	<input type="checkbox"/> DBA <input type="checkbox"/> CORPORATION <input type="checkbox"/> OTHER
BY: _____ SIGNATURE	
BY: _____ PRINT NAME	DATE: _____
TITLE: _____ ITS DULY AUTHORIZED AGENT	

TRAVIS COUNTY, TEXAS	DATE: _____
BY: <u>Cyd V. Grimes</u> CYD V. GRIMES, C.P.M., TRAVIS COUNTY PURCHASING AGENT	<u>2/20/09</u>

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

MODIFICATION OF CONTRACT NUMBER: PS000209JW – Residential Treatment Services

Last Updated 02-27-09 at 11:30am

PAGE 1 OF 1 PAGES

ISSUED BY: PURCHASING OFFICE 314 W. 11TH ST., RM 400 AUSTIN, TX 78701	PURCHASING AGENT ASST: Vania Ramaekers TEL. NO: (512) 854-9700 FAX NO: (512) 854-9185	DATE PREPARED: February 19, 2009
ISSUED TO: Haven of Hope 7005 Bennett Avenue Austin, Texas 78752	MODIFICATION NO.: 3	EXECUTED DATE OF ORIGINAL CONTRACT: June 27, 2000
ORIGINAL CONTRACT TERM DATES: <u>7/1/2000 – 9/30/2000</u>		CURRENT CONTRACT TERM DATES: 10/1/08- Until Terminated

FOR TRAVIS COUNTY INTERNAL USE ONLY:Original Contract Amount: \$ NA Current Modified Amount \$ NA**DESCRIPTION OF CHANGES: The above referenced contract is modified to reflect the changes as set forth below:**

A. Pursuant to section 2.3 "Termination", the above referenced contract may be terminated by either party at any time by giving ten (10) days written notice to the other party hereto of the intention to terminate.

B. This modification serves as official notification that subject contract is hereby terminated effective ten (10) days from receipt of this notice.

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.

Note to Vendor:

Complete and execute (sign) your portion of the signature block section below for all copies and return all signed copies to Travis County.

DO NOT execute and return to Travis County. Retain for your records.

LEGAL BUSINESS NAME: _____	<input type="checkbox"/> DBA
BY: _____ SIGNATURE	<input type="checkbox"/> CORPORATION
BY: _____ PRINT NAME	<input type="checkbox"/> OTHER
TITLE: _____ ITS DULY AUTHORIZED AGENT	DATE: _____
TRAVIS COUNTY, TEXAS BY: <u>Cyd V. Grimes</u> CYD V. GRIMES, C.P.M., TRAVIS COUNTY PURCHASING AGENT	DATE: <u>2/26/09</u>
TRAVIS COUNTY, TEXAS BY: _____ SAMUEL T. BISCOE, TRAVIS COUNTY JUDGE	DATE: _____

TRAVIS COUNTY COMMISSIONERS' COURT AGENDA REQUEST

Voting Session: March 3, 2009

Work Session: _____

(Sign) _____

I. A. Request made by: Joseph Gieselman, Executive Manager Phone # 854-9383

B. Requested Text: Consider and take appropriate action regarding three separate License Agreements to assist Travis County staff with trapping and controlling the feral hog population on Travis County's Balcones Canyonlands Preserve land and Travis County managed Parklands with three individuals: Matt Lucas, Larry Thomas and Larry Reed.

C. Approved by: _____
Signature of Commissioner Karen Huber, Pct. #3

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

Robert Armistead, Parks	854-9383	Jon White, TNR	854-9383
Charles Bergh, TNR	854-9383	Matt Lucas	293-7928
Rose Farmer, TNR	854-7214	Larry Thomas	644-6373
Kevin Connally, TNR	854-7213	Larry Reed	775-7763
Tenley Aldredge, Co. Atty	854-9415	Mike Brewster, Parks	263-9114
John Hille, Co. Atty	854-9415	Dan Perry, Parks	854-9383

III. Required Authorizations: Please check if applicable:

Planning and Budget Office (473-9106)

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

Human Resources Department (473-9165)

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

Purchasing Office (473-9700)

- Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (473-9415)

- Contract, Agreement, Policy & Procedure

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



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building
PO Box 1748
Austin, Texas 78767
(512) 473-9383
FAX (512) 708-4648

March 3, 2009

MEMORANDUM

TO: Members of the Commissioners' Court

FROM: Joseph P. Gieselman, Executive Manager

SUBJECT: Consider and take appropriate action regarding three separate License Agreements to assist Travis County staff with trapping and controlling the feral hog population on Travis County's Balcones Canyonlands Preserve land and Travis County managed parklands with three individuals: Matt Lucas, Larry Thomas and Larry Reed.

Summary and Staff Recommendations:

Travis County is currently managing a total of 6,200 acres of Preserve land as part of the Balcones Canyonlands Preserve (BCP). The Preserve managers have recognized a need to continue to control the feral hog population in the BCP and on specific Parkland. With this in mind, Preserve managers desire to extend the permit of the Licensees and to add an additional Licensee to have controlled access to both BCP tracts and the Milton Reimers Ranch Metropolitan Park complex, which includes the Pogue Hollow tract, for the purpose of trapping and removing feral hogs. The County has had signed agreements with two of these individuals to trap hogs on our tracts since 2004, with several extensions since then. This current period of the contract begins on March 3, 2009 and extends for a one year period with the option to extend this Agreement for one additional one-year period, during which all provisions shall remain unchanged and in full force except for the termination date. The three Licensees desire to perform the feral hog trapping and removal services (the "Services") at no charge to the County and affirm that they are experienced trappers qualified to provide such services in accordance with the terms and conditions stated in the three License Agreements. Because of the damage the feral hogs cause to the Preserve and Parkland, it is recommended that the Commissioners' Court allow authorization of the Licensees to trap and remove feral hogs from BCP and Parkland in coordination with Preserve and Park staff.

Budgetary and Fiscal Impact

There will be no cost to the County for these "Services". Staff time will be needed to coordinate with the Licensee to oversee the trapping program. If the feral hogs are not trapped and removed

from BCP land, they will continue to cause severe damage to the Preserve vegetation and fences, requiring future costly restoration and fence repairs.

Issues and Opportunities:

The agreement includes safeguards about the Licensees' use of firearms and contains protections for the Licensed Space. It provides the County with Liability and Indemnification that will hold the County harmless against all claims. It contains trapping standards to ensure humane treatment of trapped animals. It contains the County's right to terminate the agreement at any time at our sole discretion. TNR staff will work very closely with the Licensees to make sure that the terms of the agreements are followed and that this program is run safely.

Background:

The goal is to control the serious feral hog damage on BCP lands and on the Milton Reimers Ranch Metropolitan Park complex. Feral hogs are members of the same family as domestic hogs, and include European wild hogs, feral hogs and hybrids. Feral hogs are omnivorous and will eat anything from grain to carrion. On Preserve and Parkland, they destroy large areas of native vegetation as they search for roots and invertebrates in the soil. They also prey on young native animals. Off of the Preserve and Parkland, feral hogs destroy landscaping in subdivisions, damage cropland, and kill young livestock. The feral hogs in Travis County either escaped captivity or were introduced to undeveloped areas of the County primarily for hunting purposes. Since most fences do not restrict their movements, the feral hog population has been spreading out and expanding its range within the county. Currently, the largest numbers of feral hogs appear to be located in the northwestern part of the County.

The feral hog is an unprotected, non-game animal under Texas Parks and Wildlife Department regulations and therefore may be taken at any time of the year. This plan to remove feral hogs from the county's BCP land is in accordance with our BCP Land Management Plan that was approved by BCP Coordinating Committee and the USFWS.

Required Authorizations:

John Hille, County Attorney

Exhibits:

License Agreement Documents for Matt Lucas, Larry Thomas and Larry Reed.

RMF:JPG: rmf

- cc: Matt Lucas
- Larry Thomas
- Larry Reed
- John Hille, Travis County Attorney
- Tenley Aldredge, Travis County Attorney
- Charles Bergh, Travis County Parks Division Director
- Jon White, Travis County NREQ Division Director
- Robert Armistead, Travis County Parks
- Dan Perry, Travis County Parks
- Mike Brewster, Travis County Parks
- Kevin Connally, Travis County NREQ
- Rose Farmer, Travis County NREQ

**LICENSE AGREEMENT BETWEEN TRAVIS COUNTY AND
LARRY REED FOR USE OF COUNTY PROPERTY TO TRAP FERAL HOGS**

This License Agreement (this "Agreement") is made and entered into by and between Travis County, Texas, a political subdivision of the State of Texas ("County") and Larry Reed, an individual residing in Travis County, Texas (collectively, "Licensee").

WITNESSETH

THAT WHEREAS, County is the owner of the real property situated in the Balcones Canyonland Preserve ("BCP"), as further described in Exhibit A, attached hereto and made a part hereof (the "Property");

WHEREAS, County has recognized a need to control the feral hog population in the BCP and desires to permit Licensee to use certain acreage situated on the Property for the purpose of trapping and removing feral hogs; and

WHEREAS, Licensee desires to perform the feral hog trapping and removal services (the "Services") at no charge to County and affirms that he is an experienced trapper qualified to provide such services in accordance with the terms and conditions stated herein.

NOW, THEREFORE, County and Licensee, in consideration of the mutual promises herein expressed, covenant and agree to and with each other as follows:

I. GRANT AND SCOPE OF LICENSE

1.1 County hereby grants to Licensee the right to enter and use the Licensed Space for the sole and exclusive purpose stated herein (the "License"). For purposes of this Agreement, the "Licensed Space" means the surface only of that certain acreage situated on the Property as described in Exhibit A. Licensee shall not have the right to enter upon any portion of the Property not described in Exhibit A and County shall have the right to exclude Licensee from such unlicensed areas at ALL times.

1.2 The License includes the right to bring onto the Licensed Space personal property, including firearms, materials and equipment for the purpose stated herein.

1.3 Licensee shall be present during performance of the Services and during all related activities. Licensee acknowledges and agrees that he does not have authority to permit agents, employees, guests or any other person to enter the Licensed Space.

II. PURPOSE

2.1 Licensee shall have the right to enter and use the Licensed Space for the sole and exclusive purpose of trapping and removing feral hogs.

III. CONTROL OF TRAVIS COUNTY

3.1 Licensee shall at all times obey the direction and commands of the Executive Manager of the Travis County Transportation and Natural Resources Department (the "Executive Manager") or his designees while on the Licensed Space. Any disregard of directions shall be grounds for immediate revocation of the License by the Director or his designated representative. Duly authorized representatives of County may enter the Licensed Space, or any portion thereof, at any time, and on any occasion without restrictions whatsoever by Licensee. County reserves the right to prohibit persons from entering the Licensed Space at any time safety may be a concern.

3.2 Licensee shall use his best efforts not to interfere with the transaction of normal County business in and on the Licensed Space.

3.3 Licensee agrees to leave the Licensed Space in the same and as good a condition as when it was received, reasonable wear and tear excepted. Licensee shall not injure, mar, nor in any manner deface the Licensed Space, and shall not cause or permit anything to be injured, marred or defaced. Without the express consent of County, and except as made necessary by Licensee's performance of the Services, no modifications shall be made to fences, gates, roads, or any buildings, furnishings or fixtures located on the Licensed Space; under no condition shall Licensee bring flammable materials on the Licensed Space.

IV. TERM OF LICENSE

4.1 The License shall commence on the Effective Date, as defined herein, and shall terminate one year from the Effective Date (the "License Term"); provided, however, that County and Licensee shall have the right to terminate this Agreement under the provisions set forth in Section XIV herein.

4.2 County has the option to extend this Agreement for one additional one-year period, during which all provisions shall remain unchanged and in full force except for the termination date. To be effective, County shall exercise this option in writing at least thirty (30) days prior to expiration of the License Term.

V. LIABILITY AND INDEMNIFICATION

5.1 LICENSEE AGREES TO AND SHALL INDEMNIFY, SAVE AND HOLD HARMLESS COUNTY AND ITS OFFICIALS, AGENTS AND EMPLOYEES FROM AND AGAINST ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS AND LIABILITY OF EVERY KIND, INCLUDING WITHOUT LIMITATION ALL EXPENSES OF LITIGATION, COURT COSTS AND ATTORNEY'S FEES, FOR PERSONAL INJURY, DEATH OR PROPERTY DAMAGE ARISING IN WHOLE OR IN PART FROM ANY NEGLIGENT ACT, ERROR OR OMISSION OF LICENSEE, OR ANY OF ITS AGENTS, EMPLOYEES

OR INVITEES, ARISING OUT OF OR IN CONNECTION WITH THIS AGREEMENT OR LICENSEE'S USE OF THE LICENSED SPACE.

VI. RELEASE OF LIABILITY

6.1 Licensee agrees to release, waive, discharge and covenant not to sue County, its agents, officers or employees for all personal injury, death or property damage that may occur while Licensee is on the Property, including any injury, death or property damage caused by the negligence or intentional tort of County, its agents, officers or employees.

6.2 Licensee agrees that such release shall be binding on his assigns, heirs and next of kin.

6.3 Licensee agrees that such release applies to any premises or special defects arising from the Property.

6.4 Licensee agrees to release County, its agents, officers and employees from any claim whatsoever on account of first aid or medical treatment rendered for injuries sustained when Licensee is treated for any purpose.

6.5 Licensee agrees that this release, waiver and covenant not to sue is intended to be as broad and inclusive as permitted by the laws of the State of Texas.

VII. COMPLIANCE WITH LAWS, RULES AND REGULATIONS

7.1 Licensee and anyone coming upon the Licensed Space in connection with this Agreement shall comply with all Federal, State and City of Austin laws and ordinances applicable to the Licensed Space, including without limitation ownership of a valid Texas hunting license issued by the Texas Parks and Wildlife Department. Anyone who persists in violating any such laws, ordinances, rules or regulations may, at County's discretion, be removed from the Licensed Space.

VIII. LICENSES AND PERMITS

8.1 Except as otherwise expressly provided herein, Licensee shall be responsible for obtaining or providing all required permits, taxes, excise or license fees required by any governmental authority, including without limitation the United States Fish and Wildlife Service and/or the Texas Parks and Wildlife Department, to provide the Services.

IX. SECURITY

9.1 County and Licensee agree that County shall not be responsible for the protection or security of personal property brought onto the Licensed Space by Licensee or any of his agents, employees, guests or any other person coming upon the Licensed Space. Further, County and Licensee agree that Licensee shall be solely responsible at all times during the License Term for the actions and safety of any person(s) utilizing the Licensed

Space under this Agreement, including without limitation protecting such person(s) from injury or death.

X. OCCUPANCY INTERRUPTION

10.1 In the event that County, due to conditions beyond its control, such as property damage caused by fire, flood, tornado, windstorm, vandalism, civil tumult, riots, or any other act over which County has no control, should find it impossible to provide access to the Licensed Space as contracted herein, County shall have the right to revoke the License granted hereunder and shall have no other liability to Licensee on account of such revocation.

XI. RELATIONSHIP OF PARTIES

11.1 It is expressly understood that this Agreement is solely intended to create the relationship of independent contractors between County and Licensee. Except as provided herein, County shall exercise no supervision or control over Licensee, its employees, or any other person in the service of Licensee, and County shall provide no special services other than those specifically mentioned herein.

11.2 Nothing contained in this Agreement shall be deemed or construed to create a partnership or joint venture between County and Licensee, or cause County to be liable in any way for the debts and obligations of Licensee.

XII. NON-ASSIGNMENT

12.1 Licensee may not transfer or assign this Agreement, nor sub-lease the Licensed Space nor allow use of the Licensed Space other than as herein specified without the express written consent of County. Should Licensee attempt to sub-lease the Licensed Space, County may terminate this Agreement and revoke the License granted hereunder. NO OFFICIAL, EMPLOYEE, AGENT OR REPRESENTATIVE OF TRAVIS COUNTY HAS ANY AUTHORITY, EXPRESS OR IMPLIED, TO AMEND THIS AGREEMENT OR TO WAIVE ANY BREACH OF THIS AGREEMENT UNLESS EXPRESSLY GRANTED THAT SPECIFIC AUTHORITY BY THE TRAVIS COUNTY COMMISSIONERS COURT.

XIII. MONITORING

13.1 Licensee shall perform the Services at a standard acceptable for similar services in Travis County and in a prompt and efficient manner. Specifically, Licensee shall perform the Services in conformance with the following trapping standards:

13.1.1 Prior to commencing the Services, Licensee shall provide County with maps showing trap locations and designs, which maps shall be subject to the approval of the Executive Manager or his designee.

- 13.1.2 Prior to commencing the Services, Licensee shall obtain the approval of all such trap locations and designs from the Executive Manager or his designee.
- 13.1.3 Licensee shall monitor the traps at least every other day and shall place such traps, to the extent possible, in shaded locations.
- 13.1.4 Licensee shall treat trapped animals as humanely as possible and dispatch trapped animals in a humane fashion. Licensee should perform the killing as quickly and painlessly as possible and shall remove the same from the Property immediately following. Licensee may not remove live trapped animals from the Property.
- 13.1.5 Licensee is prohibited from hunting with dogs or other means without obtaining prior approval from County.
- 13.1.6 The Executive Manager or his designee must approve any firearm or other weapon to be used by Licensee in performing the Services.
- 13.1.7 Licensee shall notify the Executive Manager or his designee on an annual basis of the total number and sex of feral hogs handled, killed and/or removed during the previous year.
- 13.2 County reserves the right to perform periodic on-site monitoring of Licensee's compliance with the above-listed standards and the other terms of this Agreement and the adequacy and timeliness of Licensee's performance.

XIV. TERMINATION

14.1 County shall have the right to terminate this Agreement and to revoke the License granted hereunder at any time if the Executive Manager, in his sole discretion, determines that Licensee has failed to abide by the terms and conditions set forth herein. If the Executive Manager decides to exercise this right of termination, he shall provide Licensee written notice of such termination and shall grant Licensee an opportunity to cure within ten (10) days following receipt by Licensee of such notice.

14.2 Either party may terminate this Agreement for any reason prior to expiration of the License Term by providing thirty (30) days advance written notice to the other party at the address set forth in Section XV of this Agreement. Such notice shall state the effective date of termination, and upon that date Licensee's right to enter and use the Licensed Space shall cease.

XV. NOTICES

15.1 Any notice to be given hereunder by either party to the other shall be in writing and may be effected by personal delivery, in writing, or registered or certified mail, return receipt requested. Notices shall be sufficient if made or addressed as follows:

If to Licensee: Larry Reed
14310 Hwy 71 West
Austin, TX 78738

If to County: Mr. Joe Gieselman
Executive Manager
Travis County Dept. of Transportation & Natural Resources
P.O. Box 1748
Austin, Texas 78767
File No. 163.1364

XVI. NON-WAIVER OF DEFAULT

16.1 No payment, act or omission by either party may constitute or be construed as a waiver of any breach or default of the other party which then exists or may subsequently exist. The failure of either party to exercise any right or privilege granted in this Agreement shall not be construed as a waiver of that right or privilege.

16.2 All rights of either party under this Agreement are specifically reserved and any payment, act or omission shall not impair or prejudice any remedy or right of either party under it. Any right or remedy stated in this Agreement shall not preclude the exercise of any other right or remedy under this Agreement, the law or at equity, nor shall any action taken in the exercise of any right or remedy be deemed a waiver of any other rights or remedies.

XVII. MEDIATION

17.1 When mediation is acceptable to both parties in resolving a dispute arising under this Agreement, the parties agree to use a mutually agreed upon mediator, or a person appointed by a court of competent jurisdiction, for mediation as described in the Tex. Civ. Prac. And Rem. Code, 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 must remain confidential as described in Tex. Civ. Prac. And Rem Code 154.073, unless both parties agree, in writing, to waive the confidentiality.

XVIII. VENUE AND CHOICE OF LAW

18.1 ALL OBLIGATIONS AND UNDERTAKINGS PERMITTED UNDER THIS AGREEMENT ARE PERFORMABLE IN TRAVIS COUNTY, TEXAS. THIS

AGREEMENT IS GOVERNED BY AND CONSTRUED IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS.

XIX. SEVERABILITY

19.1 If any portion or portions of this Agreement are ruled invalid, illegal, or unenforceable in any respect by a court of competent jurisdiction, the remainder of it shall remain valid and binding.

XX. ENTIRE AGREEMENT

20.1 This Agreement represents the sole, entire and integrated Agreement between County and Licensee with respect to the subject matter herein and supersedes any and all prior negotiations, representations or agreements, either oral or written.

IN WITNESS WHEREOF, County and Licensee have executed this Agreement effective as of the later date indicated below (the "Effective Date").

TRAVIS COUNTY:

By: _____
Samuel T. Biscoe
Travis County Judge

Date: _____

LICENSEE:

Larry Reed

Date: _____

EXHIBIT A

DESCRIPTION OF THE LICENSED SPACE

The Licensed Space includes the areas shown on the attached maps of the following County-owned tracts/property:

Balcones Canyonlands Preserve sections:
Bull Creek and Cypress Creek Macrosite Tracts

Travis County Parks:
Milton Reimers Ranch County Park
Pogue Preserve

**LICENSE AGREEMENT BETWEEN TRAVIS COUNTY AND
MATT LUCAS FOR USE OF COUNTY PROPERTY TO TRAP FERAL HOGS**

This License Agreement (this "Agreement") is made and entered into by and between Travis County, Texas, a political subdivision of the State of Texas ("County") and Matt Lucas, an individual residing in Travis County, Texas (collectively, "Licensee").

WITNESSETH

THAT WHEREAS, County is the owner of the real property situated in the Balcones Canyonland Preserve ("BCP"), as further described in Exhibit A, attached hereto and made a part hereof (the "Property");

WHEREAS, County has recognized a need to control the feral hog population in the BCP and desires to permit Licensee to use certain acreage situated on the Property for the purpose of trapping and removing feral hogs; and

WHEREAS, Licensee desires to perform the feral hog trapping and removal services (the "Services") at no charge to County and affirms that he is an experienced trapper qualified to provide such services in accordance with the terms and conditions stated herein.

NOW, THEREFORE, County and Licensee, in consideration of the mutual promises herein expressed, covenant and agree to and with each other as follows:

I. GRANT AND SCOPE OF LICENSE

1.1 County hereby grants to Licensee the right to enter and use the Licensed Space for the sole and exclusive purpose stated herein (the "License"). For purposes of this Agreement, the "Licensed Space" means the surface only of that certain acreage situated on the Property as described in Exhibit A. Licensee shall not have the right to enter upon any portion of the Property not described in Exhibit A and County shall have the right to exclude Licensee from such unlicensed areas at ALL times.

1.2 The License includes the right to bring onto the Licensed Space personal property, including firearms, materials and equipment for the purpose stated herein.

1.3 Licensee shall be present during performance of the Services and during all related activities. Licensee acknowledges and agrees that he does not have authority to permit agents, employees, guests or any other person to enter the Licensed Space.

II. PURPOSE

2.1 Licensee shall have the right to enter and use the Licensed Space for the sole and exclusive purpose of trapping and removing feral hogs.

III. CONTROL OF TRAVIS COUNTY

3.1 Licensee shall at all times obey the direction and commands of the Executive Manager of the Travis County Transportation and Natural Resources Department (the "Executive Manager") or his designees while on the Licensed Space. Any disregard of directions shall be grounds for immediate revocation of the License by the Director or his designated representative. Duly authorized representatives of County may enter the Licensed Space, or any portion thereof, at any time, and on any occasion without restrictions whatsoever by Licensee. County reserves the right to prohibit persons from entering the Licensed Space at any time safety may be a concern.

3.2 Licensee shall use his best efforts not to interfere with the transaction of normal County business in and on the Licensed Space.

3.3 Licensee agrees to leave the Licensed Space in the same and as good a condition as when it was received, reasonable wear and tear excepted. Licensee shall not injure, mar, nor in any manner deface the Licensed Space, and shall not cause or permit anything to be injured, marred or defaced. Without the express consent of County, and except as made necessary by Licensee's performance of the Services, no modifications shall be made to fences, gates, roads, or any buildings, furnishings or fixtures located on the Licensed Space; under no condition shall Licensee bring flammable materials on the Licensed Space.

IV. TERM OF LICENSE

4.1 The License shall commence on the Effective Date, as defined herein, and shall terminate one year from the Effective Date (the "License Term"); provided, however, that County and Licensee shall have the right to terminate this Agreement under the provisions set forth in Section XIV herein.

4.2 County has the option to extend this Agreement for one additional one-year period, during which all provisions shall remain unchanged and in full force except for the termination date. To be effective, County shall exercise this option in writing at least thirty (30) days prior to expiration of the License Term.

V. LIABILITY AND INDEMNIFICATION

5.1 LICENSEE AGREES TO AND SHALL INDEMNIFY, SAVE AND HOLD HARMLESS COUNTY AND ITS OFFICIALS, AGENTS AND EMPLOYEES FROM AND AGAINST ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS AND LIABILITY OF EVERY KIND, INCLUDING WITHOUT LIMITATION ALL EXPENSES OF LITIGATION, COURT COSTS AND ATTORNEY'S FEES, FOR PERSONAL INJURY, DEATH OR PROPERTY DAMAGE ARISING IN WHOLE OR IN PART FROM ANY NEGLIGENT ACT, ERROR OR OMISSION OF LICENSEE, OR ANY OF ITS AGENTS, EMPLOYEES

OR INVITEES, ARISING OUT OF OR IN CONNECTION WITH THIS AGREEMENT OR LICENSEE'S USE OF THE LICENSED SPACE.

VI. RELEASE OF LIABILITY

6.1 Licensee agrees to release, waive, discharge and covenant not to sue County, its agents, officers or employees for all personal injury, death or property damage that may occur while Licensee is on the Property, including any injury, death or property damage caused by the negligence or intentional tort of County, its agents, officers or employees.

6.2 Licensee agrees that such release shall be binding on his assigns, heirs and next of kin.

6.3 Licensee agrees that such release applies to any premises or special defects arising from the Property.

6.4 Licensee agrees to release County, its agents, officers and employees from any claim whatsoever on account of first aid or medical treatment rendered for injuries sustained when Licensee is treated for any purpose.

6.5 Licensee agrees that this release, waiver and covenant not to sue is intended to be as broad and inclusive as permitted by the laws of the State of Texas.

VII. COMPLIANCE WITH LAWS, RULES AND REGULATIONS

7.1 Licensee and anyone coming upon the Licensed Space in connection with this Agreement shall comply with all Federal, State and City of Austin laws and ordinances applicable to the Licensed Space, including without limitation ownership of a valid Texas hunting license issued by the Texas Parks and Wildlife Department. Anyone who persists in violating any such laws, ordinances, rules or regulations may, at County's discretion, be removed from the Licensed Space.

VIII. LICENSES AND PERMITS

8.1 Except as otherwise expressly provided herein, Licensee shall be responsible for obtaining or providing all required permits, taxes, excise or license fees required by any governmental authority, including without limitation the United States Fish and Wildlife Service and/or the Texas Parks and Wildlife Department, to provide the Services.

IX. SECURITY

9.1 County and Licensee agree that County shall not be responsible for the protection or security of personal property brought onto the Licensed Space by Licensee or any of his agents, employees, guests or any other person coming upon the Licensed Space. Further, County and Licensee agree that Licensee shall be solely responsible at all times during the License Term for the actions and safety of any person(s) utilizing the Licensed

Space under this Agreement, including without limitation protecting such person(s) from injury or death.

X. OCCUPANCY INTERRUPTION

10.1 In the event that County, due to conditions beyond its control, such as property damage caused by fire, flood, tornado, windstorm, vandalism, civil tumult, riots, or any other act over which County has no control, should find it impossible to provide access to the Licensed Space as contracted herein, County shall have the right to revoke the License granted hereunder and shall have no other liability to Licensee on account of such revocation.

XI. RELATIONSHIP OF PARTIES

11.1 It is expressly understood that this Agreement is solely intended to create the relationship of independent contractors between County and Licensee. Except as provided herein, County shall exercise no supervision or control over Licensee, its employees, or any other person in the service of Licensee, and County shall provide no special services other than those specifically mentioned herein.

11.2 Nothing contained in this Agreement shall be deemed or construed to create a partnership or joint venture between County and Licensee, or cause County to be liable in any way for the debts and obligations of Licensee.

XII. NON-ASSIGNMENT

12.1 Licensee may not transfer or assign this Agreement, nor sub-lease the Licensed Space nor allow use of the Licensed Space other than as herein specified without the express written consent of County. Should Licensee attempt to sub-lease the Licensed Space, County may terminate this Agreement and revoke the License granted hereunder. NO OFFICIAL, EMPLOYEE, AGENT OR REPRESENTATIVE OF TRAVIS COUNTY HAS ANY AUTHORITY, EXPRESS OR IMPLIED, TO AMEND THIS AGREEMENT OR TO WAIVE ANY BREACH OF THIS AGREEMENT UNLESS EXPRESSLY GRANTED THAT SPECIFIC AUTHORITY BY THE TRAVIS COUNTY COMMISSIONERS COURT.

XIII. MONITORING

13.1 Licensee shall perform the Services at a standard acceptable for similar services in Travis County and in a prompt and efficient manner. Specifically, Licensee shall perform the Services in conformance with the following trapping standards:

13.1.1 Prior to commencing the Services, Licensee shall provide County with maps showing trap locations and designs, which maps shall be subject to the approval of the Executive Manager or his designee.

- 13.1.2 Prior to commencing the Services, Licensee shall obtain the approval of all such trap locations and designs from the Executive Manager or his designee.
 - 13.1.3 Licensee shall monitor the traps at least every other day and shall place such traps, to the extent possible, in shaded locations.
 - 13.1.4 Licensee shall treat trapped animals as humanely as possible and dispatch trapped animals in a humane fashion. Licensee should perform the killing as quickly and painlessly as possible and shall remove the same from the Property immediately following. Licensee may not remove live trapped animals from the Property.
 - 13.1.5 Licensee is prohibited from hunting with dogs or other means without obtaining prior approval from County.
 - 13.1.6 The Executive Manager or his designee must approve any firearm or other weapon to be used by Licensee in performing the Services.
 - 13.1.7 Licensee shall notify the Executive Manager or his designee on an annual basis of the total number and sex of feral hogs handled, killed and/or removed during the previous year.
- 13.2 County reserves the right to perform periodic on-site monitoring of Licensee's compliance with the above-listed standards and the other terms of this Agreement and the adequacy and timeliness of Licensee's performance.

XIV. TERMINATION

14.1 County shall have the right to terminate this Agreement and to revoke the License granted hereunder at any time if the Executive Manager, in his sole discretion, determines that Licensee has failed to abide by the terms and conditions set forth herein. If the Executive Manager decides to exercise this right of termination, he shall provide Licensee written notice of such termination and shall grant Licensee an opportunity to cure within ten (10) days following receipt by Licensee of such notice.

14.2 Either party may terminate this Agreement for any reason prior to expiration of the License Term by providing thirty (30) days advance written notice to the other party at the address set forth in Section XV of this Agreement. Such notice shall state the effective date of termination, and upon that date Licensee's right to enter and use the Licensed Space shall cease.

XV. NOTICES

15.1 Any notice to be given hereunder by either party to the other shall be in writing and may be effected by personal delivery, in writing, or registered or certified mail, return receipt requested. Notices shall be sufficient if made or addressed as follows:

If to Licensee: Matt Lucas
7911 FM 620 N.
Austin, TX 78726

If to County: Mr. Joe Gieselman
Executive Manager
Travis County Dept. of Transportation & Natural Resources
P.O. Box 1748
Austin, Texas 78767
File No. 163.1364

XVI. NON-WAIVER OF DEFAULT

16.1 No payment, act or omission by either party may constitute or be construed as a waiver of any breach or default of the other party which then exists or may subsequently exist. The failure of either party to exercise any right or privilege granted in this Agreement shall not be construed as a waiver of that right or privilege.

16.2 All rights of either party under this Agreement are specifically reserved and any payment, act or omission shall not impair or prejudice any remedy or right of either party under it. Any right or remedy stated in this Agreement shall not preclude the exercise of any other right or remedy under this Agreement, the law or at equity, nor shall any action taken in the exercise of any right or remedy be deemed a waiver of any other rights or remedies.

XVII. MEDIATION

17.1 When mediation is acceptable to both parties in resolving a dispute arising under this Agreement, the parties agree to use a mutually agreed upon mediator, or a person appointed by a court of competent jurisdiction, for mediation as described in the Tex. Civ. Prac. And Rem. Code, 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 must remain confidential as described in Tex. Civ. Prac. And Rem Code 154.073, unless both parties agree, in writing, to waive the confidentiality.

XVIII. VENUE AND CHOICE OF LAW

18.1 ALL OBLIGATIONS AND UNDERTAKINGS PERMITTED UNDER THIS AGREEMENT ARE PERFORMABLE IN TRAVIS COUNTY, TEXAS. THIS

AGREEMENT IS GOVERNED BY AND CONSTRUED IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS.

XIX. SEVERABILITY

19.1 If any portion or portions of this Agreement are ruled invalid, illegal, or unenforceable in any respect by a court of competent jurisdiction, the remainder of it shall remain valid and binding.

XX. ENTIRE AGREEMENT

20.1 This Agreement represents the sole, entire and integrated Agreement between County and Licensee with respect to the subject matter herein and supersedes any and all prior negotiations, representations or agreements, either oral or written.

IN WITNESS WHEREOF, County and Licensee have executed this Agreement effective as of the later date indicated below (the "Effective Date").

TRAVIS COUNTY:

By: _____
Samuel T. Biscoe
Travis County Judge

Date: _____

LICENSEE:

Matt Lucas

Date: _____

EXHIBIT A

DESCRIPTION OF THE LICENSED SPACE

The Licensed Space includes the areas shown on the attached maps of the following County-owned tracts/property:

Balcones Canyonlands Preserve sections:
Bull Creek and Cypress Creek Macrosite Tracts

Travis County Parks:
Milton Reimers Ranch County Park
Pogue Preserve

**LICENSE AGREEMENT BETWEEN TRAVIS COUNTY AND
LARRY THOMAS FOR USE OF COUNTY PROPERTY TO TRAP FERAL
HOGS**

This License Agreement (this "Agreement") is made and entered into by and between Travis County, Texas, a political subdivision of the State of Texas ("County") and Larry Thomas, an individual residing in Travis County, Texas (collectively, "Licensee").

WITNESSETH

THAT WHEREAS, County is the owner of the real property situated in the Balcones Canyonland Preserve ("BCP"), as further described in Exhibit A, attached hereto and made a part hereof (the "Property");

WHEREAS, County has recognized a need to control the feral hog population in the BCP and desires to permit Licensee to use certain acreage situated on the Property for the purpose of trapping and removing feral hogs; and

WHEREAS, Licensee desires to perform the feral hog trapping and removal services (the "Services") at no charge to County and affirms that he is an experienced trapper qualified to provide such services in accordance with the terms and conditions stated herein.

NOW, THEREFORE, County and Licensee, in consideration of the mutual promises herein expressed, covenant and agree to and with each other as follows:

I. GRANT AND SCOPE OF LICENSE

1.1 County hereby grants to Licensee the right to enter and use the Licensed Space for the sole and exclusive purpose stated herein (the "License"). For purposes of this Agreement, the "Licensed Space" means the surface only of that certain acreage situated on the Property as described in Exhibit A. Licensee shall not have the right to enter upon any portion of the Property not described in Exhibit A and County shall have the right to exclude Licensee from such unlicensed areas at ALL times.

1.2 The License includes the right to bring onto the Licensed Space personal property, including firearms, materials and equipment for the purpose stated herein.

1.3 Licensee shall be present during performance of the Services and during all related activities. Licensee acknowledges and agrees that he does not have authority to permit agents, employees, guests or any other person to enter the Licensed Space.

II. PURPOSE

2.1 Licensee shall have the right to enter and use the Licensed Space for the sole and exclusive purpose of trapping and removing feral hogs.

III. CONTROL OF TRAVIS COUNTY

3.1 Licensee shall at all times obey the direction and commands of the Executive Manager of the Travis County Transportation and Natural Resources Department (the "Executive Manager") or his designees while on the Licensed Space. Any disregard of directions shall be grounds for immediate revocation of the License by the Director or his designated representative. Duly authorized representatives of County may enter the Licensed Space, or any portion thereof, at any time, and on any occasion without restrictions whatsoever by Licensee. County reserves the right to prohibit persons from entering the Licensed Space at any time safety may be a concern.

3.2 Licensee shall use his best efforts not to interfere with the transaction of normal County business in and on the Licensed Space.

3.3 Licensee agrees to leave the Licensed Space in the same and as good a condition as when it was received, reasonable wear and tear excepted. Licensee shall not injure, mar, nor in any manner deface the Licensed Space, and shall not cause or permit anything to be injured, marred or defaced. Without the express consent of County, and except as made necessary by Licensee's performance of the Services, no modifications shall be made to fences, gates, roads, or any buildings, furnishings or fixtures located on the Licensed Space; under no condition shall Licensee bring flammable materials on the Licensed Space.

IV. TERM OF LICENSE

4.1 The License shall commence on the Effective Date, as defined herein, and shall terminate one year from the Effective Date (the "License Term"); provided, however, that County and Licensee shall have the right to terminate this Agreement under the provisions set forth in Section XIV herein.

4.2 County has the option to extend this Agreement for one additional one-year period, during which all provisions shall remain unchanged and in full force except for the termination date. To be effective, County shall exercise this option in writing at least thirty (30) days prior to expiration of the License Term.

V. LIABILITY AND INDEMNIFICATION

5.1 LICENSEE AGREES TO AND SHALL INDEMNIFY, SAVE AND HOLD HARMLESS COUNTY AND ITS OFFICIALS, AGENTS AND EMPLOYEES FROM AND AGAINST ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS AND LIABILITY OF EVERY KIND, INCLUDING WITHOUT LIMITATION ALL EXPENSES OF LITIGATION, COURT COSTS AND ATTORNEY'S FEES, FOR PERSONAL INJURY, DEATH OR PROPERTY

DAMAGE ARISING IN WHOLE OR IN PART FROM ANY NEGLIGENT ACT, ERROR OR OMISSION OF LICENSEE, OR ANY OF ITS AGENTS, EMPLOYEES OR INVITEES, ARISING OUT OF OR IN CONNECTION WITH THIS AGREEMENT OR LICENSEE'S USE OF THE LICENSED SPACE.

VI. RELEASE OF LIABILITY

6.1 Licensee agrees to release, waive, discharge and covenant not to sue County, its agents, officers or employees for all personal injury, death or property damage that may occur while Licensee is on the Property, including any injury, death or property damage caused by the negligence or intentional tort of County, its agents, officers or employees.

6.2 Licensee agrees that such release shall be binding on his assigns, heirs and next of kin.

6.3 Licensee agrees that such release applies to any premises or special defects arising from the Property.

6.4 Licensee agrees to release County, its agents, officers and employees from any claim whatsoever on account of first aid or medical treatment rendered for injuries sustained when Licensee is treated for any purpose.

6.5 Licensee agrees that this release, waiver and covenant not to sue is intended to be as broad and inclusive as permitted by the laws of the State of Texas.

VII. COMPLIANCE WITH LAWS, RULES AND REGULATIONS

7.1 Licensee and anyone coming upon the Licensed Space in connection with this Agreement shall comply with all Federal, State and City of Austin laws and ordinances applicable to the Licensed Space, including without limitation ownership of a valid Texas hunting license issued by the Texas Parks and Wildlife Department. Anyone who persists in violating any such laws, ordinances, rules or regulations may, at County's discretion, be removed from the Licensed Space.

VIII. LICENSES AND PERMITS

8.1 Except as otherwise expressly provided herein, Licensee shall be responsible for obtaining or providing all required permits, taxes, excise or license fees required by any governmental authority, including without limitation the United States Fish and Wildlife Service and/or the Texas Parks and Wildlife Department, to provide the Services.

IX. SECURITY

9.1 County and Licensee agree that County shall not be responsible for the protection or security of personal property brought onto the Licensed Space by Licensee or any of his agents, employees, guests or any other person coming upon the Licensed Space.

Further, County and Licensee agree that Licensee shall be solely responsible at all times during the License Term for the actions and safety of any person(s) utilizing the Licensed Space under this Agreement, including without limitation protecting such person(s) from injury or death.

X. OCCUPANCY INTERRUPTION

10.1 In the event that County, due to conditions beyond its control, such as property damage caused by fire, flood, tornado, windstorm, vandalism, civil tumult, riots, or any other act over which County has no control, should find it impossible to provide access to the Licensed Space as contracted herein, County shall have the right to revoke the License granted hereunder and shall have no other liability to Licensee on account of such revocation.

XI. RELATIONSHIP OF PARTIES

11.1 It is expressly understood that this Agreement is solely intended to create the relationship of independent contractors between County and Licensee. Except as provided herein, County shall exercise no supervision or control over Licensee, its employees, or any other person in the service of Licensee, and County shall provide no special services other than those specifically mentioned herein.

11.2 Nothing contained in this Agreement shall be deemed or construed to create a partnership or joint venture between County and Licensee, or cause County to be liable in any way for the debts and obligations of Licensee.

XII. NON-ASSIGNMENT

12.1 Licensee may not transfer or assign this Agreement, nor sub-lease the Licensed Space nor allow use of the Licensed Space other than as herein specified without the express written consent of County. Should Licensee attempt to sub-lease the Licensed Space, County may terminate this Agreement and revoke the License granted hereunder. NO OFFICIAL, EMPLOYEE, AGENT OR REPRESENTATIVE OF TRAVIS COUNTY HAS ANY AUTHORITY, EXPRESS OR IMPLIED, TO AMEND THIS AGREEMENT OR TO WAIVE ANY BREACH OF THIS AGREEMENT UNLESS EXPRESSLY GRANTED THAT SPECIFIC AUTHORITY BY THE TRAVIS COUNTY COMMISSIONERS COURT.

XIII. MONITORING

13.1 Licensee shall perform the Services at a standard acceptable for similar services in Travis County and in a prompt and efficient manner. Specifically, Licensee shall perform the Services in conformance with the following trapping standards:

- 13.1.1 Prior to commencing the Services, Licensee shall provide County with maps showing trap locations and designs, which maps shall be subject to the approval of the Executive Manager or his designee.
- 13.1.2 Prior to commencing the Services, Licensee shall obtain the approval of all such trap locations and designs from the Executive Manager or his designee.
- 13.1.3 Licensee shall monitor the traps at least every other day and shall place such traps, to the extent possible, in shaded locations.
- 13.1.4 Licensee shall treat trapped animals as humanely as possible and dispatch trapped animals in a humane fashion. Licensee should perform the killing as quickly and painlessly as possible and shall remove the same from the Property immediately following. Licensee may not remove live trapped animals from the Property.
- 13.1.5 Licensee is prohibited from hunting with dogs or other means without obtaining prior approval from County.
- 13.1.6 The Executive Manager or his designee must approve any firearm or other weapon to be used by Licensee in performing the Services.
- 13.1.7 Licensee shall notify the Executive Manager or his designee on an annual basis of the total number and sex of feral hogs handled, killed and/or removed during the previous year.
- 13.2 County reserves the right to perform periodic on-site monitoring of Licensee's compliance with the above-listed standards and the other terms of this Agreement and the adequacy and timeliness of Licensee's performance.

XIV. TERMINATION

14.1 County shall have the right to terminate this Agreement and to revoke the License granted hereunder at any time if the Executive Manager, in his sole discretion, determines that Licensee has failed to abide by the terms and conditions set forth herein. If the Executive Manager decides to exercise this right of termination, he shall provide Licensee written notice of such termination and shall grant Licensee an opportunity to cure within ten (10) days following receipt by Licensee of such notice.

14.2 Either party may terminate this Agreement for any reason prior to expiration of the License Term by providing thirty (30) days advance written notice to the other party at the address set forth in Section XV of this Agreement. Such notice shall state the effective date of termination, and upon that date Licensee's right to enter and use the Licensed Space shall cease.

XV. NOTICES

15.1 Any notice to be given hereunder by either party to the other shall be in writing and may be effected by personal delivery, in writing, or registered or certified mail, return receipt requested. Notices shall be sufficient if made or addressed as follows:

If to Licensee: Larry Thomas
PO Box 92661
Austin, TX 78709

If to County: Mr. Joe Gieselman
Executive Manager
Travis County Dept. of Transportation & Natural Resources
P.O. Box 1748
Austin, Texas 78767
File No. 163.1364

XVI. NON-WAIVER OF DEFAULT

16.1 No payment, act or omission by either party may constitute or be construed as a waiver of any breach or default of the other party which then exists or may subsequently exist. The failure of either party to exercise any right or privilege granted in this Agreement shall not be construed as a waiver of that right or privilege.

16.2 All rights of either party under this Agreement are specifically reserved and any payment, act or omission shall not impair or prejudice any remedy or right of either party under it. Any right or remedy stated in this Agreement shall not preclude the exercise of any other right or remedy under this Agreement, the law or at equity, nor shall any action taken in the exercise of any right or remedy be deemed a waiver of any other rights or remedies.

XVII. MEDIATION

17.1 When mediation is acceptable to both parties in resolving a dispute arising under this Agreement, the parties agree to use a mutually agreed upon mediator, or a person appointed by a court of competent jurisdiction, for mediation as described in the Tex. Civ. Prac. And Rem. Code, 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 must remain confidential as described in Tex. Civ. Prac. And Rem Code 154.073, unless both parties agree, in writing, to waive the confidentiality.

XVIII. VENUE AND CHOICE OF LAW

18.1 ALL OBLIGATIONS AND UNDERTAKINGS PERMITTED UNDER THIS AGREEMENT ARE PERFORMABLE IN TRAVIS COUNTY, TEXAS. THIS

AGREEMENT IS GOVERNED BY AND CONSTRUED IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS.

XIX. SEVERABILITY

19.1 If any portion or portions of this Agreement are ruled invalid, illegal, or unenforceable in any respect by a court of competent jurisdiction, the remainder of it shall remain valid and binding.

XX. ENTIRE AGREEMENT

20.1 This Agreement represents the sole, entire and integrated Agreement between County and Licensee with respect to the subject matter herein and supersedes any and all prior negotiations, representations or agreements, either oral or written.

IN WITNESS WHEREOF, County and Licensee have executed this Agreement effective as of the later date indicated below (the "Effective Date").

TRAVIS COUNTY:

By: _____
Samuel T. Biscoe
Travis County Judge

Date: _____

LICENSEE:

Larry Thomas

Date: _____

EXHIBIT A

DESCRIPTION OF THE LICENSED SPACE

The Licensed Space includes the areas shown on the attached maps of the following County-owned tracts/property:

Balcones Canyonlands Preserve sections:
Bull Creek and Cypress Creek Macrosite Tracts

Travis County Parks:
Milton Reimers Ranch County Park
Pogue Preserve

Travis County Commissioners Court Agenda Request

Voting Session March 3, 2009

Work Session

I. A. Request made by: _____ Phone # 854 -9434
Joseph P. Gieselman, TNR Executive Manager

B. Requested Text:
Consider and take appropriate action on a request to approve a Joint Use Acknowledgement with Koch Pipe Line Company, L.P. to facilitate the construction of a 2005 Bond Program project to extend Parmer Lane from US 290 to SH 130, in Precinct 1.

C. Approved by: Commissioner Ron Davis, Precinct 1

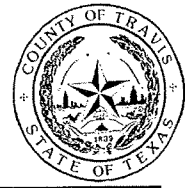
II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request (Original and eight (8) copies of agenda request and backup).

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:

III. Required Authorizations: Please check if applicable:

- Planning and Budget Office (473-9106)
- Additional funding for any department or for any purpose
- Transfer of existing funds within or between any budget line item
- Grant
- Human Resources Department (473-9165):
- A change in your department's personnel (reclassifications, etc.)
- Purchasing Office (473-9700)
- Bid, Purchase Contract, Request for Proposal, Procurement
- County Attorney's Office (473-9415)
- Contract, Agreement, Policy & Procedure

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



TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

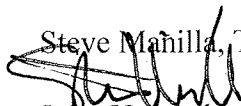
411 W. 13th St.
Eleventh Floor
P.O. Box 1748
Austin, Texas 78767
(512) 854-9383
FAX (512) 854-4626

MEMORANDUM

February 23, 2009

TO: Members of the Commissioners' Court

THROUGH: Joseph P. Gieselman, Executive Manager

FROM:  Steve Manilla, TNR Public Works Director

SUBJECT: Joint Use Acknowledgement with Koch Pipeline Company

Proposed Motion:

Consider and take appropriate action on a request to approve a Joint Use Acknowledgement with Koch Pipe Line Company, L.P. to facilitate the construction of a 2005 Bond Program project to extend Parmer Lane from US 290 to SH 130, in Precinct 1.

Summary and Staff Recommendation:

The County's Parmer Lane bond project consists of building a four-lane major urban arterial roadway with bike lanes and sidewalks between US 290 and SH 130. Koch Pipe Line Company has an existing pipeline easement which the County's project will be crossing. The property where the roadway is to be built was dedicated to the County through a Public-Private partnership agreement but it included a pre-existing gas line easement. The Joint Use Acknowledgement explains the rights of both parties to jointly use the property. In particular, it gives the County the ability to cross and build over Koch's existing private easement which was granted by previous owners of the property in the 1950's. Staff recommends approval of the proposed acknowledgement.

TNR has coordinated the review of this agreement through the County Attorney's Office.

Budgetary and Fiscal Impact:

There is no cost to the County; however the acknowledgement states that in the event that the gas company needs to alter its lines beneath the County's roadway the County's participation in the costs of doing so shall be in accordance with applicable laws of the State of Texas.

Background:

The Parmer Lane project has been broken into four phases (Phase 1A, 1B, 2A and 2B). Phase 1A has been completed. The Koch easement lies within the limits of Phase 1B/2A, which has been bid by the County's Developer-partner and is scheduled to begin construction in March 09.

In the 2005 bond election, Travis County voters approved funding for Parmer Lane Improvements in Precinct 1. In 2006 a participation agreement was entered into with two developers wherein they share the costs of design and construction and donate all right-of-way within their control. In 2007 an interlocal agreement with the City of Austin was executed wherein they share construction costs.

Required Authorizations:

County Attorney's Office: Christopher Gilmore

Attachment: Joint Use Acknowledgement

CC:

Steve Sun, P.E., CIP Program Manager

Greg Chico, ROW Program Manager

Tony Valdez, P.E., Parmer Lane Project Manager

RECEIVED

FEB 09 2009

TNR

JOINT USE ACKNOWLEDGEMENT

WHEREAS, Travis County (the "County"), a political subdivision of the State of Texas, proposes to make certain roadway improvements to Parmer Lane in the area indicated on the attached map (the "Project"); and

WHEREAS, the Koch Pipeline Company, L.P., ("**Utility**"), proposes to adjust or relocate certain of its facilities, if applicable, and retain title to any property rights it may have on, along or across, and within or over such limits of the right of way as indicated by the location map attached hereto.

NOW, THEREFORE, in consideration of the covenants and acknowledgements herein contained, the parties mutually agree as follows:

It is agreed that joint usage for both roadway and utility purposes will be made of the area within the roadway right of way limits as such area is defined and to the extent indicated on the aforementioned plans or sketches. Nothing in this Acknowledgement shall serve to modify or extinguish any compensable property interest that may be vested in the **Utility** within the above-described area. If the facilities shown in the aforementioned plans need to be altered or modified or new facilities constructed to either accommodate the proposed roadway improvements or as part of **Utility's** future proposed changes to its own facilities, **Utility** agrees to notify **County** at least 30 days prior thereto, and to furnish necessary plans showing location and type of construction, unless an emergency situation occurs and immediate action is required. If an emergency situation occurs and immediate action is required, **Utility** agrees to notify **County** promptly.

Participation in actual costs incurred by the **Utility** for any future adjustment, removal or regulation of utility facilities required by roadway construction shall be in accordance with applicable laws of the State of Texas.

Utility will, by written notice, advise **County** of the beginning and completion dates of the adjustment, removal, or relocation, and, thereafter, agrees to perform such work diligently, and to conclude said adjustment, removal, or relocation by the stated completion date. The completion date shall be extended for delays caused by events outside **Utility's** control, including an event of Force Majeure, which shall include a strike, war or act of war (whether an actual declaration of war is made or not), insurrection, riot, act of public enemy, accident, fire, flood or other act of God, sabotage, or other events, interference by the **County** or any other party with **Utility's** ability to proceed with the relocation, or any other event in which **Utility** has exercised all due care in the prevention thereof so that the causes or other events are beyond the control and without the fault or negligence of **Utility**.

It is expressly understood that **Utility** conducts the new installation, adjustment, removal, and/or relocation at its own risk, and that **County** makes no warranties or representations regarding the existence or location of utilities currently within its right of way.

FEB 11 2009

YB

mw
9:28

The **Utility** and the **County**, by execution of this Acknowledgement, do not waive or relinquish any right that they may have under the law.

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

When mediation is acceptable to both parties in resolving a dispute arising under this agreement, the parties agree to use the Dispute Resolution Center of Austin, Texas as the provider of mediators for mediation as described in Section 154.023 of the Texas Civil Practice and Remedies Code. Unless both parties are satisfied with the results of the mediation, the mediation will not constitute a final and binding resolution of the dispute. All communications within the scope of the mediation shall remain confidential as described in §154.073 of the Texas Civil Practice and Remedies Code, unless both Parties agree, in writing, to waive the confidentiality

The signatories to this Acknowledgement warrant that each has the authority to enter into this Acknowledgement on behalf of the party represented.

IN WITNESS WHEREOF, the parties hereto have affixed their signatures.

UTILITY

COUNTY

Koch

Pipeline Company, L.P.

Travis County

By: *Bob O'Hain*

Printed Name: Bob O'Hain

Samuel T. Biscoe
Travis County Judge

Title: *Exec. V.P.*

Date: *2-6-09*

Date: _____

KS
pdw

Travis County Commissioners Court Agenda Request

Voting Session: March 3, 2009
(Date)

Work Session: _____
(Date)

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

B. Requested Text:

Consider and take appropriate action on the following related to the use of Community Development Block Grant funding received from the U.S. Department of Housing and Urban Development:

- A. Update on timeliness of funds expenditure rate;
- B. Review the letter requesting a waiver of timeliness;
- C. Authorize the County Judge to sign the letter; and
- D. Other Related Items

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

Signature of Commissioner(s) or County Judge

II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request (Original and eight copies)

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

Rodney Rhoades, PBO
 Travis Gattin, PBO
 DeDe Bell, Auditor's Office
 Mary Etta Gerhardt, County Attorney's Office
 Kimberly Walton, Auditor's Office

Jason Walker, Purchasing
 Susan A. Spataro, Auditor's Office
 Janice Cohoon, Auditor's Office
 Cyd Grimes, Purchasing
 Lee Turner, TNR

III. Required Authorizations: Please check if applicable.

Planning and Budget Office (854-9106)

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

Human Resources Department (854-9165)

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

Purchasing Office (854-9700)

Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9415)

Contract, Agreement, Policy & Procedure

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



**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: February 23, 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: Community Development Block Grant Program (CDBG)

Proposed Motion:

Consider and take appropriate action on the following related to the use of Community Development Block Grant funding received from the U.S. Department of Housing and Urban Development:

- A. Update on timeliness of funds expenditure rate;
- B. Review the letter requesting a waiver of timeliness;
- C. Authorize the County Judge to sign the letter; and
- D. Other Related Items

Summary and Staff Recommendations:

Each July, HUD reviews the expenditure rate of Travis County's CDBG grant, which should be no more than 1.5 times its current allocation amount. Last July, Travis County was notified that it was out of compliance with 24 CFR 570.902 with a ratio of 1.99. This was Travis County's first timeliness test since receiving funds, which was

impacted by a four month delay due to an erroneous allocation amount in 2006 and which required a substantial amendment to the 2006-2010 Consolidated Plan. A work out plan was established to work towards moving into compliance by July 2009.

Upon review of the work out plan and the current status of projects, it is unlikely that the County will meet its timeliness test in July 2009. As of January 31, 2009, the ratio is 2.64. Staff have prepared a letter to HUD requesting a waiver of timeliness in July based upon factors outside of its control which includes an updated work out plan until July 2010.

Staff recommends the approval of the attached letter and the updated work out plan for submission to HUD by March 6, 2009. The updated work put plan indicates the following:

Anticipated Timeliness Ratios Based On Work Out Plan	
Date	Anticipated Ratio
July 2009	1.81
September 2009	1.69
May 2010	1.49*
July 2010	>1.13*

*Does not include any anticipated draws from PY09 monies.

Budgetary and Fiscal Impacts:

Under 24 CFR Part 570, HUD may choose to reduce an entitlement's allocation permanently for non-compliance with timeliness unless factors outside of the entitlement's control can be attributed to the slow spending of funds.

Issues and Opportunities:

Staff believes that the spending of funds was delayed due to: 1) the erroneous allocation amount and the resulting delays and decisions, and; 2) the implementation of funding decisions made in the first two years, as well as staff turnover and inexperience with the grant.

Summary of Delays and Impact of Allocation Error		
Delay/Decision	Impact	Effect on Timeliness Ratio
Substantial Amendment to 2006-2010 ConPlan	4 month delay	Unknown – The County cannot know what would have been accomplished in those 4 months.
Fund administration and planning out of General Fund changing the ratio from 20% in the original Con Plan to 0%	PY 06 \$ 167,731 PY 07 \$ 80,923	Loss of \$248,654 spent on costs that were already established. Ratio as of July 2008 would have been 1.52 with no other changes made in the current draw down rates.
Fund public service at a lower ratio of the total grant changing the ratio from 15% to 10%	PY 06 \$ 37,139	Loss of approximately \$20,000 of expenditures that would have been made by July 2008 reducing our ratio

Implement Year 1 & 2 community development projects together	PY 06 \$ 50,000 PY 07 \$ 20,000	to below 1.5. The County had to develop boiler plates to support the infrastructure projects. The development began in May 2007 instead of October 2006 due to the substantial amendment. Potentially an additional \$70,000 could have been spent by July 2008 reducing our ratio further.
--------------------------------------------------------------	------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Travis County has had some challenges with implementation over the last two years including staff turnover and general knowledge about the grant. The staff turnover complicated the delay making it more difficult to recover from the four month delay. Additionally, staff determined it was key to Travis County’s success to spend some time working with other county departments and in training to learn and understand as many elements of the grant as possible before drawing down funds.

In view of the current state, what could we have done differently to impact timeliness? It is the department’s opinion that the following may have improved performance in the expenditure of funds:

- Funding administration and planning fully in PY 06 and PY 07
- Funding public services fully in PY 06 and PY07
- Funding the design of the street improvement projects first and fund construction in a subsequent program year
- Broadening the County’s Consolidated Plan categories to allow a larger variety of projects to be considered
- Requesting the Court consider hiring a Consultant to assist with implementation, especially with that of the land acquisition deal due to its complexity.

It is important to note that these are assumptions based on time and experience with HUD and the CDBG process.

Background:

Under the provisions of Title 1 of the Housing and Community Development Act of 1974 (42 USC 5301), the Federal government sponsors a program that provides annual grants to cities and counties to develop viable urban communities by providing decent housing and a suitable living environment, by expanding economic opportunities for low and moderate income persons. HUD approved Travis County's 2006-2010 Consolidated Plan for the CDBG program in December 2006. The grant agreement was executed in January 2007.

Travis County experienced a delay in the implementation of our first grant year due to a HUD allocation error causing our first submission of the Consolidated Plan to be disallowed. The grant was reduced from approximately \$2.4 million annually to \$838,659. Travis County was required to complete a substantial amendment to its 2006-2010 Consolidated Plan in order to be able to meet regulations and have an

accepted Plan on file. This was an unforeseeable event outside of the County's locus of control.

A timeline of the delay includes:

Oct 6	Notified in writing of the Plan being disallowed
Oct 6 – Dec 5	Expedited process for the Substantial Amendment of the Plan by Travis County
Dec 14	HUD approves Plan and signs grant agreement
Dec 21 – Jan 30	Travis County receives agreement and completes required processes to acquire the County Judge's signature
Jan 30	Travis County executes grant agreement

Total time of delay of executed grant agreement: 4 months

Traditionally, a new entitlement would have twenty-two months prior to its first timeliness test to come into compliance, Travis County had eighteen.

Travis County received notice on August 11, 2008, that the County is currently out of compliance with 24 CFR 270.902 related to the timeliness of its expenditure of Community Development Block Grant (CDBG) funding. The Commissioners Court approved a response and work out plan in August which was submitted to HUD.

March 3, 2009

John T. Maldonado
Division Director, Community Planning and Development Division
U.S. Department of Housing and Urban Development
106 South St. Mary's Street, Suite 405
San Antonio, Texas 78205

Re: Request for Consideration of Non-Compliance for 2009 Timeliness Test

Mr. Maldonado,

Travis County is a new entitlement working within its first Consolidated Plan, and at this time, Travis County is currently falls under sanctions policy in HUD's memo dated November 20, 2001, for not being in compliance with its timeliness ratio in 2008 as cited in 24 CFR Part 570.902.

Timeliness of spending continues to be at the forefront for Travis County with regard to the Community Development Block Grant, and with that in mind and after review of our current work out plan and progress to date, the County believes that achieving timeliness in July 2009 will not be possible. As a result, the County would like to negotiate a solution which will allow us to continue to receive our full funding while continuing to increase our expenditure rate. The County understands that in order to make this request, we must demonstrate that the untimeliness resulted from factors beyond the County's reasonable control.

During the development of the latest Action Plan and CAPER, staff discussed timeliness with the Commissioners Court to ensure that the selection of projects allows the County to meet its timeliness goals. The County believes that the spending of funds was delayed by two primary factors: 1) the erroneous allocation amount and the resulting delays and decisions and 2) the implementation of funding decisions made in the first two years as well as staff turnover and inexperience with the grant.

Erroneous Allocation Amount

As your office has acknowledged previously, Travis County experienced a delay in the implementation of our first grant year due to a HUD allocation error causing our first submission of the Consolidated Plan to be disallowed. The grant was reduced from approximately \$2.4 million annually to \$838,659. Travis County was required to complete a substantial amendment to its 2006-2010 Consolidated Plan in order to be able to meet regulations and have an accepted Plan on file. This was an unforeseeable event outside of the County's locus of control.

A timeline of the delay includes:

Oct 6	Notified in writing of the Plan being disallowed
Oct 6 – Dec 5	Expedited process for the Substantial Amendment of the Plan by Travis County
Dec 14	HUD approves Plan and signs grant agreement
Dec 21 – Jan 30	Travis County receives agreement and completes required processes to acquire the County Judge’s signature
Jan 30	Travis County executes grant agreement

Total time of delay of executed grant agreement: 4 months

Traditionally, a new entitlement would have twenty-two months prior to its first timeliness test to come into compliance, Travis County had eighteen.

Additionally, the County changed some of its critical funding decisions during the substantial amendment to the 2006-2010 Consolidated Plan as a result of the amount of the allocation error. They were:

1. The Commissioners Court funded the administration and planning costs of the grant with General Revenue funds to maximize the dollars going to the community in lieu of spending the allowable 20% of grant funds.
2. The Commissioners Court reduced the public service allocation from 15% to 10% to retain as many of the community development projects as possible due to the public service investment dollars not being substantial enough to maximize the original investments with the funds allotted.
3. After the substantial amendment was completed, the process for the next Action Plan began, thus reducing the amount of time for implementation of year one projects. As a result, staff implemented the community development projects for Years 1 & 2 together to create efficiencies of county resources and staff time.

To understand how these decisions impacted the timeliness ratio, staff completed an exercise demonstrating what would have been drawn down monthly for administration and planning while keeping every other draw to date the same. The result is that instead of being at 1.99 in July 2008, the County would have been at 1.52 or below. It appears as if, at least in the first 2-3 years, the spending of administration and planning dollars is key to helping a new entitlement community become timely. This allows time for the slower moving community development projects to be implemented.

In order to be fair, staff completed the same exercise as if the allocation amount had not been reduced (assuming a higher ratio of spending due to no 4 month delay) and concludes that timeliness would have been achieved in that scenario as well.

Originally, the Travis County Commissioners Court allocated 20% in administration and planning funds and reduced the allocation to 0% in the subsequent amendment to ensure that as much money as possible reached the community. Additionally, staff would have had four months to implement the first year’s community development projects rather than implementing Year 1 & 2 concurrently.

Summary of Delays and Impact of Allocation Error		
Delay/Decision	Impact	Effect on Timeliness Ratio
Substantial Amendment to 2006-2010 ConPlan	4 month delay	Unknown – The County cannot know what would have been accomplished in those 4 months.
Fund administration and planning out of General Fund changing the ratio from 20% in the original Con Plan to 0%	PY 06 \$ 167,731 PY 07 \$ 80,923	Loss of \$248,654 spent on costs that were already established. Ratio as of July 2008 would have been 1.52 with no other changes made in the current draw down rates.
Fund public service at a lower ratio of the total grant changing the ratio from 15% to 10%	PY 06 \$ 37,139	Loss of approximately \$20,000 of expenditures that would have been made by July 2008 reducing our ratio to below 1.5.
Implement Year 1 & 2 community development projects together	PY 06 \$ 50,000 PY 07 \$ 20,000	The County had to develop boiler plates to support the infrastructure projects. The development began in May 2007 instead of October 2006 due to the substantial amendment. Potentially an additional \$70,000 could have been spent by July 2008 reducing our ratio further.

Implementing Funding Decisions in the First Two Years

Travis County has had some challenges with implementation over the last two years including staff turnover and general knowledge about the grant. The staff turnover complicated the delay making it more difficult to recover from the four month delay. In addition, time spent amending the County’s Consolidated Plan impacted critical start up time for first year projects.

Work Out Plan

Attached, you will find the new work out plan for the County. This was based on very conservative estimates from project managers. Below is a table illustrating where the County anticipates its ratio will be by July 2010:

Anticipated Timeliness Ratios Based On Work Out Plan	
Date	Anticipated Ratio
July 2009	1.81
September 2009	1.69
May 2010	1.49*
July 2010	>1.13*

*Does not include any anticipated draws from PY09 monies.

It is the County's belief that if the delay had not occurred, it would have achieved timeliness in July 2008 and that the delay was not within the County’s control. As you can see from the chart above, the County anticipates being in an excellent position by July 2010 without any PY 09 funds being spent. The County respectfully requests allowing the County to remain out of compliance with 24 CFR 570.902 until July 2010.

Thank you for your time and consideration of the County's request, and please do not hesitate to contact Christy Moffett, Senior Planner, at 854-3460, if you have any questions.

Regards,

Samuel T. Biscoe
County Judge

Encl

cc: Sherri E. Fleming, Executive Manager, HHSVS
Christy Moffett, Senior Planner, CDBG

CDBG Workout Plan

Contact person: Christy Moffett

Original plan date:

Telephone: 854-3460

Funds Projected/Funds Drawn

Amended plan date: January 30, 2009

Activity Name/#	Amount Budgeted \$(000)	Amt Drwn as of 1/30/09 \$(000)	Balance as of 1/30/09 \$(000)	Drawdown 2/28/09		Drawdown 3/31/09		Drawdown 4/30/09		Drawdown 5/31/09		Drawdown 6/30/09		Drawdown 07/31/09		Drawdown 8/31/09		Drawdown 9/30/09		Drawdown 10/31/09		Drawdown 11/30/09		Cumulative as of Prep. Date		Undrawn Balance as of Prep. Date		
				Proj	Actual	Proj	Actual	Proj	Actual	Proj	Actual	Proj	Actual	Proj	Actual	Proj	Actual	Proj	Actual	Proj	Actual	Proj	Actual	Proj	Actual			
PY 06 Apache Shores Sub Roads/ #5	305,000	51619.63	253380.4	8380.37		0		0		0		0		0		0		0		0		0		8380.37	0	253380.37		
PY 07 Apache Shores Sub Roads/ # 11	500,000	0	500000	4808.35		10000		10000		10000		10000		8585.37		8000		8000		8000		8000		85393.72	0	500000		
PY 06 Lava Lane Sub Road	83,659	0	83659	0		0		0		10,000		5,000		8,000		8,000		8,000		8,000		20,000		8,000		67000	0	83659
PY 06 Land Acq / #7	250,000	0	250000	0		0		0		0		0		250000		0		0		0		0		250000	0	250000		
PY 07 Land Acq / # 10	195,518	0	195518	0		0		0		0		0		195518		0		0		0		0		195518	0	195518		
PY 06 Northridge Water / # 6	200,000	151096.8	48903.24	10000		10000		28903.24		0		0		0		0		0		0		0		48903.24	0	48903.24		
PY 07 PS: SW Expansion/ # 12	64,000	46095.47	17904.53	5200		5200		5200		2304.53		0		0		0		0		0		0		17904.53	0	17904.53		
PY 07 Planning / #13	88,727	67913.27	20813.73	7772		7772		5269.73		0		0		0		0		0		0		0		20813.73		20813.73		
PY 08 Home Rehab / #	106136	0	106136	0		0		0		0		0		15,000		15,000		15,000		15,000		15,000		75000	0	106136		
PY 08 Infrastructure Affd Housing	500,000	0	500000	0		0		0		0		0		0		0		0		50,000		75,000		125000		500000		
PY 08: Planning	108,704	0	108704	0		0		2502.27		7772		7,772		7,772		7,772		7,772		7,772		7,772		56906.27	0	108704		
PY 08 PS: SW Expansion	64,788	0	64788	0		0		0		2895.47		5,200		5,200		5,200		5,200		5,200		5,200		34095.47	0	64788		
PY 08 Administration	53,505	0	53505	7000		4000		4000		1000		3000		6000		2000		5000		10000		8000		50000	0	53505		
Total	2,520,037	316,725	2,203,312	43,161	0	36,972	0	55,875	0	33,972	0	30,972	0	496,075	0	45,972	0	48,972	0	115,972	0	126,972	0	1,034,915	0	2,203,312		

LOC Balance		2,203,312	2,160,151	2,203,312	2,123,179	2,203,312	2,067,304	2,203,312	2,033,332	2,203,312	2,002,360	2,203,312	1,506,285	2,203,312	1,460,313	2,203,312	1,411,341	2,203,312	1,295,369	2,203,312	1,168,397	2,203,312
Current Grant		833,133																				
Ratio of Balance to Grant		2.64	2.59	2.64	2.55	2.64	2.48	2.64	2.44	2.64	2.40	2.64	1.81	2.64	1.75	2.64	1.69	2.64	1.55	2.64	1.40	2.64

CDBG Workout Plan

Contact person: Christy Moffett

Original plan date:

Telephone: 854-3460

Amended plan date: January 30, 2009

Funds Projected/Funds Drawn

Activity Name/#	Amount Budgeted \$(000)	Amt Drwn as of 9/30/09 \$(000)	Balance as of 09/30/09 \$(000)	Drawdown 10/31/09		Drawdown 11/30/09		Drawdown 12/31/09		Drawdown 1/31/10		Drawdown 02/28/10		Drawdown 03/31/10		Drawdown 4/30/10		Drawdown 5/31/10		Drawdown 06/30/10		Drawdown 07/31/10		Cumulative as of Prep. Date		Undrawn Balance as of Prep. Date
				Proj	Actual	Proj	Actual	Proj	Actual	Proj	Actual	Proj	Actual	Proj	Actual	Proj	Actual	Proj	Actual	Proj	Actual	Proj	Actual	Proj	Actual	
PY 06 Apache Shores Sub Roads/ #5	305,000	60000	245000			0		0		0		0		75000		137000		33000		0		245000	0	245000		
PY 07 Apache Shores Sub Roads/# 11	500,000	92000	408000			8000		0		0		0		0		0		112000		150000		270000	0	408000		
PY 06 Lava Lane Sub Road	83,659	67000	16659			20000		8000		8000		8659										44659	0	16659		
PY 08 Home Rehab / #	108136	75000	31136			15000		16136		0		0		0		0		0		0		31136	0	31136		
PY 08 Infrastructure Affd Housing	500,000	125000	375000			100000		100000		100000		75000		0		0		0		0		375000	0	375000		
PY 08: Planning	108,704	56906.27	51797.73			7772		7772		7772		7772		7772		7772		7772		5165.73		51797.73	0	51797.73		
PY 08 PS: SW Expansion	64,788	34095.37	30692.63			5200		5200		5200		5200		5200		4692.63		0		0		30692.63	0	30692.63		
PY 08 Administration	53,505	50000	3505			3505		0		0		0		0		0		0		0		3505	0	3505		
PY 09 Award	833,133	0	833133																			0	0	833133		
Total	2,554,925	560,002	1,994,923	0	0	0	0	159,477	0	137,108	0	120,972	0	96,631	0	87,972	0	149,465	0	150,166	0	150,000	0	1,051,790	0	1,994,923

LOC Balance	1,994,923	1,994,923	1,994,923	1,994,923	1,994,923	1,835,446	1,994,923	1,698,338	1,994,923	1,577,366	1,994,923	1,480,735	1,994,923	1,392,763	1,994,923	1,243,299	1,994,923	1,093,133	1,994,923	943,133	1,994,923	
Current Grant	833,133																					
Ratio of Balance to Grant	2.39	2.39	2.39	2.39	2.39	2.20	2.39	2.04	2.39	1.89	2.39	1.78	2.39	1.67	2.39	1.49	2.39	1.31	2.39	1.13	2.39	



U.S. Department of Housing and Urban Development
San Antonio Field Office, Region VI
Office of Community Planning and Development
One Alamo Center
106 South St. Mary's Street, Suite 405
San Antonio, Texas
www.hud.gov www.cspanol.hud.gov

AUG 1 2 2008

The Honorable Samuel T. Biscoe
Judge, Travis County
314 West 1st Street, Suite 250
Austin, TX 78701

Dear Judge Biscoe:

The purpose of this letter is to advise you that as required by 24 CFR 570.902 of the Community Development Block Grant (CDBG) regulations, this office recently reviewed Travis County for compliance with the requirements for carrying out a CDBG program in a timely manner. A grantee is considered to be in compliance, if 60 days prior to the end of its program year, there is no more than 1.5 times its annual grant remaining in the line-of-credit. Travis County has an October 1, program year start date. When the 60 day test was conducted on July 31, 2008, it was calculated that your community had a balance in its line-of-credit of 1.99 times its annual grant. Accordingly, Travis County is in non-compliance with the timeliness standard.

As a result, the county's program now falls under the sanctions policy enunciated in the Department's letter of November 20, 2001 (attached). This letter, regarding HUD policy on corrective actions for failure to meet the timeliness requirements of the CDBG program, was sent previously to the chief elected official of all entitlement grantees. According to that policy, grantees that become newly untimely, beginning with those grantees with program years starting February 1, 2002 and later, have 12 months, to their next 60 day test, to reach the 1.5 timeliness standard. Failure to meet the 1.5 standard when the 60 day test is next conducted on July 31, 2009, will result in a reduction of your FY 2009 grant by 100 percent of the amount in excess of 1.5 times the annual grant, except where HUD determines that the untimeliness resulted from factors beyond the grantee's reasonable control. The grant reduction will be calculated as follows: (new 60 day ratio minus 1.50) times FY 2009 grant.

Prior to a grant reduction, each grantee is entitled to an informal consultation as provided for in 24 CFR 570.911 of the CDBG regulations. At that time, the grantee will have the opportunity to demonstrate how factors beyond its reasonable control caused significant delays in program implementation and affected timely performance. The burden will be on the grantee to make a compelling argument that it qualifies for an exception. Grantees should not, however, delay actively working to improve their drawdown ratio on the assumption they will meet this criterion. These determinations will be made only at such time as a grantee has not met the standard and HUD is otherwise prepared to make a reduction. Each grantee will be advised of the HUD decision following the informal consultation.

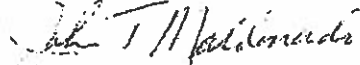
The county should take all appropriate actions to improve the drawdown rate, including, but not limited to the development of a workout plan, timetables and schedules in order to return the program to compliance with the timeliness standard. The workout plan should be submitted to HUD for review and approval within 30 days from the date of this letter. For your information, attached is a copy of the CDBG guidebook entitled, "Developing and Implementing a CDBG Workout Plan. The guidebook provides a detailed description of each element required to be included in the plan, including a format and instructions for the milestone schedule/progress report and the funds projected/funds drawn report.

We remind you that the IDIS timeliness reports are a helpful tool for keeping track of your drawdown progress. IDIS will calculate a current drawdown ratio and the exact dollar amount you will need to draw down to reach the 1.5 standard.

My staff and I remain available to assist you in any way possible in your goal to reach the 1.5 threshold. Should you have any questions regarding this letter or the Department's timely expenditure policy, please feel free to contact me at (insert phone number).

If you have any questions or comments with respect to this letter, please contact Elisha Anderson, Financial Analyst, at (210) 475-6800, ext. 2217.

Sincerely,


John T. Maldonado, Director
Office of Community Planning and
Development

Enclosure

cc: Ms. Sherri Fleming, Executive Manager, TCHHSVS
Ms. Christy Moffett, Senior Planner, TCHHSFC

This page is located on the U.S. Department of Housing and Urban Development's Homes and Communities Web site at <http://www.hud.gov/offices/cpd/communitydevelopment/library/timeltr.cfm>.



Timeliness Memorandum on Grant Reduction Policy

November 20, 2001

Dear Chief Elected Official:

 Information by State

 Print version

Related Information

- ▶ CDBG Timeliness Bulletin

The purpose of this letter is to advise grantees participating in the Community Development Block Grant (CDBG) program of a new policy to reduce future grants when a grantee fails to meet the timely expenditure requirements of the program. As previously indicated in letters, at timeliness conferences, and in one-on-one discussions with grantees administering the CDBG program, the Department has made clear its high priority to reduce the number of entitlement grantees that exceed the regulatory standard for carrying out their program in a timely manner. Under the provisions of 24 CFR 570.902 of the CDBG regulations, a grantee is considered to be timely, if 60 days prior to the end of the grantee's program year, the balance in its line-of-credit does not exceed 1.5 times the annual grant. For currently timely grantees, and that is 85% of you, I congratulate you on your excellent record in providing CDBG funds effectively to principally benefit low- and moderate-income persons. Keep up the good work.

The Department, working hand in hand with entitlement communities, has had substantial results over the past several years in reducing the number of grantees in non-compliance with the timeliness standard. Despite our considerable efforts, there is still a significant number of grantees that exceed that standard. In order to remedy this continuing problem, HUD has found it necessary to establish and make public its policy for dealing both with entitlement grantees that are currently in non-compliance with the 1.5 performance standard for timeliness and those that come into non-compliance in the future. HUD will no longer accept promised action, but needs to see actual performance.

HUD prefers fostering compliance over sanctions, but will take the necessary steps to institute grant reductions where necessary. Loss of a grant is a serious step, not one to be taken lightly by either the Department or the grantee. It is our intention by announcing this policy now, to put all grantees on notice that HUD is serious about reducing the backlog of unspent CDBG funds.

Currently Untimely Grantees

HUD will impose the following corrective actions that could reduce future grants over two program years for all currently untimely grantees.

Step 1:

HUD will partially reduce the next grant of any currently untimely grantee that

control caused significant delays in program implementation and affected their timely performance. The burden on grantees will be to clearly demonstrate with compelling information that the circumstances were truly beyond their control. Grantees should not delay improving their drawdown ratio on the basis that they may meet this criteria, as HUD will not make these determinations until such time as the grantee has not met the standard and is subject to a grant reduction.

All grant reductions will be based on the dollar amount in excess of 1.5 times the annual grant. For example, if a grantee's annual grant is \$1 million and the 60 day ratio is 1.57, the maximum amount of the reduction is \$70,000 ($1.57 - 1.50 = .07 \times \$1 \text{ million} = \$70,000$). As indicated, there may be a pro-ration of that amount for currently untimely grantees.

Please note that any grant reduction will affect the amount of CDBG funds available for planning and administration. By law, no more than 20% of any grant may be used for these purposes. If there is a significant grant reduction or a reduction to zero of a new grant, there will be limited or zero CDBG funds to pay the grantee's administrative staff.

HUD field office staff is available to provide technical assistance to grantees and to assist with reformatting workout plans to conform to the current policy.

Each currently untimely grantee will shortly receive a letter from the HUD field office indicating specifically how this policy affects that individual grantee and what that grantee must do to improve performance sufficiently to avert a reduction.

Should you have general questions about this policy, please contact Nelson R. Bregón, Deputy Assistant Secretary for Grant Programs at (202) 708-1506. For information about how this policy specifically affects your community, please contact your local HUD field office.

Sincerely,

Roy A. Bernardi Assistant Secretary
Cc: Local CD Director

U.S. Department of Housing and Urban Development
451 7th Street, S.W., Washington, DC 20410
Telephone: (202) 708-1112 Find the address of a HUD office near you



Travis County Health and Human Services and Veterans Service

CDBG Initiative
P.O. Box 1748
Austin, Texas 78767
PH (512) 854-4100 FAX (512) 854-4115
www.co.travis.tx.us

September 11, 2008

John T. Maldonado
Division Director, Community Planning and Development Division
U.S. Department of Housing and Urban Development
106 South St. Mary's Street, Suite 405
San Antonio, Texas 78205

Re: Response to Travis County's non compliance with timeliness review

Mr. Maldonado,

I am in receipt of your letter dated August 11, 2008, notifying me that the County is out of compliance with its timeliness ratio of 1.5 as tested on July 30, 2008. Please find attached the work out plan and schedule of anticipated expenditures for your review. The County is committed to meeting timeliness next year and keeping your office informed on a monthly basis of any deviations from our anticipated expenditures.

During the development of the Program Year 2008 Action Plan, CDBG staff discussed project selection and timeliness with the Commissioners Court to ensure that the selection of projects allows the County to meet its 2009 timeliness goals. Additionally, the CDBG staff has discussed timeliness with Larry Wilkinson, HUD program officer, and will continue to remain in contact with him regarding any technical assistance requests to remove barriers for project implementation.

As your office has acknowledged previously, Travis County experienced a delay in the implementation of our first grant year due to a HUD allocation error causing our first Consolidated Plan to be disallowed. A timeline of the delay includes:

Oct 6	Notified in writing of the Plan being disallowed
Oct 6 – Dec 5	Expedited process for the Substantial Amendment of the Plan by Travis County
Dec 14	HUD approves Plan and signs grant agreement
Dec 21 – Jan 30	Travis County receives agreement and completes required processes to acquire the County Judge's signature
Jan 30	Travis County executes grant agreement

Total time of delay of executed grant agreement: 4 months

Traditionally, a new entitlement community would have twenty-two months to develop systems, implement projects and comply with timeliness ratios. Due to the delay, Travis County had eighteen months. The County feels that those four months were crucial for

DRAFT



Travis County Health and Human Services and Veterans Service

CDBG Initiative

P.O. Box 1748

Austin, Texas 78767

PH (512) 854-4100 FAX (512) 854-4115

www.co.travis.tx.us

timely project implementation, however, we realize that regulation prohibits HUD from reviewing the County on an alternate schedule.

Thank you for your time and consideration and please do not hesitate to contact Christy Moffett, Senior Planner, at 854-3460, if you have any questions.

Regards,

Samuel T. Biscoe
County Judge

Encl

cc: Sherri E. Fleming, Executive Manager, HHSVS
Christy Moffett, Senior Planner, CDBG

**Work Out Plan Summary
August 2008- July 2009**

Month	Anticipated Draw	Amount in LOCCS	Timeliness Goal (in dollars)
August 2008	\$13,353	\$1,581,694	\$1,276,872
Septemer 2008	\$18,586	\$1,563,108	\$1,276,872
October 2008	\$42,586	\$2,353,655	\$1,249,700
November 2008	\$597,859	\$1,755,796	\$1,249,700
December 2008	\$26,341	\$1,729,455	\$1,249,700
January 2009	\$23,341	\$1,706,114	\$1,249,700
February 2009	\$45,841	\$1,660,273	\$1,249,700
March 2009	\$62,841	\$1,597,432	\$1,249,700
April 2009	\$73,091	\$1,524,341	\$1,249,700
May 2009	\$191,091	\$1,333,250	\$1,249,700
June 2009	\$196,091	\$1,137,159	\$1,249,700
July 2009	\$241,091	\$896,068	\$1,249,700

22

BUDGET AMENDMENTS AND TRANSFERS

FY 2009

COUNTY JUDGE'S OFFICE

09 FEB 24 PM 4:10

3/3/2009

AMENDMENTS

BA#	FUND	DEPT/DIV	ACT	ELM/OBI	Dept.	Line Item	Increase	Decrease	Pg #
A1	458	9800	981	9892	Reserves	Fund 458 Allocated Reserves		\$ 49,594	1
	458	4945	809	8120	TNR	Purchd Serv-Park Impvt	\$ 49,594		

TRANSFERS

BA#	FUND	DEPT/DIV	ACT	ELM/OBI	Dept.	Line Item	Increase	Decrease	Pg #
T1	055	2101	543	0701	District Clerk	Reg Salaries-Permnt Empl		\$ 7,591	6
	055	2101	543	2002	District Clerk	FICA Tax - OASDI		\$ 471	
	055	2101	543	2005	District Clerk	Retirement Contribution		\$ 813	
	055	2101	543	2006	District Clerk	Worker's Compensation		\$ 15	
	055	2101	543	2007	District Clerk	FICA Tax - Medicare		\$ 110	
	055	2101	543	6099	District Clerk	Other Purchased Serv	\$ 9,000		




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

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

MEMORANDUM

TO: Commissioners Court

FROM: Jessica Rio, Assistant Budget Director 

DATE: February 23, 2009

SUBJECT: TNR Budget Adjustment – SE Metro Waterline

TNR is requesting a budget adjustment totaling \$49,594 from Fund 458 (2001 Certificates of Obligation) for a change order to the SE Metro waterline project that will provide for additional work to the main water line and additional sub-grading. TNR states that the sport fields at SE Metro Park are currently irrigated with potable water provided by the area water service provider. The department indicates that the water line to be constructed in this project will be used to draw irrigation water at much lower cost from the Colorado River through an agreement with the LCRA. Therefore, the construction of the raw water supply line will enable the use of much less expensive river water for irrigation needs.

This project was funded in Fund 458; however, PBO recommended an “earmark” against Fund 458 Reserves for this change order instead of rebudgeting funds during the FY 09 budget process. Nevertheless, PBO discussed this request with the department at that time and ensured that sufficient funding would be available to the department once the project was ready to proceed. Therefore, PBO concurs with this budget adjustment. Please let me know if you have any questions.

cc: David Escamilla (County Attorney)
Joe Gieselman (TNR)
Sean O’Neal (County Auditor’s Office)
Cynthia McDonald (TNR)
Leroy Nellis (PBO)
Diana Ramirez (PBO)
Rodney Rhoades (PBO)
Diana Williams-Jones (TNR)

Budget Adjustment: 14789

Fyr _ Budget Type: 2009-Bonds

Author: 49 - WILLIAMS-JONES, DONNA

Created: 2/3/2009 1:20:48 PM

PBO Category: Amendment

Court Date: Tuesday, Mar 3 2009

Dept: RESERVES

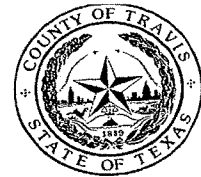
Just: Other

To move funds from reserves for a change order for the SE Park waterline project. A \$80,000

From Account	Acct Desc	Project	Proj Desc	Amount
458-9800-981-9892	ALLOCATED RESERVES			49,594
				49,594
To Account		Project		Amount
458-4945-809-8120	PURCHD SERV-PARK IMPVMNT	WPE009	Southeast Metro Park	49,594
				49,594

Approvals	Dept	Approved By	Date Approved
Originator	49	DONNA WILLIAMS-JONES	2/3/2009 01:20:55 PM
DepOffice	49	CYNTHIA MCDONALD	2/4/2009 08:28:44 AM
DepOfficeTo	49	CYNTHIA MCDONALD	2/4/2009 08:28:50 AM
AudBonds	6	SEAN O'NEAL	2/10/2009 01:29:03 PM

Project Kelly's
2/24/09



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

February 3, 2008

MEMORANDUM

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

FROM: 
Joseph P. Gieselman, Executive Manager

SUBJECT: Approve budget transfer from CO Fund 458 Reserves for Construction Change Order

Proposed Motion: Approve a budget transfer for \$49,594 from Certificate of Obligation Fund 458 Reserves for a construction contract change order.

Summary and Staff Recommendation: TNR is requesting that the Commissioner's Court approve a transfer of \$49,594 from the Certificate of Obligation (CO) fund 458 reserves to cover a change order for the SE Park waterline project. This change order is for additional work on the main water line and additional sub-grading. An earmark was placed on this reserve account for possible change orders for this project. TNR therefore recommends approval of the \$49,594 transfer.

Budgetary and Fiscal Impact: An \$80,000 earmark was placed on the CO fund 458 reserve account for the SE Park waterline project. A transfer of \$23,303 has already been approved for utility work by Bluebonnet Electric leaving \$56,697 in the 458 reserves for this project. After the \$49,594 reduction there will be \$7,103 remaining for future work on this project.

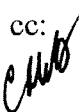
Required Authorizations: Planning and Budget Office, Diana Ramirez.

Exhibits: A budget transfer for the \$49,594 has been entered onto the automated BAF system.

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

DW:JPG:dw

Attachments

cc:  Roger Schuck, TNR
Diana Ramirez, PBO
Jessica Rio, PBO
Donna Williams-Jones, TNR

QUOTE

Boretex , LLC

ACCOUNTING OFFICE

PO Box 721433

Norman, OK 73070

Phone (830) 385-1838 Fax 512.266.2039

MAIN OFFICE

2300 Rain Water Drive

Austin, TX. 78734

Phone (830) 385-6152 Fax (512) 266-2039

DATE: FEBRUARY 2, 2009

TO:

Southeast Metro Park

Roger Schuck

Travis Co. TNR

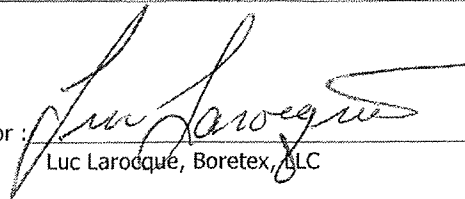
FOR:

Boretex, L.L.C.

Change Order for Extra Work on Main Line and Subgrade

DESCRIPTION	AMOUNT
UNIT PRICE REFERENCE BID ITEM # 37 \$7.00	
A. SUBGRADE: Sta. 51+00 to 48+75: 225 LF x 25 width x 15 depth	84,375.00 CF :27= 3125 CY
B. EMBANKMENT: Sta. 50+45 to 49+85: 60 LF x 30 width/sloop x 28 depth	50,400 CF:2:27= 1867 CF
C. SUBGRADE: Sta. 50+75 to 50+25: 75 LF x 33 width x 6 depth	14,850 CF :27= 550 CY
D. Extra Depth on Main Line Ata.33+00 to 35+25: 225LF x 3 width x 2 depth	1350 CF :27= 50 CY
Sta. 35+25 to 37+00: 175 LF x 3 width x 4 depth	2100 CF :27= 78 CY
Sta. 60+10 to 63+00: 290 LF x 3 width x 3 depth	2610 CF :27= 97 CY
Sta. 64+00 to 71+80: 780 LF x 3 width x 3 depth	7020 CF :27= 260 CY
Sta. 71+80 to 73+40: 160 LF x 3 width x 8 depth	3840 CF :27= 142 CY
Sta. 73+60 to 76+67: 307 LF x 3 width x 4.5 depth	4145 CF :27= 154 CY
TOTAL CY	=6323 CY
BID ITEM # 37	X \$7.00
	=\$44,261.00
Extra Shoring Boxes from Sta. 4300 to Sta. 7855= 3555 LF	3555 LF x \$1.50= \$5332.50
TOTAL	\$49,593.50

Contractor :



Luc Larocque, Boretex, LLC

2/2/09

**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 Requested Feb 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 Should have an earmark for \$80,000, the \$23,303 is for utility relocation by Bluebonnet Electric and \$49,594 is for a change order
458-9800-981-9892	458-4945-809-8120	WPE009	23,303	49,594	\$ -	\$ 105,991	14381 14789	SE Park Waterlines	Project is high priority and should be done in FY09, working on PSA for design and expect an award by April 2009
099-4941-981-9892	099-4931-621-8164	N/A	-	-	\$ 150,000	\$ 637,302	14382	Wells Branch Pkwy @ Summit Way Left Turn Lane	



PLANNING AND BUDGET OFFICE
TRAVIS COUNTY, TEXAS

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

MEMORANDUM

TO: Commissioners Court

FROM: Katie Petersen Gipson, Planning and Budget Analyst *Katie Petersen Gipson*

DATE: February 20, 2009

RE: Transfer for District Clerk Records Management Fund

The District Clerk is requesting to transfer \$9,000 from salary line items to an operating line item in order to pay for the re-binding of some books. PBO has confirmed that there are sufficient temporary salary savings generated by a vacant Records Analyst position to pay for this expense in the District Clerk's Records Management Fund.

PBO recommends approval of this transfer. Please see attached memo for additional details.

cc: Amalia Rodriguez-Mendoza, Travis County District Clerk
Michelle Brinkman, District Clerk's Office
Robert Chappell, District Clerk's Office
Rodney Rhoades, PBO
Leroy Nellis, PBO

Last Updated 02-27-09 at 11:30am

Katie Petersen - Budget transfer request in fund 055

From: Michelle Brinkman
To: Katie Petersen
Date: 2/19/2009 11:44 AM
Subject: Budget transfer request in fund 055
CC: Amalia Rodriguez-Mendoza; Robert Chappell

The Records Analyst project worker funded from the District Clerk's Records Management Fund (055) was vacated January 2nd. We are in the process of recruiting a replacement but do not anticipate filling the position until late March at the earliest. In the meantime, the vacancy has resulted in salary savings (including benefits) through the end of February of approximately \$8900.

We have 25 of our old but actively used index books that are badly in need of rebinding and have a bid of less than \$9000 for this work. We believe using these salary and benefit savings to fund the rebinding is appropriate, so we are asking for a transfer from the Salary and Benefit line items associated with this vacancy into the appropriate line item within Fund 055. This transfer would enable use to use currently budgeted funds to address this urgent need pursue a mid-fiscal year budget request.

The transfer request will be entered into the financial system today. Please let me know if you have any questions regarding this request and if you believe we need Commissioners Court approval.

Thank you.

Michelle Brinkman
Chief Deputy District Clerk
512-854-9737
fax: 854-4744

Budget Adjustment: 15022

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

Author: 21 - TAYLOR, LAURA
Court Date: Tuesday, Mar 3 2009

Created: 2/20/2009 9:16:57 AM
Dept: DISTRICT CLERK

From Account	Acct Desc	Project	Proj Desc	Amount
055-2101-543-0701	REG SALARIES-PERMNT EMPL			7,591
055-2101-543-2002	FICA TAX - OASDI			471
055-2101-543-2005	RETIREMENT CONTRIBUTION			813
055-2101-543-2006	WORKER'S COMPENSATION			15
055-2101-543-2007	FICA TAX - MEDICARE			110
				9,000
To Account		Project		Amount
055-2101-543-6099	OTHER PURCHASED SERVICES			9,000
				9,000

Approvals Dept Approved By
Originator 21 LAURA TAYLOR
DepOffice 21 ROBERT CHAPPELL

Date Approved
2/20/2009 9:17:19 AM
2/20/2009 10:40:07 AM

Robert Chappell
2/24/09

8

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

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
(\$19,593)	CSCD		2/10/09	After-hours Security Services
(\$1,328,530)	TNR		2/24/09	Vehicles Purchase
\$4,867,718	Current Balance			

Possible Future Expenses Against Allocated Reserve Previously Identified:

Amount	Explanation
(\$100,000)	Indigent Attn Costs: County Court at Law #8
(\$300,000)	Indigent Attn Costs: Capital Murder Case Costs
(\$39,900)	Ad Space for November Polling Places
(\$158,125)	Resources for Fail Safe Voting
(\$20,000)	Hazmat
(\$16,000)	Hazmat Equipment Maintenance
(\$80,000)	Postage
(\$80,000)	Records Storage
(\$20,000)	Aviation Software
(\$300,000)	Fuel Price Increase
(\$63,500)	Cadaver Contract Increase
(\$50,000)	Appraisal District Fee
(\$100,000)	Family Drug Treatment Court
(\$347,110)	Utility Cost Increase
(\$15,000)	Copy Paper
(\$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
(\$3,236,365)	Total Possible Future Expenses (Earmarks)

\$1,631,353 Remaining Allocated Reserve Balance After Possible Future Expenditures

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

Last Updated 02-27-09 at 11:30am

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
(\$500,000)	Sheriff	2/24/09	Software Purchase
(\$68,000)	Facilities	2/24/09	Repair Chiller at CJC/Gault Bldg.

\$2,341,298 Current Reserve Balance

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

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

\$2,215,798 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
\$5,980 Current Reserve Balance			

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
\$185,000 Current Reserve Balance			

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

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

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

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

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

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

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

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

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
(\$6,135)	Auditor	1/27/09	Equip/Supplies for Implementatin
(\$407)	Auditor	1/27/09	Equip/Supplies for Implementatin
(\$275)	Auditor	2/5/09	Equip/Supplies for Implementatin
(\$1,549)	Auditor	2/13/09	Supply Expense
(\$2,522)	Auditor	2/13/09	Supply & Printer Stand
\$583,927 Current Reserve Balance			

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

Amount	Dept Transferred Into	Date	Explanation
\$82,420			Beginning Balance
\$82,420 Current Reserve Balance			

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

Amount	Dept Transferred Into	Date	Explanation
\$81,095			Beginning Balance
(\$63,124)	ITS	2/19/09	Security Analyst FTE
\$17,971 Current Reserve Balance			

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

Amount	Dept Transferred Into	Date	Explanation
\$214,822			Beginning Balance
(\$56,250)	Purchasing	2/5/09	BEFIT Consultant
\$158,572 Current Reserve Balance			

TRAVIS COUNTY COMMISSIONERS COURT AGENDA REQUEST

RECEIVED
COUNTY JUDGE'S OFFICE
09 FEB 24 AM 10:34

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

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) New grant application with the Office of the Governor, Criminal Justice Division Juvenile Justice Delinquency Prevention Funds Program for the Juvenile Probation Department to purchase additional contracted mental health services to enhance the department's Collaborative Opportunities for Positive Experience (COPE) Mental health court.

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

3/3/2009

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	County Match	FTEs	Notes	Page #
<i>Applications</i>							
<i>a</i> 45	JJDP Front End Therapeutic Services Program	09/01/2009 - 08/31/2010	35,000			1	8

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.

Dept	Name of Grant	Grant Amount	County Match	FTEs	Cm. Ct. Approval Date
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
58	2009 Phase 27 Emergency Food and Shelter	\$143,272			2/10/2009
45	Parent Project	\$31,110			2/24/2009
45	JABG (Local) Juvenile Assessment Center	\$87,047	\$9,672	1.5	2/24/2009
45	Safe and Drug Free Schools CBT Re-Entry	\$14,386			2/24/2009
		\$1,212,229	\$414,709	25.89	

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
24	Formula Grant-Indigent Defense Grants Program	\$429,859				2/3/2009
37	2008 Byrne Justice Assistance Grant	\$70,002				2/10/2009
45	Justice and Mental Health Collaboration Program COPE	\$246,662	\$61,666		1	2/10/2009
45	JABG Juvenile Assessment Center	\$80,889	\$8,988		1.5	2/10/2009
58	SVCI (Seniors and Volunteers for Childhood Immunization)			\$4,000	0.25	2/17/2009
58	2008 Comprehensive Energy Assistance Program (CEAP) Amendment 1	\$725,014				2/17/2009
24	Drug Diversion Court	\$160,041			1	2/17/2009
22	Drug Court (State) Program	\$98,500			1	2/17/2009
		<u>\$6,111,011</u>	<u>\$1,170,701</u>	<u>\$124,000</u>	<u>29.25</u>	

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
40	OVW FY08 Safe Havens: Supervised Visitation and Safe Exchange Grant Program	\$200,000			0.75	2/17/2009
22	Drug Court Program	\$65,665.96			1	2/17/2009

58 Oncor Weatherization
Project Amendment
One

\$32,259

2/24/2009

37 SCATTF - Sheriff's
Combined Auto Theft
Task Force

\$66,077

2/24/2009

Total Outstanding

\$ 596,442 \$ 142,560

9.75

* 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		

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GRANT SUMMARY SHEET

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

Department/Division:	Juvenile Probation Department
Contact Person/Title:	Ruthanne Shockley, Grant Coordinator
Phone Number:	512/854-7110

Grant Title:	JJDP Front End Therapeutic Services Program		
Grant Period:	From: 09/1/09	To: 08/31/10	
Grantor:	CJD Juvenile Justice Delinquency Prevention Funds		

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

Grant Categories/ Funding Source	Federal Funds	State Funds	Local Funds	County Match	In-Kind	TOTAL
Personnel:						0
Operating:	35,000					35,000
Capital Equipment:						0
Indirect Costs:						0
Total:	35,000	0	0	0	0	35,000
FTEs:						0.00

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

Performance Measures Applicable Depart. Measures	Projected FY 09 Measure	Progress To Date:				Projecte d FY 10 Measure
		12/31/08	3/31/09	6/31/09	9/30/09	
Number of program youth referred.	18	N/A	N/A	N/A	N/A	44
Number of program youth screened / assessed.	18	N/A	N/A	N/A	N/A	44
Number of program youth served.	18	N/A	N/A	N/A	N/A	44
Measures For Grant						

Number of program youth completing program requirements.	18	N/A	N/A	N/A	N/A	44
Outcome Impact Description	Used to track completion rate of clients					
Number of program youth complying with aftercare plan.	18	N/A	N/A	N/A	N/A	44
Outcome Impact Description	Used to track success of clients after completion.					
Number of program youth exhibiting a decrease in antisocial behavior.	18	N/A	N/A	N/A	N/A	44
Number of program youth exhibiting a decrease in substance use.	18	N/A	N/A	N/A	N/A	44
Number of program youth exhibiting desired change in substance use.	18	N/A	N/A	N/A	N/A	44
Number of program youth exhibiting an improvement in family relationships.	18	N/A	N/A	N/A	N/A	44
Number of program youth exhibiting an improvement in social competencies.	18	N/A	N/A	N/A	N/A	44
Outcome Impact Description	The above five indicators measure the positive change in behavior as of result of completing program					
Number of program youth who offend or reoffend.	18	N/A	N/A	N/A	N/A	11
Outcome Impact Description	This recidivism measure is used to track effectiveness of program					

PBO Recommendation:

The Juvenile Probation Department is requesting approval to submit a new grant application to the Office of the Governor, Criminal Justice Division Juvenile Justice Delinquency Prevention Funds. The grant would provide resources to purchase additional contracted mental health services to enhance the department’s Collaborative Opportunities for Positive Experiences (COPE) mental health court, which serves pre-adjudicated juveniles with mental health issues.

The grant does not require a county match and will be used to enhance an existing program.

PBO recommends approval of the 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 goal of the Front End Therapeutic Services grant is to provide mental/substance abuse services for the increasing number of juveniles with mental health and substance abuse issues.

These youth are at risk of entering the Juvenile Probation system or if in the system; increase the chance of youth re-offending without these services. These counseling services will provide resources for TCJPD's to divert youth at risk instead of further prosecution through the system.

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

There is no term long term funding requirements for this grant.

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 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.

No indirect costs are calculated for this grant. The grant is to fund for contractual services.

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. The Department intends to request subsequent year continuation for the Front End Therapeutic Services Program through proposals submitted to the Federal and State government; as well as private foundations. If the grant ends, the department will request additional funding.

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 2009-2010 Capital Area Planning Council of Government (CAPCOG) Community Plan has in its list of priorities, programs that promote family stability, designed to strengthen family support systems in an effort to positively impact the lives of youth and divert them from a path of serious, violent and chronic delinquency. COPE strategies of front-end diversion assessing and screening each juvenile offender for co-occurring disorder fits into the 2009-10 Community Plan. The Community Plan also calls for programs and initiatives that will have a justice system impact designed to hold the juvenile offender accountable, and improve practices, policies and procedures within the juvenile justice system. This proposal will also address disproportionate minority contact, not only in terms of race but in gender issues as well. Under the JJDP funding matrix, Mental Health is Priority #3.



TRAVIS COUNTY JUVENILE PROBATION DEPARTMENT

ESTELA P. MEDINA
Chief Juvenile Probation Officer

ADMINISTRATIVE SERVICES
COURT SERVICES
DETENTION SERVICES
PROBATION SERVICES
RESIDENTIAL SERVICES
SUBSTANCE ABUSE SERVICES
DOMESTIC RELATIONS OFFICE
JUVENILE JUSTICE
ALTERNATIVE EDUCATION
PROGRAM

TO: Travis Gatlin, PBO
Senior Budget Analyst

FROM: _____
Estela P. Medina
Chief Juvenile Probation Officer

THROUGH: _____
Ruthanne Shockley
Grant Coordinator

SUBJECT: FY10 CJD JJDP Grant Application

DATE: February 24, 2009

As you may know, the purpose of the Juvenile Justice and Delinquency Prevention (JJDP) Act Fund Program is to improve the juvenile justice system and develop effective education, training, research, prevention, diversion, treatment, and rehabilitation programs in the area of juvenile delinquency. With this in mind, we are submitting a grant application in the amount of \$35,000 for contracted services for the Therapeutic Services to assist our COPE Court to divert youth for individual and group counseling services.

The goal of the Front End Therapeutic Services grant is to provide mental health therapeutic services for the increasing number of juveniles with these issues. These youth are at risk of entering the Juvenile Probation system or if in the system increase the chance of youth re-offending without these services. These counseling services will provide resources for TCJPD to divert youth at risk instead of further prosecution in the system.

Please review this item and place it on the **March 3rd** Commissioner's Court agenda for their consideration and signature. Please contact Ms. Shockley at 4-7110 for further information.

Thank you in advance for your attention to this request.

CC: Jim Connolly, Assistant County Attorney
DeDe Bell, Financial Analyst, County Auditor
Barbara Swift, Deputy Chief
Gail Penney Chapmond, Division Director
Linda Duke, Project Coordinator
Sylvia Mendoza, Division Director, Financial Services
Mike Williams, Financial Analyst
Grant File

RESOLUTION

WHEREAS, the Commissioners of Travis County find it in the best interest of the citizens of Travis County that the Front End Therapeutic Services Program be operated; and

WHEREAS, the Commissioners of Travis County have agreed to provide the minimum matching percentage for the said project as required by the Office of the Governor, Criminal Justice Division, grant application; and

WHEREAS, the Commissioners of Travis County have agreed that in the event of loss or misuse of the Criminal Justice Division funds, all funds will be returned to the Criminal Justice Division in full.

WHEREAS, County Commissioners of Travis County designates Samuel T. Biscoe, County Judge as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that the Commissioners of Travis County approve the submission of the grant application for the Juvenile Assessment Center to the Office of the Governor, Criminal Justice Division.

Signed by: _____

SAMUEL T. BISCOE, County Judge

Passed and Approved this 3rd (Day) of March (Month), 2009 (Year)

Grant Application Number: 2150701

Agency Name: Travis County

Grant/App: 2150701 **Start Date:** 9/1/2009 **End Date:** 8/31/2010

Project Title: JJDP Front End Therapeutic Services Program

Status: Application Pending Submission

Eligibility Information

Introduction

The Criminal Justice Division (CJD) publishes funding opportunities, known as **Requests for Applications (RFA)**, through the Texas Secretary of State. Click [here](#) to visit the Secretary of State's website to locate the RFAs in the appropriate Texas Register issue.

In addition, CJD requires all applicants and grantee organizations to adhere to the *Texas Administrative Code (TAC)* as adopted. Click [here](#) to view the current TAC, or click [here](#) to view the previous versions of the TAC.

Submission Process

When applying for a grant pursuant to an **RFA** published in the *Texas Register* by CJD, applicants must submit their applications according to the requirements provided in the **RFA**. CJD may also consider applications for grants that are not submitted pursuant to an **RFA**. Applicants will be selected in accordance with *1 TAC, §3.7*.

Selection Process

All applications submitted to CJD are reviewed for eligibility, reasonableness, availability of funding, and cost-effectiveness. For applications submitted pursuant to an **RFA**, the executive director will select a review group, COG, or other designee to prioritize the applications and submit a priority listing to the executive director, who will render the final funding decision. A review group may include staff members, experts in a relevant field, and members of an advisory board or council. For more information regarding the selection process, see *1 TAC, §3.7*.

Funding Decisions

All grant funding decisions rest completely within the discretionary authority of CJD. The receipt of an application for grant funding by CJD does not obligate CJD to fund the grant or to fund it at the amount requested.

Neither the approval of a project nor any grant award shall commit or obligate CJD in any way to make any additional, supplemental, continuation, or other award with respect to any approved project or portion thereof.

CJD makes no commitment that a grant, once funded, will receive priority consideration for subsequent funding. For more information regarding the application process, see *1 TAC, §3.7* and *3.9*.

Adoptions by Reference

All grantees receiving federal and state funds must comply with the applicable statutes, rules, regulations, and guidelines related to the funding source under which the grant is funded. In instances where both federal and state requirements apply to a grantee, the more restrictive requirement applies. For more information regarding grant funding, see *1 TAC, §3.19*.

Community Plans

Each community, consisting of a single county or a group of counties, must file with a COG a community plan that addresses the community's criminal justice priorities. A community plan should assess local trends and data; identify problems, resources, and priorities; develop effective strategies; and set goals and objectives. For more information regarding community plans, see *1 TAC, §3.51*.

Juvenile Justice and Youth Projects

Last Updated 02-27-09 at 11:30am

Juvenile justice projects or projects serving delinquent or at-risk youth, regardless of the funding source, must address at least one of the priorities developed in coordination with the Governor's Juvenile Justice Advisory Board to be eligible for funding. For more information regarding these priorities, see *1 TAC*, §3.53.

Monitoring

CJD will monitor the activities of grantees as necessary to ensure that grant funds are used for authorized purposes in compliance with all applicable statutes, rules, regulations, guidelines, and the provisions of grant agreements, and that grantees achieve grant purposes. Grantees must make available to CJD or its agents all requested records relevant to a monitoring review. For more information regarding monitoring, see *1 TAC*, §3.2601.

Your organization's Texas Payee/Taxpayer ID Number:
746000192

Application Eligibility Certify:

Created on:1/29/2009 11:36:28 AM By:Ruthanne Shockley

Profile Information

Introduction

The **Profile Details** section collects information about your organization such as the name of your agency and project title, the geographic area your project will serve and information about your grant officials.

Click on the **Save and Continue** button at any time to save the information entered on this page. If you do not click on this button and navigate away from the page, your work will be lost. When you click the **Save and Continue** button, you may receive several error messages that instruct you to complete the required fields. Your data on any given tab will not save to the system until all required fields are complete and correct.

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Email Addresses & Grant Officials Information

Designating Grant Officials Within your Application:


Enter a valid and unique email address for each grant official and click the **Verify Email and Set Official to the Project** button. If you receive an error message regarding an email address, the grant official you are trying to assign to the project has not registered for a user account in eGrants. Please inform the agency's grant official or designee that they must log in to the [eGrants Home Page](#), and register for a user account. If you need technical assistance, please contact the [eGrants Help Desk](#) by email.

Updating Grant Officials on Active Grants:

To reassign a grant official - **Authorized Official, Financial Officer, Project Director, or Grant Writer** - to your grant project, ensure that the new official registers for a user account in eGrants **first**. Next, go to the Request Adjustment tab and check the box indicating you would like to Designate a New Grant Official, provide a brief explanation for the change in the Grant Adjustment Justification box, and then click the 'Create Adjustment Request' button. This will open the Profile Details tab allowing you to make the appropriate changes. After you have entered a valid email address for the new Official, go to the Certify Adjustment tab and click on the 'Certify Adjustment' button to send your request to CJD for review. If your organization is designating a new Authorized Official, check your records to see if a revised Resolution is required. Upload the approved Resolution to your grant project on the 'Summary / Upload Files' sub-tab. If you need technical assistance, please contact the [eGrants Help Desk](#) by email.

Getting Started

On this tab you will notice a certain icon that is displayed.

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Applicant Agency Name: Travis County
Project Title: JJDP Front End Therapeutic Services Program

Last Updated 02-27-09 at 11:30am

Division or Unit to Administer the Project: Travis County Juvenile Probation Department

Address Line 1: 2515 S. Congress Ave.

Address Line 2:

City/State/Zip: Austin Texas 78704

Payment Address Line 1: 2515 S. Congress Ave.

Payment Address Line 2:

Payment City/State/Zip: Austin Texas 78704

Start Date: 9/1/2009

End Date: 8/31/2010

Regional Council of Governments(COG) within the Project's Impact Area: Capital Area Council of Governments

Headquarter County: Travis

Counties within Project's Impact Area: Travis

Grant Officials:

Authorized Official

User Name: Samuel Biscoe

Email: sam.biscoe@co.travis.tx.us

Address 1: Post Office Box 1748

Address 1:

City: Austin, Texas 78767

Phone: 512-854-9555 Other Phone:

Fax: 512-854-9535

Agency:

Title: The Honorable

Salutation: Judge

Project Director

User Name: Estela Medina

Email: estela.medina@co.travis.tx.us

Address 1: 2515 South Congress Avenue

Address 1:

City: Austin, Texas 78704

Phone: 512-854-7069 Other Phone:

Fax: 512-854-7097

Agency:

Title: Ms.

Salutation: Chief

Financial Official

User Name: Susan Spataro

Email: susan.spataro@co.travis.tx.us

Address 1: P.O. Box 1748

Address 1:

City: Austin, Texas 78767

Phone: 512-854-9125 Other Phone:

Fax: 512-854-6640

Agency:

Title: Ms.

Salutation: Ms.

Grant Writer

User Name: Ruthanne Shockley

Email: ruthanne.shockley@co.travis.tx.us

Address 1: 2515 South Congress Avenue

Address 1:

City: Austin, Texas 78704

Phone: 512-854-7110 Other Phone:

Fax: 512-854-7093

Agency:

Title: Ms.

Salutation: Ms.

Grant Vendor Information

Introduction

The **Grant Vendor** section of the application collects grant payment information for your organization. The following items will be auto-filled from previous data you supplied in eGrants: Organization Type, State Payee Identification Number, and Data Universal Numbering System (DUNS) Identifier (if applicable).

Click on the **Save and Continue** button at any time to save the information entered on this page. If you do not click on this button and navigate away from the page, your work will be lost. When you click the **Save and Continue** button, you may receive several error messages that instruct you to complete the required fields. Your data on any given tab will not save to the system until all required fields are complete and correct.


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Direct Deposit

In order to receive payments from CJD, complete the Vendor Direct Deposit Authorization and Application for Payee Identification Number forms which can be downloaded from the Texas Comptroller's [website](https://fm.xcpa.state.tx.us/fm/forms/index.php) at <https://fm.xcpa.state.tx.us/fm/forms/index.php> and Form W-9 which can be downloaded from the Internal Revenue Services' [website](http://www.irs.gov/) at <http://www.irs.gov/>. Send these completed and signed forms to the Office of the Governor, Financial Services Division, Post Office Box 12428, Austin, Texas 78711.

Getting Started

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Organization Type: County

Organization Option: applying to provide juvenile prevention and / or intervention services

Applicant Agency's State Payee Identification Number (e.g., Federal Employer's Identification (FEI) Number or Vendor ID): 746000192

Data Universal Numbering System (DUNS): 030908842

Payment Address Line 1: 2515 S. Congress Ave.

Payment Address Line 2:

Payment City/State/Zip: Austin Texas 78704

Narrative Information

Introduction

- The **Narrative** section is the description of your project. It is important that the information you provide about your project is clear and as concise as possible.


Note: All applicants must certify to the eligibility requirements specific to the fund source. The minimum requirements to complete this page are the **Program Requirements, Problem Statement, Supporting Data, Goal Statement, and Project Summary** sections. We recommend that you complete any sections applicable to your project to assist in the application review process.

Click on the **Save and Continue** button at any time to save the information entered on this page. If you do not click on this button and navigate away from the page, your work will be lost. When you click the **Save and Continue** button, you may receive several error messages that instruct you to complete the required fields. Your data on any given tab will not save to the system until all required fields are complete and correct.

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Getting Started

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Primary Mission and Purpose

The purpose of the Juvenile Justice and Delinquency Prevention (JJDP) Act Fund Program is to improve the juvenile justice system and develop effective education, training, research, prevention, diversion, treatment, and rehabilitation programs in the area of juvenile delinquency.

Funding Levels

The anticipated funding levels for the JJDP Act Fund program are as follows:

- Minimum Award - None
- Maximum Award - None
- The JJDP Act Fund program does not require a grantee to provide matching funds.

For more information regarding grantee match, please click on the **Budget** tab, and then click on the **Source of Match** tab in eGrants.

Note: *If you voluntarily include matching funds that exceed the minimum match requirement, you will be held to that amount throughout the grant period.*

Program Requirements

Preferences – Preference will be given to applicants who demonstrate cost effective programs focused on a comprehensive and effective approach to services that compliment the Governor’s strategies.

Juvenile Justice Board Priorities - Juvenile justice projects or projects serving delinquent or at-risk youth will address at least one of the following priorities developed in coordination with the Governor’s Juvenile Justice Advisory Board to be eligible for funding.

Prevention and Early Intervention at First Offense - Fund programs or other initiatives designed to positively impact youth prior to their involvement in the juvenile justice system or at their first offense and divert them from a path of serious, violent and chronic delinquency. Programs may include support for school resource officers, alcohol and substance abuse education, mentoring and after-school programs.

Disproportionate Minority Contact (DMC) - Decrease DMC, which exists if minority youth have a higher rate of contact with the juvenile justice system than do non-Hispanic white youth. Fund programs or other initiatives designed to address the disproportionate number of juvenile members of minority groups who come into contact with the juvenile justice system.

Gang Prevention and Intervention - Fund programs that address issues related to juvenile gang activity and the recruitment of juvenile members. These issues include information sharing and prevention and intervention efforts directed at reducing gang-related activities.

Specialized Treatment Services - Fund programs that address the use and abuse of illegal substances, prescription and non-prescription drugs and alcohol. Counseling and professional therapy may also be provided to sex offenders and youth with anger management issues.

Juvenile Justice System Impact - Fund programs designed to impact offender accountability or improve the practices, policies or procedures within the juvenile justice system including rehabilitating and educating youth who have been involved in the juvenile justice system so that future involvement in criminal activity is deterred.

Civil Rights Liaison

A civil rights liaison who will serve as the grantee's civil rights point of contact and who will be responsible for ensuring that the grantee meets all applicable civil rights requirements must be designated. The designee will act as the grantee's liaison in civil rights matters with CJD and with the federal Office of Justice Programs.

Enter the Name of the Civil Rights Liaison:
Linda Moore Smith

Last Updated 02-27-09 at 11:30am

Enter the Address for the Civil Rights Liaison:

1010 Lavaca St., Austin, TX 78701

Enter the Phone Number for the Civil Rights Liaison [(999) 999-9999]:

5128549165

Certification

Each applicant agency will certify to the specific criteria detailed above under **Program Requirements** to be eligible for funding under the Juvenile Justice and Delinquency Prevention (JJDP) Act Solicitation.

I certify to all of the above eligibility requirements.

Problem Statement:

Please provide a detailed account in the Problem Statement section of the existing issues your project will target.

Enter your problem statement:

The number of juveniles with mental health and substance abuse issues referred to Travis County Juvenile Probation is steadily increasing.

Supporting Data:

Provide as much supporting data, to include baseline statistics and the sources of your data, which are pertinent to where the grant project is located and/or targeted. Do not use statewide data for a local problem or national data for a statewide problem.

Enter your supporting data:

At the Travis County Juvenile Probation Department (TCJPD), the data from fiscal year 2007 through 2009 shows a growing trend in the number of juveniles with mental health and substance abuse. In fiscal year 2008 we had 5,789 assessment referrals of which 642 juveniles were diagnosed with mental health and substance abuse issues. In fiscal year 2007, referrals were 5,687 juveniles with 611 diagnosed with mental and substance abuse issues. This shows an increase from FY07 to FY08 of 5% increase.

Community Plan:

For projects that have a local or regional impact target area, provide information regarding the community plan need(s) that your project will address.

Enter your community planning needs:

In the 2009-10 Travis County Community Plan under JJDP; Mental Health is Priority #3. This priority states programs are needed to provide mental health services for at-risk youth. Additionally, the 2009-2010 Capital Area Planning Council of Government (CAPCOG) Community Plan has in its list of priorities, programs that promote family stability, designed to strengthen family support systems in an effort to positively impact the lives of youth and divert them from a path of serious, violent and chronic delinquency. The Community Plan also calls for programs and initiatives that will have a justice system impact designed to hold the juvenile offender accountable, and improve practices, policies and procedures within the juvenile justice system. This proposal will also address disproportionate minority contact, not only in terms of race but in gender issues as well.

Goal Statement:

Provide a brief description of the overall goals and objectives for this project.

Enter a description for the overall goals and objectives:

The goal of JJDP Front End Therapeutic Services program is to provide mental/substance abuse services for the increasing number of juveniles with mental health and substance abuse issues. These youth are at risk of entering the Juvenile Probation system or if in the system; increase the chance of youth re-offending without these services. These counseling services will provide resources for TCJPD's to divert youth at risk instead of further prosecution through the system.

Cooperative Working Agreement (CWA):

When a grantee intends to carry out a grant project through cooperating or participating with one or more outside organizations, the grantee must obtain authorized approval signatures on the cooperative working agreement (CWA) from each participating organization. Grantees must maintain on file a signed copy of all cooperative working agreements, and they must submit to CJD a list of each participating organization and a description of the purpose of each **CWA**. Cooperative working agreements do not involve an exchange of funds.

For this project, provide the name of the participating organization(s) and a brief description of the purpose(s) for the **CWA(s)**. You should only provide information here that this project's successful operation is contingent on the named service or participation from the outside organization.

Note: A **Sample CWA** is available [here](#) for your convenience.

Enter your cooperating working agreement(s):

n/a

Continuation Projects:

For continuation projects only, if your current or previous year's project is NOT on schedule in accomplishing the stated

objectives, briefly describe the major obstacles preventing your organization from successfully reaching the project objectives as stated within your previous grant application. (Data may be calculated on a pro-rated basis depending on how long the current or previous year's project has been operating.)

Enter your current grant's progress:

n/a

Project Summary:

Briefly summarize the entire application, including the project's problem statement, supporting data, goal, target group, activities, and objectives. Be sure that the summary is easy to understand by a person not familiar with your project and that you are confident and comfortable with the information if it were to be released under a public information request.

Enter your summary statement for this project:

The problem is that the number of juveniles with mental health and substance abuse issues referred to Travis County Juvenile Probation is steadily increasing. As the number of referrals to TCJPD has increased over the years, (FY07 to FY08 from 5,687 to 5,789 respectively), the department has noticed a growing trend of juveniles with mental health and substance abuse issues. These youth are at risk to on entering the Juvenile system or to re-offend. As stated in the in the 2009-10 Travis County Community Plan under JJDP; Mental Health is Priority #3. This priority stakes programs are needed to provide mental health services for at-risk youth. Additionally, the 2009-2010 Capital Area Planning Council of Government (CAPCOG) Community Plan has in its list of priorities, programs that promote family stability, designed to strengthen family support systems in an effort to positively impact the lives of youth and divert them from a path of serious, violent and chronic delinquency. The goal of JJDP Therapeutic Services program is to provide mental/substance abuse services for the increasing number of juveniles with mental health and substance abuse issues. These youth are at risk of entering the Juvenile Probation system or if in the system; increase the chance of youth re-offending without these services. These counseling services will provide resources for TCJPD's to divert youth at risk instead of further prosecution through the system.

Project Activities Information

Introduction






The **Project Activities** section of the application gathers information about the type of activities your project will incorporate.

Click on the **Save and Continue** button at any time to save the information entered on this page. If you do not click on this button and navigate away from the page, your work will be lost. When you click the **Save and Continue** button, you may receive several error messages that instruct you to complete the required fields. Your data on any given tab will not save to the system until all required fields are complete and correct.

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Getting Started

On this tab you will notice certain icons that are displayed.

-  = a **pencil** icon - click on this icon to edit your selections.
-  = a **pencil** icon with a **red slash** through it - click on this icon to cancel your edits.
-  = a **red delete** icon - click on this icon to delete the item.
-  = a **diskette** icon - click on this icon to save your work. When this icon appears, it is your queue to save the item that you are working on; otherwise, your data will be lost.
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Juvenile Justice Board Priorities

Select the Juvenile Justice Priority that best fits your project:

- Prevention and Early Intervention at First Offense
- Gang Prevention and Intervention
- Specialized Treatment Services
- Juvenile Justice System Impact

Selected Project Activities:

ACTIVITY	PERCENTAGE:	DESCRIPTION
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<p>Professional Therapy and Counseling</p>	<p>100.00</p>	<p>The Travis County Juvenile Probation Department will contract with several providers to provide mental health assessments, family and individual counseling for at risk youth with mental health and substance abuse issues. Therapists provide intensive therapy to the juveniles and their families. Juveniles referred to the program receive a mental health assessment to determine the need for a further mental health evaluation. Juveniles are identified at risk will have mental health issues and substance abuse issue and a greater chance of entering or re-offending through the Juvenile Probation program. Parents, juveniles and family members will continue to work together with the therapist and juvenile probation officer as a team so that skills may be developed or discovered to enable the youth to connect or reconnect with his family and assist the juvenile in problem solving skills. The team develops an individual case plan to identifying needs, strengths, community resources, and school supports to encourage the juvenile's success at school. Community services include individual, family, and group counseling, links to community support and alternative education programs. Length of counseling is based on the needs of the youth and family. Therapist provides weekly feedback of compliance and coordinator follows-up on areas of concern.</p>
--------------------------------------------	---------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Geographic Area:
Travis, County, TX

Target Audience:
pre-adjudicated juvenile offenders

Gender:
male and female

Ages:
10-16

Special Characteristics:
co-occurring disorder

Measures Information

Introduction





The **Project Measures** section of the application collects data to track the performance of your proposed project toward its stated objectives. Output measures demonstrate the level of activity of a project. Outcome measures demonstrate the impact of a project in a targeted area, reflecting the extent to which the goals and objectives of the project have been achieved. Output and outcome measures displayed on this page correspond to activities selected or created on the **Activities** page.

Click on the **Save and Continue** button at any time to save the information entered on this page. If you do not click on this button and navigate away from the page, your work will be lost. When you click the **Save and Continue** button, you may receive several error messages that instruct you to complete the required fields. Your data on any given tab will not save to the system until all required fields are complete and correct.

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-  = an **information** icon - this help icon is next to certain items that may need further explanation. Simply click and review the information provided in the pop up window.

Progress Reporting Requirements

All programs will be required to report the output and outcome measures for this program to Texas A&M University, Public Policy Research Institute (PPRI).

Objective Output Measures

OUTPUT MEASURE	CURRENT DATA	TARGET LEVEL
Number of program youth referred.	0	72
Number of program youth screened / assessed.	0	72
Number of program youth served.	0	72
Number of program youth with formal psychological / psychiatric evaluations.	0	72

Custom Objective Output Measures

CUSTOM OUTPUT MEASURE	CURRENT DATA	TARGET LEVEL
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Objective Outcome Measures

OUTCOME MEASURE	CURRENT DATA	TARGET LEVEL
Number of program youth completing program requirements.	0	44
Number of program youth complying with aftercare plan.	0	44
Number of program youth exhibiting a decrease in antisocial behavior.	0	44
Number of program youth exhibiting a decrease in substance use.	0	44
Number of program youth exhibiting an improvement in family relationships.	0	44
Number of program youth exhibiting an improvement in social competencies.	0	44
Number of program youth who offend or reoffend.	0	11

Custom Objective Outcome Measures

CUSTOM OUTCOME MEASURE	CURRENT DATA	TARGET LEVEL
------------------------	--------------	--------------

Documents Information

Introduction

The **Supporting Documentation** section of the application contains general grantee requirements. Please select or enter the appropriate responses in the areas below.


Click on the **Save and Continue** button at any time to save the information entered on this page. If you do not click on this button and navigate away from the page, your work will be lost. When you click the **Save and Continue** button, you may receive several error messages that instruct you to complete the required fields. Your data on any given tab will not save to the system until all required fields are complete and correct.

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Certification and Assurances

Each applicant must click on this link to review the standard [Certification and Assurances](#).

Resolution from Governing Body

Except for state agencies, each applicant must provide information related to the [resolution](#) from its governing body, such as the city council, county commissioners' court, school board, or board of directors. Please ensure that the resolution approved by your governing body addresses items one through four below.

1. Authorization by your governing body for the submission of the application to CJD that clearly identifies the name of the project for which funding is requested;
2. A commitment to provide all applicable matching funds;
3. A designation of the name and/or title of an authorized official who is given the authority to apply for, accept, reject, alter, or terminate a grant (Note: If a name is provided, you must update CJD should the official change during the grant period.); and
4. A written assurance that, in the event of loss or misuse of grant funds, the governing body will return all funds to CJD.

Upon approval from your agency's governing body, upload the [approved](#) resolution to eGrants by clicking on the **Upload Files** sub-tab located in the **Summary** tab.

Contract Compliance

Will CJD grant funds be used to support any contracts for professional services?

Select the Appropriate Response:

- Yes
- No

For applicant agencies that selected **Yes** above, describe how you will monitor the activities of the sub-contractor(s) for compliance with the contract provisions (including equipment purchases), deliverables, and all applicable statutes, rules, regulations, and guidelines governing this project.

Enter a description for monitoring contract compliance:

Travis County monitors the activities of all sub-contractors by certifying services have been rendered prior to release of payment. The Program Coordinator monitors contract compliance with the vendors used for professional services. This includes: conducting site visits; making weekly contacts with the vendors to monitor client services and progress; authorizing payments consistent with the contract documents; exercising remedies, as appropriate, where a contractor's performance is deficient; resolving disputes in a timely manner; and maintaining appropriate records.

Lobbying

For applicant agencies requesting grant funds in excess of \$100,000, have any federally appropriated funds been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant loan, or cooperative agreement?

Select the Appropriate Response:

- Yes
- No
- N/A

For applicant agencies that selected either **No** or **N/A** above, have any non-federal funds been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress in connection with this federal contract, loan, or cooperative agreement?

Select the Appropriate Reponse:

- Yes
- No
- N/A

Fiscal Year

Provide the begin and end date for the applicant agency's fiscal year (e.g., 09/01/20xx to 08/31/20xx).

Enter the Begin Date [mm/dd/yyyy]:

10/1/2008

Enter the End Date [mm/dd/yyyy]:

9/30/2009

Sources of Financial Support

Each applicant must provide the amount of grant funds expended during the most recently completed fiscal year for the following sources:

Enter the amount (\$) of Federal Grant Funds:

8838099

Enter the amount (\$) of State Grant Funds:

2369120

Single Audit

Has the applicant agency expended federal grant funding of \$500,000 or more, or state grant funding of \$500,000 or more during the most recently completed fiscal year?

Select the Appropriate Response:

- Yes
- No

Note: Applicants who expend less than \$500,000 in federal grant funding or less than \$500,000 in state grant funding are exempt from the Single Audit Act and cannot charge audit costs to a CJD grant. However, CJD may require a limited scope audit as defined in OMB Circular A-133.

Applicant agencies that selected **Yes** above, provide the date of your organization's last annual single audit, performed by an independent auditor (in accordance with the Single Audit Act Amendments of 1996 and OMB Circular A-133).

Enter the date of your last annual single audit:

9/30/2007

Equal Employment Opportunity Plan (EEOP)

Type I Entity: Defined as an applicant that meets one or more of the following criteria:

- the applicant has less than 50 employees;
- the applicant is a non-profit organization;
- the applicant is a medical institution;
- the applicant is an Indian tribe;
- the applicant is an educational institution, or
- the applicant is receiving a single award of less than \$25,000.

Requirements for a Type I Entity:

- The applicant is not required to prepare an EEOP because it is a Type I Entity as defined above, pursuant to 28 CFR 42.302; and
- the applicant will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services.

Type II Entity: Defined as an applicant that meets the following criteria:

Last Updated 02-27-09 at 11:30am

- the applicant has 50 or more employees, and
- the applicant is receiving a single award of \$25,000 or more, but less than \$500,000.

Requirements for a Type II Entity: Federal law requires a Type II Entity to formulate an EEOP and keep it on file.

- The applicant agency is required to formulate an EEOP in accordance with 28 CFR 42.301, et seq., subpart E;
- the EEOP is required to be formulated and signed into effect within the past two years by the proper authority;
- the EEOP is available for review by the public and employees or for review or audit by officials of CJD, CJD's designee, or the Office of Civil Rights, Office of Justice Programs, U.S. Department of Justice, as required by relevant laws and regulations;
- the applicant will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services; and
- the EEOP is required to be on file in the office of (enter the name and address where the EEOP is filed below):

Enter the name of the person responsible for the EEOP and the address of the office where the EEOP is filed:

Type III Entity: Defined as an applicant that is NOT a Type I or Type II Entity.

Requirements for a Type III Entity: Federal law requires a Type III Entity to formulate an EEOP and submit it for approval to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice.

- The EEOP is required to be formulated and signed into effect within the past two years by the proper authority;
- the EEOP has been submitted to the Office of Civil Rights (OCR), Office of Justice Programs, U.S. Department of Justice and has been approved by the OCR, or it will be submitted to the OCR for approval upon award of the grant, as required by relevant laws and regulations; and
- the applicant will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services.

Based on the definitions and requirements above, the applicant agency certifies to the following entity type:

Select the appropriate response:

- Type I Entity
- Type II Entity
- Type III Entity

Debarment

Each applicant agency will certify that it and its principles:

- Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal Court, or voluntarily excluded from participation in this transaction by any federal department or agency;
- Have not within a three-year period preceding this application 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; or
- 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 section 1.2(a) In the Certification and Assurances document cited above in the **Introduction**; and have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default.

Select the appropriate response:

- I Certify
- Unable to Certify

If you selected **Unable to Certify** above, please provide an explanation as to why the applicant agency cannot certify the statements.

Enter the debarment justification:

Fiscal Capability Information

Introduction

This **Fiscal Capability** section of the application collects information from nonprofit corporations applying for CJD grant funds.

Note: If you are NOT a nonprofit corporation, this information is not applicable; therefore, the 'Printer Friendly' version will be blank for all information collected in the Fiscal Capability section.

Click on the **Save and Continue** button at any time to save the information entered on this page. If you do not click on this button and navigate away from the page, your work will be lost. When you click the **Save and Continue** button, you may receive several error messages that instruct you to complete the required fields. Your data on any given tab will not save to the system until all required fields are complete and correct.

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Organizational Information

Enter the Year in which the Corporation was Founded:

Enter the Date that the IRS Letter Granted 501(c)(3) Tax Exemption Status:

Enter the Employer Identification Number Assigned by the IRS:

Enter the Charter Number assigned by the Texas Secretary of State:

Accounting System

The grantee organization must incorporate an accounting system that will track direct and indirect costs for the organization (general ledger) as well as direct and indirect costs by project (project ledger). The grantee must establish a time and effort system to track personnel costs by project. This should be reported on an hourly basis, or in increments of an hour.

Is there a list of your organization's accounts identified by a specific number (i.e., a general ledger of accounts).

Select the appropriate response:

- Yes
- No

Does the accounting system include a project ledger to record expenditures for each Program by required budget cost categories?

Select the appropriate response:

- Yes
- No

Is there a timekeeping system that allows for grant personnel to identify activity and requires signatures by the employee and his or her supervisor?

Select the appropriate response:

- Yes
- No

If you answered 'No' to any question above in the Accounting System section, in the space provided below explain what action will be taken to ensure accountability.

Enter your explanation:

Financial Capability

Grant agencies should prepare annual financial statements. At a minimum, current internal balance sheet and income statements are required. A balance sheet is a statement of financial position for a grant agency disclosing assets, liabilities, and retained earnings at a given point in time. An income statement is a summary of revenue and expenses for a grant agency during a fiscal year.

Has the grant agency undergone an independent audit?

Select the appropriate response:

- Yes
- No

Does the organization prepare financial statements at least annually?

Select the appropriate response:

- Yes
- No

According to the organization's most recent Audit or Balance Sheet, are the current total assets greater than the liabilities?

Select the appropriate response:

- Yes
- No

If you selected 'No' to any question above under the Financial Capability section, in the space provided below explain what action will be taken to ensure accountability.

Enter your explanation:

Budgetary Controls

Grant agencies should establish a system to track expenditures against budget and / or funded amounts.

Are there budgetary controls in effect (e.g., comparison of budget with actual expenditures on a monthly basis) to include drawing down grant funds in excess of:

a) Total funds authorized on the Statement of Grant Award?

- Yes
- No

b) Total funds available for any budget category as stipulated on the Statement of Grant Award?

- Yes
- No

If you selected 'No' to any question above under the Budgetary Controls section, in the space provided below please explain what action will be taken to ensure accountability.

Enter your explanation:

Internal Controls

Grant agencies must safeguard cash receipts, disbursements, and ensure a segregation of duties exist. For example, one person should not have authorization to sign checks and make deposits.

Are accounting entries supported by appropriate documentation (e.g., purchase orders, vouchers, receipts, invoices)?

Select the appropriate response:

- Yes
- No

Is there separation of responsibility in the receipt, payment, and recording of costs?

Select the appropriate response:

- Yes
- No

If you selected 'No' to any question above under the Internal Controls section, in the space provided below please explain what action will be taken to ensure accountability.

Enter your explanation:

Budget Details Information

Introduction






This **Budget** section of your application details budget line items for your proposed project. To create a new budget line item, click on the icon in the **New Budget Item** column. You will be directed to a different area on this page to make selections specific to the budget category. After making your selection, write a brief description of the line item in the **Expenditure Description** box and enter the amount of CJD funds, Cash Match, and if applicable, In Kind Match in the areas provided. In the percentage box, you can enter a percentage for Personnel or number of items to be purchased for Supplies and/or Equipment. When you have finished, click on the **Add New Budget Line Item** button. Repeat this process for each budget line item needed in each budget category. If you need to edit your entries, click on the '+' icon to expand the budget grid. You will notice that a *pencil* icon will display after expanding the grid. Click on the *pencil* icon to be directed to the editing section on this page and follow the instructions in this area to complete your edits.

Click on the **Save and Continue** button at any time to save the information entered on this page. If you do not click on this button and navigate away from the page, your work will be lost. When you click the **Save and Continue** button, you may receive several error messages that instruct you to complete the required fields. Your data on any given tab will not save to the system until all required fields are complete and correct.

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Getting Started

On this tab you will notice certain icons that are displayed.

-  = a **plus** icon – click on this icon to expand a list of items.
-  = a **minus** icon – click on this icon to collapse a list of items.
-  = a **new** icon – click on this icon to add a new item.
-  = a **pencil** icon - click on this icon to edit your selections.
-  = an **information** icon - this help icon is next to certain items that may need further explanation. Simply click and review the information provided in the pop up window.

Budget Information by Budget Line Item:

CATEGORY	SUB CATEGORY	DESCRIPTION	CJD	CASH MATCH	IN-KIND MATCH	GPI	TOTAL	UNIT/%
Contractual and Professional Services	Substance Abuse-Related Case Management, Counseling, Outpatient, and/or Treatment Services	Additional description: This will provide at risk youth with one hour of counseling a week @ \$65 an hour for 2 weeks. The program will serve approximately 11 youth at a time over this 12 week time-frame and the department will have four 12 week sessions to serve 44 youth.	\$35,000.00	\$0.00	\$0.00	\$0.00	\$35,000.00	0

Source of Match Information

Introduction

The **Source of Match** section of your application collects information regarding the source and amount of **Cash Match** and **In Kind Match**. Please enter the description and amounts of match in the spaces provided below and select whether the item is 'Cash Match' or 'In-Kind Match'. After entering an item click on the **Add New Item** button. When an item has been added, it will appear in the 'Edit the Source(s) of Match Reported' table. You may edit each of the items added to this table by clicking on the 'pencil' icon. If you edited an item in the table, click on the 'diskette' icon to save your edited entries.



For further information regarding matching funds refer to *1 TAC*, §3.3; for program income refer to *1 TAC*, §3.73 and §3.87.

Click on the **Save and Continue** button at any time to save the information entered on this page. If you do not click on this button and navigate away from the page, your work will be lost. When you click the **Save and Continue** button, you may receive several error messages that instruct you to complete the required fields. Your data on any given tab will not save to the system until all required fields are complete and correct.

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Getting Started

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-  = an **information** icon - this help icon is next to certain items that may need further explanation. Simply click and review the information provided in the pop up window.

Detail Source of Match/GPI:

DESCRIPTION	MATCH TYPE	AMOUNT
-------------	------------	--------

Summary Source of Match/GPI:

Total Report	Cash Match	In Kind	GPI Federal Share	GPI State Share
--------------	------------	---------	-------------------	-----------------

Last Updated 02-27-09 at 11:30am				
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Budget Summary Information

Budget Summary Information by Budget Category:

CATEGORY	CJD	CASH MATCH	IN-KIND MATCH	GPI	TOTAL
Contractual and Professional Services	\$35,000.00	\$0.00	\$0.00	\$0.00	\$35,000.00

Budget Grand Total Information:

CJD	CASH MATCH	IN-KIND MATCH	GPI	TOTAL
\$35,000.00	\$0.00	\$0.00	\$0.00	\$35,000.00

Condition Of Fundings Information

DESCRIPTION	CREATED	MET	HOLD FUND
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You are logged in as **User Name:** GrantWriter

Travis County Commissioners Court Agenda Request

Voting Session March 2, 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 \$846,738.71, for the period of February 13, 2009 to February 19, 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)

09 FEB 24 PM 1:26
RECEIVED
COUNTY JUDGE'S OFFICE

TRAVIS COUNTY
RECOMMENDATION FOR TRANSFER OF FUNDS

DATE: March 2, 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: February 13, 2009 to February 19, 2009

REIMBURSEMENT REQUESTED FOR THIS PERIOD: \$846,738.71

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 \$846,738.71.

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
FEBRUARY 13, 2009 TO FEBRUARY 19, 2009

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

Travis County - Hospital and Self Insurance Fund (526)

Journal Entry for the Reimbursement to United Health Care

For the payment week ending: 2/19/2009

TYPE	MEMBER TYPE	TRANS_AMT
CEPO		
EE	526-1145-522.45-28	137,771.59
RD	526-1145-522.45-29	82.30
RR	526-1145-522.45-29	14,514.64
Total CEPO		\$152,368.53
EPO		
EE	526-1145-522.45-20	238,142.83
RR	526-1145-522.45-21	44,462.01
Total EPO		\$282,604.84
PPO		
EE	526-1145-522.45-25	353,242.72
RR	526-1145-522.45-26	58,522.62
Total PPO		\$411,765.34
Grand Total		\$846,738.71

RECOMMENDATION FOR TRANSFER OF FUNDS

Last Updated 02-27-09 at 11:00 am

DATE: March 2, 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: February 13, 2009
 TO: February 19, 2009

REIMBURSEMENT REQUESTED:

\$ 846,738.71

SUPPORTING DETAIL FOR REIMBURSEMENT REQUESTED:

NOTIFICATION OF AMOUNT OF REQUEST FROM UHC*:	\$ 1,258,507.94
LESS: REIMBURSEMENTS PREVIOUSLY APPROVED BY COMMISSIONERS COURT: February 24, 2009	\$ (411,769.22)
Adjust to balance per UHC	\$ 0.17
TOTAL REIMBURSEMENT REQUESTED BY UHC FOR THIS WEEK**:	\$ 846,738.71
PAYMENTS DEEMED NOT REIMBURSABLE	\$ -
TRANSFER OF FUNDS REQUESTED:	\$ 846,738.71

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 \$100,933.50) 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 provider and amount billed by provider, amount billed by date and amount paid by UHC.

Fifteen percent (15%) of all claims under \$25,000 (\$114,507.94) 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 provider 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 \$93,111.67.

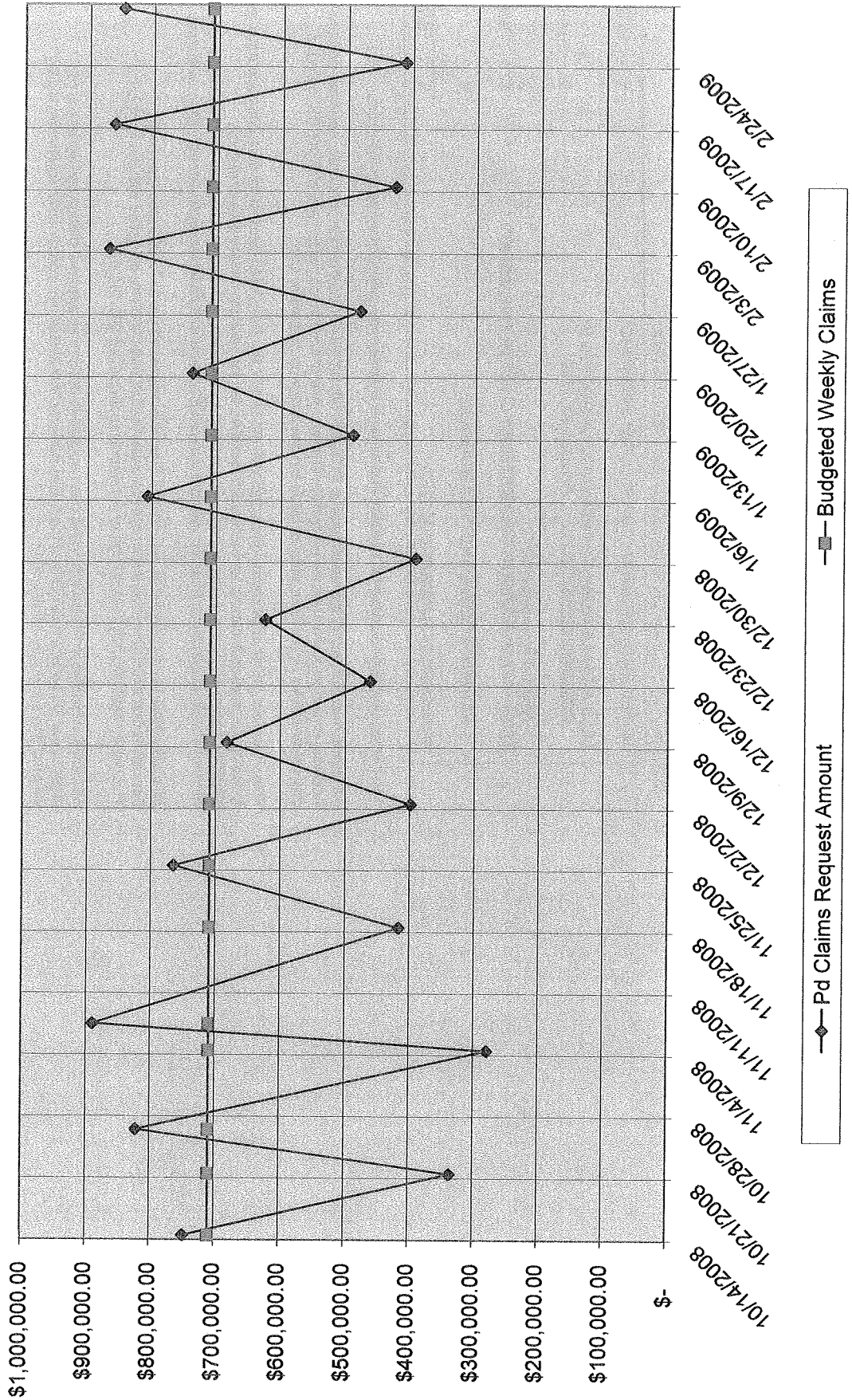
All claims submitted in this transfer have been audited to confirm accuracy of billing and legitimacy of claim under the service provisions of the health care contract and all are contractually legitimate, legally incurred and accurately billed claims.

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
 Linda Moore Smith, Director
 Date 2/23/09

Dan Mansour
 Dan Mansour, Risk Manager
 Date 2-20-09

**TRAVIS COUNTY BENEFIT PLAN
FY09 PAID CLAIMS vs WEEKLY CLAIMS BUDGET OF \$708,314.75**



TRAVIS COUNTY EMPLOYEE BENEFIT PLAN

Last Updated 10/27/2009
 FY09 WEEKLY PAID CLAIMS VS WEEKLY BUDGETED AMOUNT

Period	Voting Session Date	Pd Claims Request Amount	Budgeted Weekly Claims	# of Large Claims	Total of Large Claims
9/26/08-10/02/2008	10/14/2008	\$ 747,324.53	\$ 708,314.75	0	\$ -
10/3/08-10/09/08	10/21/2008	\$ 335,512.06	\$ 708,314.75	2	\$ 90,581.80
10/10/08-10/16/08	10/26/2008	\$ 821,392.23	\$ 708,314.75	1	\$ 27,830.00
10/17/08-10/23/08	11/4/2008	\$ 278,558.66	\$ 708,314.75	1	\$ 25,794.46
10/24/08-10/30/08	11/7/2008	\$ 889,154.23	\$ 708,314.75	3	\$ 241,152.98
10/31/08-11/06/08	11/18/2008	\$ 416,144.12	\$ 708,314.75	1	\$ 43,401.87
11/07/08-11/13/08	11/25/2008	\$ 764,495.13	\$ 708,314.75	1	\$ 25,086.80
11/14/08-11/20/08	12/2/2008	\$ 398,204.17	\$ 708,314.75	1	\$ 29,800.00
11/21/08-11/27/08	12/9/2008	\$ 681,975.72	\$ 708,314.75	0	\$ -
11/28/08-12/04/08	12/16/2008	\$ 461,401.09	\$ 708,314.75	1	\$ 52,900.00
12/05/08-12/11/08	12/23/2008	\$ 623,235.92	\$ 708,314.75	1	\$ 75,029.80
12/12/08-12/18/08	12/30/2008	\$ 391,245.55	\$ 708,314.75	1	\$ 29,333.31
12/19/08-12/25/08	1/6/2009	\$ 806,849.20	\$ 708,314.75	1	\$ 79,550.00
12/26/08-01/01/09	1/13/2009	\$ 489,510.01	\$ 708,314.75	3	\$ 231,596.70
01/02/09-01/08/09	1/20/2009	\$ 738,207.12	\$ 708,314.75	0	\$ -
01/09/09-01/15/09	1/27/2009	\$ 479,061.40	\$ 708,314.75	1	\$ 52,000.00
01/16/09-01/22/09	2/3/2009	\$ 868,256.76	\$ 708,314.75	2	\$ 122,268.15
01/23/09-01/29/09	2/10/2009	\$ 425,948.22	\$ 708,314.75	1	\$ 27,799.00
01/30/09-02/5/09	2/17/2009	\$ 859,996.86	\$ 708,314.75	1	\$ 44,068.88
02/6/09-02/12/09	2/24/2009	\$ 411,769.22	\$ 708,314.75	2	\$ 135,874.72
2/13/09-2/19/09	3/2/2009	\$ 846,738.71	\$ 708,314.75	2	\$ 100,933.50
Paid and Budgeted Claims - to date		\$ 12,734,980.91	\$ 14,874,609.75		
Amount Under Budget			\$ (2,139,628.84)		

Last Updated 02-27-09 at 11:30am

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: 2009-02-20 REQUEST AMOUNT: \$1,258,507.76

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

CALCULATION OF REQUEST AMOUNT

+ ENDING BANK ACCOUNT BALANCE FROM: 2009-02-19	\$822,172.31
- REQUIRED BALANCE TO BE MAINTAINED:	\$1,938,718.00
+ PRIOR DAY REQUEST:	\$00.00
= UNDER DEPOSIT:	\$1,116,545.69
+ CURRENT DAY NET CHARGE:	\$141,962.07
+ FUNDING ADJUSTMENTS:	\$00.00
REQUEST AMOUNT:	\$1,258,507.76

ACTIVITY FOR WORK DAY: 2009-02-16

CUST PLAN	CLAIM	NON CLAIM	NET CHARGE
0632	\$390,025.16	\$00.00	\$390,025.16
TOTAL:	\$390,025.16	\$00.00	\$390,025.16

ACTIVITY FOR WORK DAY: 2009-02-17

CUST PLAN	CLAIM	NON CLAIM	NET CHARGE
0632	\$211,728.51	\$00.00	\$211,728.51

UNITED HEALTHCARE CHECK REGISTER FOR TRAVIS COUNTY SUBMITTED 2009_02_19

CONTR_NBR	PLN_ID	TRANS_AMT	SRS_DESG_NBR	CHK_NBR	GRP_ID	CLM_ACCT_NBR	ISS_DT	TRANS_TYP_CD	TRANS_DT	WK_END_DT
701254	632	-176.65	NN	1167298	AH	8	2/19/2009	200	2/17/2009	2/19/2009
701254	632	-181.17	NN	1063733	AH	1	2/19/2009	200	2/17/2009	2/19/2009
701254	632	-182.62	NN	1891855	AH	9	2/19/2009	200	2/17/2009	2/19/2009
701254	632	-196.05	NN	1569901	A	50	2/19/2009	200	2/17/2009	2/19/2009
701254	632	-205.15	Q3	86709542	AA	1	2/12/2009	50	2/18/2009	2/19/2009
701254	632	-212.37	NN	1673886	AH	8	2/19/2009	200	2/17/2009	2/19/2009
701254	632	-220.08	UW	13815948	AE	8	2/12/2009	50	2/18/2009	2/19/2009
701254	632	-224.25	NN	1777401	AA	1	2/19/2009	200	2/17/2009	2/19/2009
701254	632	-247.6	NN	1831593	AH	8	2/19/2009	200	2/17/2009	2/19/2009
701254	632	-247.69	NN	1120201	AH	7	2/19/2009	200	2/17/2009	2/19/2009
701254	632	-515.93	NN	1120235	AE	7	2/19/2009	200	2/17/2009	2/19/2009
701254	632	-950		26	125092	AH	5	50	2/19/2009	2/19/2009
701254	632	-984		26	125455	A	2	50	2/19/2009	2/19/2009
701254	632	-1271.55		26	125479	AH	7	50	2/19/2009	2/19/2009
701254	632	-3671.32	US	85624058	AH	1	2/16/2009	50	2/20/2009	2/19/2009
701254	632	-5816.7	UV	85254002	A	2	2/14/2009	50	2/20/2009	2/19/2009
701254	632	-7105.05	UW	12905292	A	11	2/11/2009	50	2/18/2009	2/19/2009
701254	632	-8266.17		26	125327	AH	8	50	2/19/2009	2/19/2009
701254	632	-53538.35	NN	SSN0000CAL		0	2/16/2009	600	2/20/2009	2/19/2009

846,738.71

5

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

For the payment week ending: 02/19/2009

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

Travis County Commissioners Court Agenda Request

Voting Session 03/03/09
(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, 2nd Floor

• P.O. Box 1748

• Austin, Texas 78767

• (512) 854-9165 / FAX(512) 854-4203


March 3, 2009

ITEM # :

DATE: February 20, 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 – 5.

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
Criminal Justice Planning	49	Attorney VII	29 / \$94,785.00	29 / \$94,785.00
Emergency Medical Service	16	Helicopter Pilot Sr	25 / Level 1 / \$68,432.00	25 / Level 1 / \$68,432.00
Emergency Medical Service	17	Helicopter Pilot Sr	25 / Level 3 / \$72,404.80	25 / Level 3 / \$72,404.80
General Admin	2	Administrative Asst II	13 / Level 2 / \$31,262.40	13 / Level 2 / \$31,262.40
Juvenile Court	340	Juvenile Probation Ofcr I*	14 / Level 3 / \$34,403.20	14 / Level 3 / \$34,403.20
Pretrial Services	23	Office Specialist (Part-time)	10 / Level 1 / \$12,396.80	10 / Level 1 / \$12,396.80
* Temporary to Regular			** Actual vs Authorized	

TEMPORARY APPOINTMENTS					
Dept.	Slot	Position Title	Dept. Requests Grade/Salary	HRMD Recommends Grade/Salary	**Temporary Status Type Code
HHS	20028	Social Worker	17 / \$21.93	17 / \$21.93	02
HHS	20031	Caseworker	15 / \$16.72	15 / \$16.72	02
Juvenile Court	50312	Juvenile Detention Ofcr Asst	11 / \$12.39	11 / \$12.39	05
TCCES	50013	Counselor	15 / \$16.23	15 / \$16.23	05
**Temporary Status Type Codes: (Temporary less than 6 mos. = 02) (Project Worker more than 6 mos. = 05, includes Retirement Benefits).					

CAREER LADDERS – POPS						
Dept.	Slot	Current Position Title/Grade	New Position Title/Grade	Current Annual Salary	Proposed Annual Salary	Comments Current HRMD Practice
Sheriff	687	Cadet* / Grd 80	Corrections Officer* / Grd 81	\$33,750.91	\$38,737.92	Career Ladder. Peace Officer Pay Scale (POPS).
Sheriff	689	Corrections Officer* / Grd 81	Corrections Officer Sr / Grd 83	\$38,737.92	\$42,107.10	Career Ladder. Peace Officer Pay Scale (POPS).
Sheriff	763	Cadet* / Grd 80	Corrections Officer* / Grd 81	\$33,750.91	\$38,737.92	Career Ladder. Peace Officer Pay Scale (POPS).
Sheriff	833	Cadet* / Grd 80	Corrections Officer* / Grd 81	\$33,750.91	\$38,737.92	Career Ladder. Peace Officer Pay Scale (POPS).
Sheriff	858	Corrections Officer* / Grd 81	Corrections Officer Sr / Grd 83	\$38,737.92	\$42,107.10	Career Ladder. Peace Officer Pay Scale (POPS).
Sheriff	871	Cadet* / Grd 80	Corrections Officer* / Grd 81	\$33,750.91	\$38,737.92	Career Ladder. Peace Officer Pay Scale (POPS).
Sheriff	883	Cadet* / Grd 80	Corrections Officer* / Grd 81	\$33,750.91	\$38,737.92	Career Ladder. Peace Officer Pay Scale (POPS).
Sheriff	1016	Cadet* / Grd 80	Corrections Officer* / Grd 81	\$33,750.91	\$38,737.92	Career Ladder. Peace Officer Pay Scale (POPS).
Sheriff	1705	Cadet* / Grd 80	Corrections Officer* / Grd 81	\$33,750.91	\$38,737.92	Career Ladder. Peace Officer Pay Scale (POPS).
Sheriff	1737	Cadet* / Grd 80	Corrections Officer / Grd 81	\$33,750.91	\$38,737.92	Career Ladder. Peace Officer Pay Scale (POPS).
* Actual vs Authorized						

CAREER LADDERS – NON-POPS						
Dept.	Slot	Current Position Title/Grade	New Position Title/Grade	Current Annual Salary	Proposed Annual Salary	Comments Current HRMD Practice
District Atty	45	Attorney IV* / Grd 26	Attorney V / Grd 27	\$77,295.13	\$82,705.79	Career Ladder. Pay is between min and midpoint of pay grade.
* Actual vs Authorized						

PROMOTIONS / SALARY ADJUSTMENTS / LATERAL TRANSFERS / VOLUNTARY REASSIGNMENTS / TEMPORARY ASSIGNMENTS				
Dept. (From)	Slot – Position Title – Grade – Salary	Dept. (To)	Slot – Position Title – Grade – Salary	Comments
HHS	Slot 186 / Planner / Grd 18 / \$49,196.45	HHS	Slot 8 / Planner Sr / Grd 20 / \$51,604.80	Promotion. Pay is between min and midpoint of pay grade.
JP Pct 5	Slot 2 / Office Manager Sr / Grd 21 / \$65,234.79	JP Pct 5	Slot 16 / Office Manager Sr Succession / Grd 21 / \$65,234.79	Lateral transfer. Employee transferred to different slot, to Succession position, same department, same pay grade, retains current pay. Ending on 7/31/09.
Pretrial Services	Slot 7 / Pretrial Officer III / Grd 17 / \$41,244.35	Pretrial Services	Slot 79 / Pretrial Officer III / Grd 17 / \$41,244.35	Lateral transfer. Employee transferred to different slot, same position, same department, same pay grade, retains current pay.
Pretrial Services	Slot 35 / Pretrial Officer III / Grd 17 / \$40,405.45	Pretrial Services	Slot 57 / Pretrial Officer III / Grd 17 / \$40,405.45	Lateral transfer. Employee transferred to different slot, same position, same department, same pay grade, retains current pay.
Pretrial Services	Slot 48 / Pretrial Officer III / Grd 17 / \$40,408.49	Pretrial Services	Slot 80 / Pretrial Officer III / Grd 17 / \$40,408.49	Lateral transfer. Employee transferred to different slot, same position, same department, same pay grade, retains current pay.
Pretrial Services	Slot 57 / Pretrial Officer III / Grd 17 / \$42,163.83	Pretrial Services	Slot 70 / Pretrial Officer III / Grd 17 / \$42,163.83	Lateral transfer. Employee transferred to different slot, same position, same department, same pay grade, retains current pay.
Pretrial Services	Slot 70 / Pretrial Officer I* / Grd 15 / \$35,299.02	Pretrial Services	Slot 35 / Pretrial Officer I* / Grd 15 / \$35,299.02	Lateral transfer. Employee transferred to different slot, same position, same department, same pay grade, retains current pay.
Pretrial Services	Slot 79 / Pretrial Officer I* / Grd 15 / \$33,764.43	Pretrial Services	Slot 7 / Pretrial Officer I / Grd 15 / \$33,764.43	Lateral transfer. Employee transferred to different slot, same position, same department, same pay grade, retains current pay.
* Actual vs Authorized				

PROMOTIONS / SALARY ADJUSTMENTS / LATERAL TRANSFERS / VOLUNTARY REASSIGNMENTS / TEMPORARY ASSIGNMENTS				
Dept. (From)	Slot – Position Title – Grade – Salary	Dept. (To)	Slot – Position Title – Grade – Salary	Comments
Pretrial Services	Slot 80 / Pretrial Officer I* / Grd 15 / \$33,764.43	Pretrial Services	Slot 48 / Pretrial Officer I* / Grd 15 / \$33,764.43	Lateral transfer. Employee transferred to different slot, same position, same department, same pay grade, retains current pay.
Tax Collector	Slot 100 / Accountant Sr / Grd 18 / \$46,577.63	Tax Collector	Slot 100 / Accountant Sr / Grd 18 / \$51,235.40	Salary adjustment. Pay is between min and midpoint of pay grade.
TNR	Slot 123 / Equipment Operator / Grd 10 / \$31,321.89	TNR	Slot 153 / Equipment Operator Sr / Grd 11 / \$34,569.60	Promotion. Pay is between midpoint and max of pay grade.
* Actual vs Authorized				

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

TRAVIS COUNTY COMMISSIONERS COURT

Last Updated 02-27-09 at 11:30am

AGENDA REQUEST

26

March 3, 2009

Voting Session: Tuesday, February 24, 2009

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

B. Requested topic:

**CONSIDER AND TAKE APPROPRIATE ACTION ON
AMENDING CHAPTER 38, LAW LIBRARY
POLICIES.**

C. Approved by: [Signature]
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)
 - X Contract, Agreement, Policy & Procedure

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

RECEIVED



TRAVIS COUNTY
RECORDS MANAGEMENT & COMMUNICATION RESOURCES
314 West 11th Street, Suite 110 PO Box 1748 Austin, TX 78767
(512) 854-9575 Fax: 854-4560

MEMORANDUM

DATE: February 6, 2009
TO: Members of the Commissioners Court
FROM: Steven Broberg, Director of RMCR
VIA: Alicia Perez, Executive Manager
SUBJECT: Amendment to Law Library Policies, Chapter 38

Proposed Motion:

**CONSIDER AND TAKE APPROPRIATE ACTION ON
AMENDING CHAPTER 38, LAW LIBRARY POLICIES.**

Summary and Staff Recommendation:

Records Management recommends amendment of the Law Library policies to adjust the time patrons may use public access computers to 60 minutes per day and address behavior issues to maintain a safe and comfortable environment for legal research.

Budget and Fiscal Impact:

This proposal will increase the number of patrons who may equitably access the library's limited electronic resources

without requiring the purchase of additional computers or legal database licenses.

Issues and Opportunities:

Computer use

The Law Library's mission to provide access to legal research materials increasingly requires computer use. The library has only **four** public access computers and three terminal licenses for the legal research databases. Currently, no time limit is placed on the Granger computers. Increasingly, patrons spend eight hours a day on the computers, effectively blocking access for other patrons. When all four computers are in use, patrons wait not knowing when a computer will become available.

The library must balance the limited computer resource with the mission to provide access to online legal resources. To develop a solution, staff researched what other public entities are doing to resolve similar problems. The solution most commonly implemented is to limit the time a patron can use a terminal. Libraries install software that "counts down" the time remaining on the patron's computer reservation. Users are warned before their access times expire. The Austin Public Library offers two hours. The State Law Library offers both 90-minute computers and 15-minute computers depending on the need. UT libraries allow public access to its computers for one hour.

The Travis County Law Library already owns the software that can track the amount of time spent on the computer and set time limits. The software installs a little clock at the top of the screen that counts down the amount of time left. A pop-up window can open to remind patrons five minutes before the time expires.

Patrons who need the Granger computers for longer than an hour will be encouraged to allow a law librarian to assist them to select databases and focus the search terms of their query or to shift their research to books that will meet their needs without requiring computer skills. Terminals licensed for propriety databases will be reserved for research on needing database access.

Behavioral Issues

The mission of the law library is to provide access to legal research materials and a welcoming and comfortable place to do legal research. The library is an important resource for the legal community and for litigants representing themselves. Use of the library is increasing as the economy declines. Overall, patron visits are up 6 percent in the first quarter of FY09 over the same period in FY08. Use of the library's services by self-represented litigants increased 17 percent in this time and 54.6 percent over the last five fiscal years. For example, more self-represented litigants have used our program in the first three months of FY09 than for all of FY02.

Regrettably, not all patrons are prepared to adjust their behavior to ensure the library is a comfortable environment for their fellow researchers. To date, the library has contended with thefts, slashed chairs, defaced property, spitting, shaving, abandoned items, copyright violations, and entry into staff offices. A summary of incidents from the last three months is attached.

Currently, the law library's policies do not address theft, payment for printouts, abandoned belongings, or offensive behavior. Nor does the current policy address copyright

violations of the proprietary databases. The attached proposed policies attempt to address these issues and are modeled on policies of other public libraries:

- City of Austin Public Library
- The State Law Library
- The King County Law Library,
- Austin Community College Library.

Background:

Over the last three months, the library has documented these incidents:

Location	Date	Incident
Computers	January 27, 2009	Did not pay for printouts
Computers	January 26, 2009	Patron shaving chin with disposable razor
Computers	January 22, 2009	Did not pay for printouts
Computers	January 16, 2009	Eating, 3 rd reminder
Tables	January 09, 2009	Sleeping, was awakened 4 times by staff
Computers	January 8, 2008	Disturbing other patrons
Computers	January 8, 2008	Eating, 2 nd reminder
Computers	January 8, 2008	Did not pay for printouts
Computers	December 12, 2008*	Misuse of computer, ignored request to stop
Computers	December 17, 2008	Using two computers at once, not for legal research
Tables	November 26, 2008*	Belongings too big to fit under table & blocking aisle, 3 rd warning
Computers	November 20, 2008	Belongings blocking aisle

Computers	November 19, 2008*	Misuse of computer, ignored request to stop, copyright violation (copied vendor material to personal website)
Tables	November 18, 2008	Patron left items unattended on table for extended period.
Stacks	November 18, 2008	Eating
Tables	November 17, 2008	Patron created tripping hazard with extension cord.
Tables	November 7, 2008	Patron left items unattended on table for extended period.
Tables	November 5, 2008	Belongings too big to fit under table & blocking aisle, 2 nd warning
Stacks	Between November 1 and January 15	Theft of six books, replacement cost is \$1,150.

* Needed security

Required Authorization:

County Attorney's Office

Exhibits:

Order adopting amendment

Red-lined Chapter 38

Accepted Red-Line Chapter 38

ORDER OF THE TRAVIS COUNTY
COMMISSIONERS COURT
AMENDING CHAPTER 38. LAW LIBRARY

STATE OF TEXAS §
COUNTY OF TRAVIS §

Pursuant to Sections 1.0051 and 1.0052 of the Travis County Code, it is ORDERED that the Travis County Code is amended by amending Chapter 38, the Law Library policy.

Date of Order: _____

Travis County
Commissioners Court

Samuel T. Biscoe, County Judge

Ron Davis
Commissioner, Precinct 1

Sarah Eckhardt
Commissioner, Precinct 2

Karen Huber
Commissioner, Precinct 3

Margaret Gómez
Commissioner, Precinct 4

CHAPTER 38. LAW LIBRARY

- § 38.001 *General Information*
- § 38.002 *Services*
- § 38.003 *Environment*
- § 38.004 *Compliance with Laws; Violations*
- § 38.005 *Application of and Enforcement of Policy*
- § 38.006 *Posting of Library Policy*

§ 38.001 General Information

The Law Library is intended for use by persons engaged in law-related research. The purpose of this policy is to ensure that Law Library patrons are provided a pleasant atmosphere which facilitates the performance of legal research.

§ 38.002 Services

- (a) **Intent to utilize resources.** Patrons shall be engaged in activities associated with the use of a public law library while in the Law Library. Patrons not engaged in reading, studying, or using Law Library materials may be required to leave the Law Library.
- (b) **Computer use.**
 - (1) Computer research: The Law Library provides computers to aide patrons in their legal research. Use of the computers to play games, view pornography, or for other non-law related uses is not allowed and may lead to the patron being asked to leave or restricted from using the computers.
 - (2) Time allotted: Computer time is limited to one (1) hour per day in the Granger Law Library and to 15 minutes in the Courthouse Self-Help Center.
 - (3) Designated computers: Computers designated as "Lexis-dedicated" or "Westlaw-dedicated" may be used solely for the purpose of conducting legal research using those proprietary tools. Patrons who are not attorneys, legal professionals or law students may be required to have a Law Library staff assist them in accessing and using online databases and/or conducting legal research.
 - (4) Computer use log: Law Library staff may maintain an electronic log of patron use of computers and internet access. If staff reasonably believes that a patron is using a computer for any unauthorized (including any illegal) purpose, Law Library staff may review the computer's electronic log and, if unauthorized activity is confirmed, may forward the log to the appropriate law enforcement agency for legal action.
- (c) **Circulation of Materials.**
 - (1) The Law Library circulates materials to patrons who are current members of the State Bar of Texas and who present a valid membership card.
 - (2) The Law Library may discontinue circulating materials to patrons who fail to return materials.
 - (3) Materials may be checked out for three business days. Materials marked "Reference" or "Library Use Only" may not be circulated.
 - (4) Patrons who remove materials from the library without checking the materials out may be asked to leave and restricted from returning.

- (d) **Fax Services.** The Law Library takes reasonable steps to protect the confidentiality and privacy of faxes sent from the Law Library. However, if it comes to the attention of Law Library staff that a patron is sending faxes that, in the reasonable opinion of Law Library staff, are threatening in nature, the Law Library may discontinue providing the fax service to that patron permanently. All patron faxes will contain a cover sheet with this disclaimer:
- "The information contained on the attached pages, which are being transmitted by a fax machine located in a Travis County Law Library, has been prepared, assembled, and compiled by a private citizen acting in his/her own capacity, without the control, direction, endorsement, sponsorship or control of Travis County. Travis County and the Law Library staff make no representation or warranty, express or implied, or assume any legal liability or responsibility for the contents of the information contained on these pages, nor for the accuracy, completeness, usefulness, timeliness, or fitness for any particular purpose of any such information. Travis County, and its officials, agents and employees shall not be liable for any loss or injury, however arising, resulting in whole or in part from the use of any information contained in the information being transmitted or from any reliance placed thereon."
- (e) **Equipment.** Patrons shall not attempt to make repairs to Law Library computers or equipment. Patrons should instead ask staff for assistance. Patrons who use the Law Library printers will be charged \$.20 per printed page. If a patron has accumulated unpaid printing charges amounting to \$5.00 or more, the patron may be restricted from using the Law Library computers until such time as the overdue sum is paid in full.
- (f) **Telephones.** The Law Library provides a public access telephone for use by patrons. Calls shall be limited to a maximum of 10 minutes.
- (g) **Restricted Areas.** Only public areas of the Law Library may be accessed by patrons. Patrons are restricted from entering: the Book Processing Room, Law Librarian offices, the corridor connecting the Law Library to RMCR offices, the area behind the Front Desk, and Copy Rooms.

§ 38.003 Environment

- (a) **Disruptive behavior.** Patrons shall respect the rights of other patrons. Patrons shall not harass or annoy other patrons, or otherwise behave in a manner which may be reasonably expected to disturb others.
- (b) **Theft and vandalism.** Patrons shall not write in, damage, remove pages, or mark on Law Library books or other Law Library property.
- (c) **Noise.** To avoid disturbing other Law Library patrons, patrons shall observe silence except when requesting assistance from the reference desk staff. Noise and loud or profane language will not be tolerated. Patrons who need to converse must do so quietly so as not to disturb others.
- (d) **Solicitation.** Selling and solicitation are prohibited in the Law Library.
- (e) **Sleeping.** Sleeping is prohibited in the Law Library.
- (f) **Eating.** Eating is prohibited in the Law Library. Beverages are permitted except in the computer area.
- (g) **Children.** Unattended children are not allowed in the Law Library. In the event that a child is left unattended, Law Library staff shall notify the Travis County Sheriff's Office. Any adult who brings a child into the Law Library must supervise and monitor the child's behavior at all times.
- (h) **Cell phones.** Because ring tones can be loud, patrons' cell phones should be set to

“vibrate” or turned off. Any calls should be made outside the Law Library as telephone conversations may disrupt the concentration of other patrons. Patrons who receive a cell phone call should step into the hall to hold the conversation.

- (i) **Laptop computers.** Laptops may be plugged in to draw AC power. The volume on all laptops must be set to “mute.”
- (j) **Baggage.** Patrons’ personal belongings should fit neatly under the table and may not take up so much space as to deny other patrons a seating opportunity at the same table. Suitcases, bedrolls, and blankets are not permitted in the Law Library. Patrons may not leave belongings unattended for more than 15 minutes or after 5:00 p.m., or Law Library staff may remove the belongings and place them in the custody of County security personnel. Arranging for the retrieval of such belongings shall be the sole responsibility of the patron.
- (k) **Hygiene.** Any patron, as well as the personal belongings of any patron, emanating an odor (including perfume) constituting a nuisance to other patrons and detectable from more than eight (8) feet away may be asked to leave the library until the situation can be corrected. No spitting, cursing or other acts or behavior considered offensive in the reasonable opinion of Law Library staff will be permitted.
- (l) **Smoking.** No smoking or use of tobacco products is permitted in the Law Library at any time.

§38.004 Compliance with Laws; Violations

- (a) Patrons shall comply with all federal, state and local laws, rules, regulations and ordinances while in the Law Library, including without limitation:
 - (1) copyright, trademark and other intellectual property laws governing access, use, duplication, manipulation, distribution or other handling of materials located in the Law Library or materials accessed through Law Library resources;
 - (2) privacy and/or confidentiality laws applicable to electronic communications, cable and video technology and the internet; and
 - (3) laws prohibiting cybersquatting, dilution, deceptive trade practices, unfair competition, and unlawful electronic or computer information transactions.
- (b) Patrons who violate any such laws may be asked to leave the Law Library and may be restricted from returning.

§ 38.005 Application and Enforcement of Policy

Any violation of this policy may result in the responsible patron being asked to leave the Law Library until such time as the patron, in the reasonable opinion of Law Library staff, is able to demonstrate an ability and willingness to comply with this policy. Law Library staff maintains an “incident log” in which all violations of this policy are recorded. Patrons who repeatedly violate this policy may be subject to additional Law Library access restrictions and/or restrictions on use of Law Library resources.

§ 38.006 Posting of Law Library Policy

For patrons’ information and convenience, a copy of this policy shall be posted in the Law Library, on the Travis County Law Library webpage, and on the entry screens of all Law Library computers.

CHAPTER 38. LAW LIBRARY

- § 38.001 *General Information*
- § 38.002 *Services*
- § 38.003 *Environment*
- § 38.004 *Compliance with Laws; Violations*
- § 38.005 *Application of and Enforcement of Policy*
- § 38.006 *Posting of Library Policy*

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§ 38.001 General Information

The Law Library is intended for use by persons engaged in law-related research. The purpose of this policy is to ensure that Law Library patrons are provided a pleasant atmosphere which facilitates the performance of legal research.

§ 38.002 Services

(a) **Intent to utilize resources.** Patrons shall be engaged in activities associated with the use of a public law library while in the Law Library. Patrons not engaged in reading, studying, or using Law Library materials may be required to leave the Law Library.

(b) **Computer use.**

Deleted: research

(1) Computer research: The Law Library provides computers to aide patrons in their legal research. Use of the computers to play games, view pornography, or for other non-law related uses is not allowed and may lead to the patron being asked to leave or restricted from using the computers.

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(2) Time allotted: Computer time is limited to one (1) hour per day in the Granger Law Library and to 15 minutes in the Courthouse Self-Help Center.

(3) Designated computers: Computers designated as "Lexis-dedicated" or "Westlaw-dedicated" may be used solely for the purpose of conducting legal research using those proprietary tools. Patrons who are not attorneys, legal professionals, or law students may be required to have a Law Library staff assist them in accessing and using online databases and/or conducting legal research.

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(4) Computer use log: Law Library staff may maintain an electronic log of patron use of computers and internet access. If staff reasonably believes that a patron is using a computer for any unauthorized (including any illegal) purpose, Law Library staff may review the computer's electronic log and, if unauthorized activity is confirmed, may forward the log to the appropriate law enforcement agency for legal action.

(c) **Circulation of Materials.**

(1) The Law Library circulates materials to patrons who are current members of the State Bar of Texas and who present a valid membership card.

(2) The Law Library may discontinue circulating materials to patrons who fail to return materials.

(3) Materials may be checked out for three business days. Materials marked "Reference" or "Library Use Only" may not be circulated.

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(4) Patrons who remove materials from the library without checking the materials out may be asked to leave and restricted from returning.

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- (d) **Fax Services.** The Law Library takes reasonable steps to protect the confidentiality and privacy of faxes sent from the Law Library. However, if it comes to the attention of Law Library staff that a patron is sending faxes that, in the reasonable opinion of Law Library staff, are threatening in nature, the Law Library may discontinue providing the fax service to that patron permanently. All patron faxes will contain a cover sheet with this disclaimer:

"The information contained on the attached pages, which are being transmitted by a fax machine located in a Travis County Law Library, has been prepared, assembled, and compiled by a private citizen acting in his/her own capacity, without the control, direction, endorsement, sponsorship or control of Travis County. Travis County and the Law Library staff make no representation or warranty, express or implied, or assume any legal liability or responsibility for the contents of the information contained on these pages, nor for the accuracy, completeness, usefulness, timeliness, or fitness for any particular purpose of any such information. Travis County, and its officials, agents and employees shall not be liable for any loss or injury, however arising, resulting in whole or in part from the use of any information contained in the information being transmitted or from any reliance placed thereon."

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- (e) **Equipment.** Patrons shall not attempt to make repairs to Law Library computers or equipment. Patrons should instead ask staff for assistance. Patrons who use the Law Library printers will be charged \$.20 per printed page. If a patron has accumulated unpaid printing charges amounting to \$5.00 or more, the patron may be restricted from using the Law Library computers until such time as the overdue sum is paid in full.
- (f) **Telephones.** The Law Library provides a public access telephone for use by patrons. Calls shall be limited to a maximum of 10 minutes.
- (g) **Restricted Areas.** Only public areas of the Law Library may be accessed by patrons. Patrons are restricted from entering: the Book Processing Room, Law Librarian offices, the corridor connecting the Law Library to RMCR offices, the area behind the Front Desk, and Copy Rooms.

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§ 38.003 Environment

- (a) **Disruptive behavior.** Patrons shall respect the rights of other patrons. Patrons shall not harass or annoy other patrons, or otherwise behave in a manner which may be reasonably expected to disturb others.
- (b) **Theft and vandalism.** Patrons shall not write in, damage, remove pages, or mark on Law Library books or other Law Library property.
- (c) **Noise.** To avoid disturbing other Law Library patrons, patrons shall observe silence except when requesting assistance from the reference desk staff. Noise and loud or profane language will not be tolerated. Patrons who need to converse must do so quietly so as not to disturb others.
- (d) **Solicitation.** Selling and solicitation are prohibited in the Law Library.
- (e) **Sleeping.** Sleeping is prohibited in the Law Library.
- (f) **Eating.** Eating is prohibited in the Law Library. Beverages are permitted except in the computer area.
- (g) **Children.** Unattended children are not allowed in the Law Library. In the event that a child is left unattended, Law Library staff shall notify the Travis County Sheriff's Office. Any adult who brings a child into the Law Library must supervise and monitor the child's

behavior at all times.

- (h) **Cell phones.** Because ring tones can be loud, patrons' cell phones should be set to "vibrate" or turned off. Any calls should be made outside the Law Library as telephone conversations may disrupt the concentration of other patrons. Patrons who receive a cell phone call should step into the hall to hold the conversation.
- (i) **Laptop computers.** Laptops may be plugged in to draw AC power. The volume on all laptops must be set to "mute."
- (j) **Baggage.** Patrons' personal belongings should fit neatly under the table and may not take up so much space as to deny other patrons a seating opportunity at the same table. Suitcases, bedrolls, and blankets are not permitted in the Law Library. Patrons may not leave belongings unattended for more than 15 minutes or after 5:00 p.m., or Law Library staff may remove the belongings and place them in the custody of County security personnel. Arranging for the retrieval of such belongings shall be the sole responsibility of the patron.
- (k) **Hygiene.** Any patron, as well as the personal belongings of any patron, emanating an odor (including perfume) constituting a nuisance to other patrons and detectable from more than eight (8) feet away may be asked to leave the library until the situation can be corrected. No spitting, cursing or other acts or behavior considered offensive in the reasonable opinion of Law Library staff will be permitted.
- (l) **Smoking.** No smoking or use of tobacco products is permitted in the Law Library at any time.

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§38.004 Compliance with Laws; Violations

- (a) Patrons shall comply with all federal, state and local laws, rules, regulations and ordinances while in the Law Library, including without limitation:
 - (1) copyright, trademark and other intellectual property laws governing access, use, duplication, manipulation, distribution or other handling of materials located in the Law Library or materials accessed through Law Library resources;
 - (2) privacy and/or confidentiality laws applicable to electronic communications, cable and video technology and the internet; and
 - (3) laws prohibiting cybersquatting, dilution, deceptive trade practices, unfair competition, and unlawful electronic or computer information transactions.

- (b) Patrons who violate any such laws may be asked to leave the Law Library and may be restricted from returning.

§ 38.005 Application and Enforcement of Policy

Any violation of this policy may result in the responsible patron being asked to leave the Law Library until such time as the patron, in the reasonable opinion of Law Library staff, is able to demonstrate an ability and willingness to comply with this policy. Law Library staff maintains an "incident log" in which all violations of this policy are recorded. Patrons who repeatedly violate this policy may be subject to additional Law Library access restrictions and/or restrictions on use of Law Library resources.

§ 38.006 Posting of Law Library Policy

For patrons' information and convenience, a copy of this policy shall be posted in the Law

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Library, on the Travis County Law Library webpage, and on the entry screens of all Law Library computers.

TRAVIS COUNTY COMMISSIONERS COURT AGENDA REQUEST

27

Voting Session: March 3, 2009

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

B. Requested text: CONSIDER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF THE EAST SERVICE CENTER DEDICATION PLAQUE.

C. Approved by: _____
Signature of Commissioner or Judge

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

Joseph P. Gieselman, Executive Manager, TNR (49383)
Roger A. El Khoury, M.S., P.E., Director, Facilities Management Department (44579)

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

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FACILITIES MANAGEMENT DEPARTMENT

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

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

MEMORANDUM

FMD Project: ESCC-01-06C-1N

File: 101

TO: The Commissioners Court

VIA: Alicia Perez, Executive Manager Administrative Operations

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

DATE: February 24, 2009

SUBJECT: Travis County TNR East Service Center
Dedication Plaque

A handwritten signature in black ink, appearing to read "Roger A. El-Khoury", is written over the "FROM:" line of the memorandum.

Proposed Motion:

Consider and take appropriate action regarding approval of the East Service Center Dedication Plaque.

Summary and Staff Recommendation:

Facilities Management Department (FMD) recommends approval of the dedication plaque layout and description as attached. Overall dimensions are 34 inches in width and 32 inches in height. The plaque will be made of bronze. Upon approval of the layout and description, the plaque will be ordered and will be available for the dedication ceremony.

Background:

The eight structures at the Eastside Service Center will be completed and ready for occupancy in March 2009.

Budgetary and Fiscal Impact:

None – Funding included with project

Required Authorizations:

Legal: N/A
Purchasing: N/A
Budget: N/A

Exhibit:

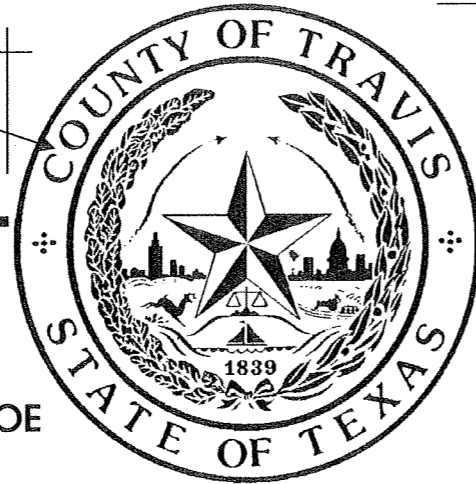
1. East Service Center Dedication Plaque

34"

13"

11"

10" Dia. Seal



5"

COMMISSIONERS COURT

COUNTY JUDGE
Honorable SAMUEL T. BISCOE

COMMISSIONER, Precinct 1
Honorable RON DAVIS

COMMISSIONER, Precinct 2
Honorable SARAH ECKHARDT

COMMISSIONER, Precinct 3
Honorable KAREN HUBER

COMMISSIONER, Precinct 4
Honorable MARGARET J. GÓMEZ

TRANSPORTATION AND NATURAL RESOURCES DEPT.
JOSEPH P. GIESELMAN, Executive Manager
DON WARD, P.E., R&B Division Director

ADMINISTRATIVE OPERATIONS OFFICE
ALICIA PEREZ, Executive Manager

FACILITIES MANAGEMENT DEPARTMENT
ROGER A. EL KHOURY, M.S., P.E., Director
Fraser Gorrell, Construction Coordinator

DEDICATED MARCH 2009

TNR EAST SERVICE CENTER

Fleet Services Building
Administration Building
Town Hall Building
Employee Assembly Building
Warehouse Building
Sign Shop Building
Covered Structures (2)

ARCHITECTS & ENGINEERS

ARCHITECT & MANAGER - CAROLYN O'HARA, AIA
Travis County Facilities Management Department

CIVIL & STRUCTURAL ENGINEER
Lockwood, Andrews, & Newman, Inc.

MECHANICAL, ELECTRICAL & PLUMBING ENGINEER
Carter and Burgess

BUILDING CONTRACTORS

STEWART BUILDERS, Inc.
TRIMBUILT CONSTRUCTION, Inc.

SITE CONTRACTORS

Segura Construction, Inc.
TNR Roads & Bridge Division

27"

NOTES:

1. Drawing is approximate but final layout should be as close as possible in size, layout and style as the drawing.
2. Submit final layout for approval and commence fabrication only upon receipt of written confirmation of approval.

**TRAVIS COUNTY
FACILITIES
MANAGEMENT
DEPARTMENT**

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

**East Service Center
Dedication Plaque**

Date: Feb 23, 2009

Scale: 3" = 12"

EXHIBIT

1

TRAVIS COUNTY COMMISSIONERS COURT AGENDA REQUEST

28

Voting Session: March 3, 2009

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

B. Requested text: CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE ROW LICENSE AGREEMENT WITH CITY OF AUSTIN FOR THE COMMUNICATIONS TRENCH TO SERVE THE 910 LAVACA BUILDING.

C. Approved by: _____
Signature of Commissioner or Judge

- II. A. Any backup material to be presented to the court must be submitted with this Agenda Request (Original and eight copies).
- B. Please list all of the agencies or officials' names and telephone numbers that might be affected by or involved with this request. Send a copy of this Agenda Request and backup to them:
Roger A. El Khoury, M.S., P.E (44579)

- III. Required Authorizations: Please check if applicable.
 - Planning and Budget Office (854-9106)
 - Additional funding for any department or for any purpose
 - Transfer of existing funds within or between any line item
 - Grant
 - Human Resources Department (854-9165)
 - Change in your department's personnel (reorganization, restructuring etc.)
 - Purchasing Office (854-9700)
 - Bid, Purchase Contract, Request for Proposal, Procurement
 - County Attorney's Office (854-9415)
 - X Contract, Agreement, Policy & Procedure

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FACILITIES MANAGEMENT DEPARTMENT

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

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

MEMORANDUM

FMD Project: RUSK-02-08R-4R

File: 101

TO: Commissioners Court

VIA: Alicia Perez, Executive Manager Administrative Operations

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

A handwritten signature in black ink, appearing to read "Roger A. El Khoury", is written over the "FROM:" line and extends to the right.

DATE: February 25, 2009

SUBJECT: ROW License Agreement for the 910 Lavaca Building.

Proposed Motion:

Consider and take appropriate action regarding the ROW license agreement with the City of Austin for the communications trench to serve the 910 Lavaca Building.

Summary and Staff Recommendation:

Occupancy of the 910 Lavaca Building (aka Rusk Building) by the County requires that communications systems be connected to the County private network. In order to do this, a trench needs to be dug in 10th Street. The City of Austin requires that the County execute a ROW license agreement with them before a permit to build the trench can be obtained. Facilities Management Department (FMD) recommends that Commissioners Court approve the ROW license agreement with the City of Austin for the communications trench to serve the 910 Lavaca Building.

Budgetary and Fiscal Impact:

Funding for the initial annual fee of \$600 for the ROW license will come from the project funds. Funding for the annual fee of \$600 in subsequent years will need to be included in the FMD operating budget.

Background:

In November 2007, Travis County purchased the property at 910 Lavaca Street. In 2008 Commissioners Court approved that the building be occupied by the Auditor's BEFIT project team.

Required Authorizations:

Last Updated 02-27-09 at 11:30am

Legal: John Hille, County Attorney's Office

Purchasing: N/A

Budget: N/A

ATTACHMENTS

1. ROW License Agreement

Voting Session 3/3/09
(Date)

I. **Request**

A. Request made by: Alicia Perez, Executive Manager Administrative Operations
Phone # 854-9343

B. Requested text:

CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE FOLLOWING PROPERTY AND LIABILITY CLAIM RECOMMENDATIONS:

A. TCSO/LIBERTY MUTUAL/FRANCISCO LOERA- SETTLE

C. Approved by:

(Signature of Commissioner 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).

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.

- Alicia Perez, 854-9343
- Sherine Thomas, 854-9415
- Susan Spataro, 854-9125
- Greg Hamilton, 854-9770

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)**

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RECOMMENDATION FOR PAYMENT

DATE: 2-24-09

COUNTY DEPARTMENT: TCSO

CLAIM NUMBER: A08372503010201 (TCSO)
A08372503013102 (3rd party property damage)
A08372503013003 (3rd party bodily injury)

THIRD PARTY CLAIMANTS Liberty Mutual a/s/o Francisco Loera
Francisco Loera

DATE OF INCIDENT: 9-15-08

LOCATION OF INCIDENT: Bell and Cypress Creek, Cedar Park

PROPERTY DAMAGES: 2007 Ford CV/unit 2833 (county unit)
2004 Honda CR-V (third party vehicle)

BODILY INJURIES : right hip/both shoulders, cervical strain

DESCRIPTION OF INCIDENT: Accident and damages were discussed with county supervisors Capt. Phyllis Clair and Sgt. Tim Martin. They advised Deputy Virgil Villarreal, driving county unit 2833, was southbound on Bell approaching the intersection of Cypress Creek, when he looked down at his Mobile Data Computer (MDC). When looked back up, he saw that the car in front of him had stopped. He applied his brakes but was unable to stop and struck the rear of the claimant's vehicle, causing major front end damage to the county's 2007 Ford CV and major rear end damage to the third party's 2004 Honda CR-V. Weather was not a factor. No injuries were reported at the scene, but the driver of the stopped vehicle, Francisco Loera, later sought medical treatment for his right hip, both shoulders and cervical strain.

CORRECTIVE ACTION: Deputy was given eight hours suspension without pay and loss of take home unit for 30 days. If applicable, employee would be assessed 4 vehicle safety points.

RECOMMENDATIONS: Sedgwick has reviewed the loss notice and claim and confirmed incident with county supervisors. We have received subrogation documentation from Liberty Mutual for the damage to the claimant's vehicle. Their total subrogation demand is \$11,149.39, which includes the original estimate of \$8,509.73, supplements of \$1,807.00 and rental expenses of \$832.66. The vehicle is a 2004 Honda CR-V EX 4 door wagon with 93,135 miles. We checked to see if the amount of repairs totaled out the vehicle, however, the actual cash value (ACV) came in at \$16,000.00. We recommend a settlement in the amount of \$11,149.39 to Liberty Mutual, a/s/o Francisco Loera.

The county unit sustained major front end damage and was towed to Smith Road. We have reviewed the repair invoice from Two Day in the amount of \$6,220.20, and towing charges of \$65.00, which appears in line. There is also a charge of \$111.00 for right side graphics.

Mr. Loera's bodily injury claim was also reviewed. Following the accident, he went to Cedar Park Regional ER for pain/injuries to his right hip, both shoulders and acute cervical strain. He was given pain medication and followed up with his physician. He went to physical therapy but continued to experience pain in his neck, right side numbness, shoulder/arm/leg weakness and right facial numbness. He underwent more physical therapy and was eventually released with home exercise. Mr. Loera is claiming lost wages in the amount of \$1,500.00; medical expenses in the amount of \$4,742.81; diminished value in the amount of \$3,150.00; and miscellaneous expenses in the amount of \$82.71 totaling \$9,475.52. Mr. Loera has agreed to a compromise settlement of his bodily injury claim in the amount of \$12,750.00. The difference of \$3,274.48 is for pain and suffering.

CLAIMS SPECIALIST: Wayne Scott

COUNTY'S RECOMMENDATIONS: The Risk and Benefits Manager has reviewed the claim submitted and concurs with the findings of the claims specialist and recommends the following:

Payments from 525-1140-522-4503:

\$11,149.39 made payable to Liberty Mutual, a/s/o Francisco Loera;
\$12,750.00 made payable to Francisco Loera and Blue Cross Blue Shield

Transfer from 525-1140-522-4511:

\$6,396.20 into 001-4952-621-5003 for repairs to county unit.

Travis County Commissioners Court Agenda Request

Meeting Date: March 3, 2009

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

B. Specific Agenda Wording:

Receive report on the NACo Prescription Discount Card from Marc Hamlin, District Clerk of Brazos County and also The Immediate Past President of the National Association of Counties.

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

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

Last Updated 02-27-09 at 11:30am

BrazosVotes.org | Contact

Site Search:

Prescription Discount Card

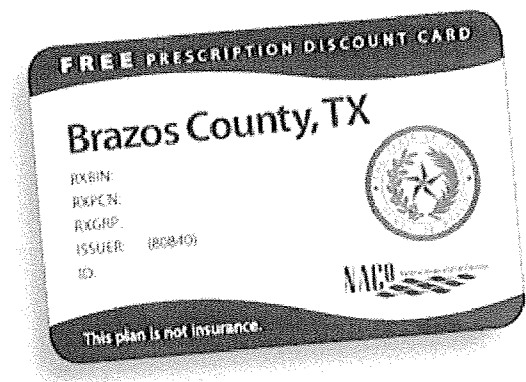
[Home](#)[Courts](#)[Departments](#)[Information](#)

Introducing the FREE Brazos County Prescription Discount Card

This program is offered in a joint effort of Brazos County and the National Association of Counties (NACo).

This card results in an average savings of 20%!

- No limits
- No age requirements - you do NOT need to be a Medicare beneficiary to enroll
- No income requirements
- Family coverage
- Use it any time your prescription is not covered by insurance



FREE enrollment for County residents

Locations

Pick up your card at these locations: [Discount Card Locations](#)

Using the Card

- 1. It's easy**
Simply present your card, provided to you in a joint effort of your local county government and the National Association of Counties (NACo), at a participating retail pharmacy and save an average of 20% on your prescription medicine. Finding a pharmacy is easy; 9 out of 10 pharmacies nationwide accept your discount card. No enrollment form, no membership fee, one card, immediate use.
- 2. No limits**
You and your family may use your prescription discount card any time your prescription is not covered by insurance. There are no restrictions and no limits on how many times you may use your card.
- 3. Savings**
Visit caremark.com/naco to look up a participating pharmacy, a price estimate for your prescription, check drug interactions, or read news articles from leading health journals. For more information, call toll-free **1-877-321-2652**.

Notes

- This is not insurance.
- Discounts are only available at participating pharmacies.

Last Updated 02-27-09 at 11:30am



Home	Prescriptions	Health Resources	Using Generics	Customer Care
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Quick Links

[Participating Counties](#)
[Refill Mail Order Prescriptions](#)
[Check Drug Cost](#)
[Locate a Pharmacy](#)
[Extra Savings on Drugs at Mail](#)
[Drug Interactions](#)
[Drug Information](#)

Welcome National Association of Counties

How it Works

Easy Simply present your card, provided to you in a joint effort of your local county government and the National Association of Counties (NACO), at a retail participating pharmacy and save an average of 20% on your prescription drugs. No enrollment form, no membership fee.

[Click here](#) to see if your county participates in this program and to find out how to obtain a card of your own. [more...](#)

FAQs

[I just received my card. Can I use it right away?](#)

Health Resources

Caremark provides comprehensive health and medical information on a wide range of topics

[Terms & Conditions](#)

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This is not insurance.

Discounts are only available at participating pharmacies.

Last Updated 02-27-09 at 11:30am

[Home](#)[Prescriptions](#)[Health Resources](#)[Using Generics](#)[Customer Care](#)

Frequently Asked Questions

I just received my card. Can I use it right away?

Yes, use your card to start saving immediately. Present your prescription discount card at a participating retail pharmacy when you fill or refill your prescriptions.

Which pharmacies accept my card?

Most major retail pharmacy chains such as Walgreens, CVS, Wal-Mart and Rite Aid accept your prescription discount card. For a complete list of participating retail pharmacies [click here](#) or call toll-free 1-800-516-1873.

How much will I save?

While savings on each prescription may vary, this program saves an average of 20 percent off of the pharmacy's regular retail prices for prescription drugs. In addition, you may save even more through mail service by choosing from our list of select medications.

What if I lose my card?

[Click here](#) to print a replacement card for you or a family member.

Can I use my card to get discounts on over-the-counter products and non-prescription medications?

Not usually. However, discounts are available for many diabetic supplies.

How is this prescription discount program different from traditional prescription insurance?

This plan is not insurance; it is a prescription discount program. The card provides immediate discounts at the pharmacy. Upon presenting your card to the pharmacist, you will pay the lower of a discounted price or the pharmacy's regular retail price.

Can I use my prescription discount card with my current insurance benefit to reduce my costs?

Your card cannot be used in conjunction with other insurance. However, you are able to use your card to purchase prescriptions that are not covered by these plans.

[Terms & Conditions](#)

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This is not insurance.

Discounts are only available at participating pharmacies.

Last Updated 02-27-09 at 11:30am



Home	Prescriptions	Health Resources	Using Generics	Customer Care
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Mail Order Direct

Purchase Drugs at Low Prices through... Mail Order Direct!

Now you can save even more when you order your prescriptions by mail. The Mail Order Direct program lets you purchase a 3-month supply of select medications for a low, fixed price through Caremark mail service pharmacy. Plus, enjoy free standard shipping and handling!

Ordering is Easy!

1. Ask your doctor to write a prescription for a 3-month supply, with as many as three refills.
2. Complete the Mail Order Direct [order form](#).
3. Find the price of the available product on the [Mail Order Direct Price List](#). (Illinois residents please add 1% sales tax. Louisiana residents will be charged sales tax, if applicable.)
4. Mail your order form, along with your prescription and payment, to:

Caremark
P.O. Box 830070
Birmingham, AL 35283-0070

We accept VISA, MasterCard, Discover or American Express. You can also pay by check or money order. Do not send cash.

5. Allow 10-14 days for delivery of your medication from the day you mail your order. Standard shipping is free. Overnight or second-day shipping is available for an additional charge. Expedited shipping only affects shipping time, not processing time of your order. On average, with expedited shipping, you will receive your medication within 7-12 days from the day you mail your order.

Enjoy FastStart Service

If you are already taking a product on the Mail Order Direct Price list, we'll even contact your doctor to obtain a new prescription for you! Simply call 1-877-673-3688 and ask for FastStart service. Please have your RxSavings Plus ID number, prescription information (including your doctor's name and phone number), shipping address and credit card information ready.

Quality Service and Safety

Each time you fill a prescription using your prescription benefit card, we check your Caremark personal drug profile (including drugs filled at local participating pharmacies) for possible drug interactions and other safety concerns. Vital information is included with every order to ensure the proper use of each drug. In addition, a pharmacist is available 24 hours a day, 7 days a week to answer any questions. Simply call the toll free number listed on your prescription label.

Convenient Refills

You can request prescription refills 24 hours a day by calling the toll-free number on your prescription label or by logging on to www.Caremark.com. All you need is your prescription number and credit card number. It's that easy!

Note: This is a discount program and not an insurance plan. Discounts are available only at Caremark mail service. Caremark may obtain manufacturer rebates on your prescription drugs. These rebates may be retained by Caremark to enable us to offer you low prices on medications through the Mail Order Direct program.

[Terms & Conditions](#)

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Quick Links

[Mail Order Form](#)

[Mail Order Direct Price List](#)

[Refill Mail Order Prescriptions](#)

This is not insurance.

Discounts are only available at participating pharmacies.

Last Updated 02-27-09 at 11:30am

Josie Zavala - NACo Prescription Discount Card

From: Katie Welsh <kwelsh@co.brazos.tx.us>
To: <josie.zavala@co.travis.tx.us>
Date: 2/24/2009 5:06 PM
Subject: NACo Prescription Discount Card

Josie,

I just spoke with Marc Hamlin, and he confirmed that March 3rd at 9:00am will work just fine! He also wanted me to correct the description that I had previously told you to put on the agenda. He would like it to say, "NACo Prescription Discount Card, Presented by Marc Hamlin, District Clerk of Brazos County and also The Immediate past President of the National Association of Counties"

Also, the website for more information is <http://www.co.brazos.tx.us/information/prescription.php> and there are a few attachment to this email. If you need anything else, please let me know! Thank you so much, and look forward to meet you!

Katie L Welsh
District Clerk's Office
Brazos County, Texas
300 East 26th Street, Suite 216
Bryan, Texas 77803

Travis County Commissioners Court Agenda Request

Meeting Date: March 3, 2009

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

B. Specific Agenda Wording:

NOTIFY COMMISSIONERS COURT AND COUNTY DEPARTMENTS OF THE TEXAS ASSOCIATION OF COUNTIES LEADERSHIP FOUNDATION 2009 COUNTY BEST PRACTICES AWARDS CALL FOR NOMINATIONS.

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

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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.



SAMUEL T. BISCOE
COUNTY JUDGE

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

MEMORANDUM

**TO: Commissioners Court
 Elected/Appointed Officials
 Managers**

FROM: Samuel T. Biscoe

DATE: February 23, 2009

**RE: 2009 County Best Practice Awards Call for
 Nominations**

The Texas Association of Counties Leadership Foundation has issued a call for nominations for Travis County programs/projects that highlight high quality and innovation in county government. Attached are the eligibility requirements and nomination forms.

TEXAS ASSOCIATION of COUNTIES

Last Updated: 02-27-09 at 11:30am

1210 San Antonio • Austin, TX 78701



RECEIVED
COUNTY JUDGES OFFICE
P.O. Box 2131 • Austin, TX, 78768-2131

08 OCT 16 PM 12:23

Karen Ann Norris, Executive Director

MEMORANDUM

TO: Texas County Judges

FROM: Carol Autry, Board Chair *CA*
TAC Leadership Foundation

DATE: October 15, 2008

RE: 2009 County Best Practice Awards Call for Nominations

Texas county officials, such as yourself, and their staff work hard to serve their counties, and they do great things along the way. The Texas Association of Counties Leadership Foundation Board believes those efforts need to be recognized, highlighted, and awarded, and so created the County Best Practices Awards Program.

2008 was a great year for the Awards Program. Twenty-four awards were given to seventeen counties from across the state, and videos of these awarded programs are now available on the TAC web site for all to view and use as models by other counties. Awards were given for programs that were innovative, or showed outstanding achievement, or exemplary delivery of services in categories such as health and human services, technology, public safety and corrections, finance and general management, and community improvement. Awardees were honored guests at the President's Reception held at the TAC Annual Conference in August, and their awards are being presented locally this fall during a commissioners court meeting in each county. Press releases are prepared for them by TAC and distributed within each county as well.

A couple of nomination forms are enclosed for your convenience. I invite you to distribute these within your county, and encourage your program/projects directors to share their success stories with us so we can, hopefully, highlight them for recognition in your county, at the TAC Annual Conference, and on our Web site. An online nomination form and tutorial for preparing the form are available on the TAC Web site at www.county.org/cms/leader/practices.asp. **The deadline for submission is April 15, 2009**, and nominations should be sent to Kali O'Neill at TAC (PO Box 2131, Austin, TX, 78768).

I look forward to receiving your nominations.

Enclosures

2009 COUNTY BEST PRACTICES AWARDS PROGRAM

A unique awards program recognizing outstanding achievement in innovation and effective management.

The mission of the Texas Association of Counties Leadership Foundation is to build leadership capacity among Texas county officials for developing sustainable civil, livable, healthy, and economically viable communities. The Foundation focuses on developing leadership skills, strategic policy planning and disseminating best practices.

The Leadership Foundation, through its County Best Practices Awards program, each year recognizes and highlights county programs and initiatives for outstanding innovation, achievement and delivery of services. All Texas counties are encouraged to submit nominations of programs/projects for these awards, which are non-competitive. Each nominee is evaluated individually, and awards are presented based on how well a nominee satisfies the basic criteria for each award class and category, as well as the selection committee's standards and restrictions.



TEXAS ASSOCIATION of COUNTIES
LEADERSHIP FOUNDATION

COUNTY BEST PRACTICES AWARDS PROGRAM 2009

Eligibility Standards and Restrictions

- Programs must be in full operation by the submission deadline;
- Programs must be replicable in other counties;
- Programs must have been established within the previous 36 months;
- Programs must have measurable results; and
- County officials and/or staff in their official capacities must have played a leadership role in development.

Award Classes and Criteria

INNOVATION

Awards for innovation are given to programs that demonstrate a significant level of innovation and streamlining of business procedures that benefit the county and/or public; a new method of operation or solution to a problem; and a measurable and significant increase in productivity, customer service and/or cost savings for the county.

ACHIEVEMENT

Awards for achievement are given to programs that demonstrate performance that resulted in a landmark policy; program or legislative changes in support of county operations; outstanding county leadership in fostering partnerships in the community and other levels of government to maximize resources; and a one-time heroic or extraordinary performance that produced tremendous benefits for the county and the public.

SERVICE

Awards for service are given to programs that demonstrate the implementation of a process or program that significantly improves public access and/or use of county service, is not necessarily high-tech or expensive, and focuses on providing services beyond established performance standards.

Categories

PUBLIC SAFETY & CORRECTIONS

This category focuses on programs related to law enforcement, jail operations, juvenile probation, crime prevention, etc.

HEALTH & HUMAN SERVICES

This category focuses on programs related to youth and family service, employment services, health programs, county hospitals, etc.

FINANCIAL/GENERAL MANAGEMENT

This category focuses on programs related to strategic planning, and financial management and reporting.

TECHNOLOGY

This category focuses on programs related to automated processes and services, Web sites, etc.

COMMUNITY IMPROVEMENT

This category focuses on programs related to parks and recreation, transportation, libraries, preservation, environment, and economic development.

Instructions for Submitting a Nomination

To be considered for a County Best Practices Award, provide specific information about each program and submit that information as a narrative with the nomination form cover sheet signed by your county judge. Complete all sections comprehensively, and write your narrative in a way that a general audience can understand what your program is about.

Samples of well-written, award-winning narratives are available on the TAC Web site at <http://www.county.org/cms/leader/practices.asp>.

TEXAS ASSOCIATION *of* COUNTIES

COUNTY BEST PRACTICES AWARDS

NOMINATION FORM

I. Program Information

County _____

Program title _____

Official/individual playing significant role _____

Award Class (check one)

Innovation

Achievement

Delivery of Services

Category (check one)

Public Safety & Corrections

Financial/General Management

Community Improvement

Health & Human Services

Technology

Other

II. Contact Information *(person to whom correspondence should be sent)*

Name _____

Title _____

Department _____

Address _____

City/State/ZIP _____

Telephone _____ Fax _____

Email _____

III. Signature of the County Judge

Name _____

Title _____

Signature _____

SECTION I—THE CHALLENGE

Discuss the reason this program/project was developed. Talk about the need, concern or problem that prompted its implementation. Provide information about the history of your program/project, and include such information as when it was first started, who started it and where it was started. Explain why your program is innovative or new in its approach to solving the need, concern or problem it was meant to solve. *(Attach additional pages as needed.)*

SECTION II—THE SOLUTION

Describe the steps taken by the county through this program/project to address the need, concern or problem mentioned in section I. Explain the objectives of the program, and provide information about how each of these objectives were met through all the stages of developing and implementing the program/project. *(Attach additional pages as needed.)*

SECTION III—THE RESULTS

Describe the results of your program/project. Specific data, such as cost savings, service enhancement, etc., or other performance-oriented information will strengthen your application. It's essential that you explain how your community and/or county operations are affected. The selection committee is required to review measurable results. Information on how your program/project could be replicated by other counties is also helpful. *(Attach additional pages as needed.)*

SECTION IV—SUMMARY

In approximately 100 words, summarize the program/project. This summary will be used for promotional purposes. Your summary must include elements of the challenge, solution and results.

Send completed nomination to:

Kali O'Neill, Texas Association of Counties

P.O. Box 2131, Austin, TX 78768

kalio@county.org or FAX: 512-478-0519

Nomination must be received by 5:00 p.m., April 15, 2009.



TEXAS ASSOCIATION *of* COUNTIES

P.O. Box 2131 • Austin, Texas 78768
512-478-8753 • 800-456-5974 • www.county.org

Travis County Commissioners Court Agenda Request

Meeting Date: March 3, 2009

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

B. Specific Agenda Wording:

NOTIFY COMMISSIONERS COURT AND COUNTY DEPARTMENTS OF THE TEXAS MUNICIPAL LEAGUE 2009 CITY-COUNTY COOPERATION AWARD, "WORKING TOGETHER FOR A BETTER COMMUNITY" CALL FOR APPLICATIONS. (JUDGE BISCOE)

C. Sponsor: _____
County Commissioner or County Judge

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

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

RECEIVED
COUNTY JUDGE'S OFFICE
09 FEB 26 AM 10:10

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.



Texas Association of Counties
1210 San Antonio Street
Austin, TX 78701
512-478-8753
www.county.org

RECEIVED
COUNTY JUDGE'S OFFICE
08 DEC -1 PM 4:02

December 10, 2008

MEMORANDUM

To: Texas Mayors and County Judges

From: Frank Sturzl
Executive Director
Texas Municipal League

Handwritten signature of Frank Sturzl in black ink.

Karen Ann Norris
Executive Director
Texas Association of Counties

Handwritten signature of Karen Ann Norris in black ink.

Subject: 2009 City-County Cooperation Award, "Working Together for a Better Community"

The City-County Cooperation Award is a joint effort to recognize cities and counties that joined together on programs to improve their communities and citizens. Please find enclosed a description of the 2009 City-County Cooperation Award and a joint application for project consideration. The deadline for entering is May 1, 2009.

We encourage you to enter this award competition.



Texas Municipal League
1821 Rutherford Lane
Suite 400
Austin, TX 78754
512-231-7400
www.tml.org

City-County Cooperation Award

2009

2009 City-County Cooperation Award

Working Together for
a Better Community





Cooperation, Collaboration, Cohesiveness

The Texas Municipal League (TML) and the Texas Association of Counties (TAC) recognize the importance of interlocal cooperation. The City-County Cooperation Award is designed to recognize Texas cities and counties that are working together to meet the challenges of local governments. Innovative problem-solving, excellence in management, increasing citizen participation, and reaching toward higher service levels are all examples of the ways cities and counties are working together.

This award seeks the best of these programs for public recognition. It is through the recognition of the best of the best that all Texas cities and counties can share and learn from these achievements. Local government in Texas is the best in the nation and deserves recognition!

The competition is designed to allow joint city-county projects to compete with other similar projects throughout the State of Texas. The award will focus on joint projects that encompass a wide variety of innovative, intergovernmental approaches to city and county government management.

City-County Cooperation Award



2009

Application Process

Last Updated 02-27-09 at 11:30am

The award is open to all members of the Texas Municipal League and the Texas Association of Counties. One nomination can be submitted for each city-county project. Entries must describe programs or projects brought to conclusion or showing significant results between **November 1, 2007, and April 30, 2009.**

To nominate a project, please submit five copies of a typed or legibly printed document providing the following required information. This document will serve as an official application:

1. Name of the city
2. Name of the county
3. Population of the city
4. Population of the county
5. Title of the project
6. Description of the project, which must answer all eight of the following questions and be limited to 1,200 words or less:
 - Why was the project needed?
 - How did the project accomplish its goal(s)?
 - Who benefited from the project?
 - What was the level of cooperation between the city and county?
 - What time and/or money were saved as a result of the project?
 - What time and/or money were spent on the project?
 - How has the project improved the quality of service and/or livability of the community?
 - What future impact will the project have on the community?
7. Signature of the chief elected or appointed official of the city
8. Printed name of the chief elected or appointed official of the city
9. Signature of the county judge
10. Printed name of the county judge
11. Contact person's name, title, phone number, and e-mail address

Additional information—artwork, brochures, photos, media clippings, videotapes, DVDs, and other similar material—may be submitted but is not necessary. Before submitting videotapes and DVDs, please check them for quality of picture and sound. All material submitted with each entry becomes the property of the Texas Municipal League and the Texas Association of Counties and will not be returned. **NOTE: All material submitted may be summarized and made available to other cities and counties.**

Award Application Deadline

All entries, including any additional material submitted, must be received in the TML office by 5:00 p.m. on Friday, May 1, 2009.

Entries can be mailed or shipped to:

TML City-County Cooperation Award Program

1821 Rutherford Lane, Suite 400

Austin, Texas 78754-5128

E-mail and fax applications will not be accepted. Entries, including additional material, will not be returned.

The Texas Municipal League and the Texas Association of Counties—as well as their staffs, officers, and Boards—will not be responsible for any lost, delayed, or misdirected award applications.

Judging Process

Entries will be screened by the staffs of TML and TAC for completeness. Any entries deemed incomplete will be excluded from consideration.

Final judging will be conducted by an independent panel of judges with considerable experience in the area of city and county government. The judging will take place in Austin and will be closed to the public.

Judges will be asked to evaluate the following aspects of each entry:

- Is the application complete, and is all the required information provided?
- Is the project innovative?
- Did the project achieve its goal(s)?
- What is the long-term value of the project?
- Can the project be adopted by others?

City-County Cooperation Award



2009

Announcement of Winners

Last Updated: 02-27-2009 at 11:30am

All winning applicants will be notified on or before June 12, 2009. The winners will be featured in a future issue of both *Texas Town & City* magazine and *County Magazine*. In addition, the winners will be recognized at: (1) the Texas Municipal League Annual Conference and Exhibition on October 20-23, 2009, in Fort Worth; (2) the Texas Association of Counties Annual Conference and Trade Show on August 24-26, 2009, in Austin; and (3) the Texas Association of Regional Councils Annual Conference (the Texas Conference on Regionalism) on September 16-18, 2009, in South Padre Island.

Additional Information

Additional information about the City-County Cooperation Award can be obtained by calling Rachael Pitts in the TML office at 512-231-7400 or Elna Christopher in the TAC office at 512-478-8753.



Travis County Commissioners Court Agenda Request

Meeting Date: March 3, 2009

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

B. Specific Agenda Wording:

APPOINT VONNYE RICE-GARDNER TO SERVE ON THE TRAVIS COUNTY HISTORICAL COMMISSION, EFFECTIVE IMMEDIATELY THROUGH JANUARY 31, 2011. (JUDGE BISCOE)

C. Sponsor: _____
County Commissioner or County Judge

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

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

RECEIVED COUNTY JUDGE'S OFFICE FEB 23 PM 3:51

III. Required Authorizations: Please check if applicable:

Planning and Budget Office (854-9106)

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

Human Resources Department (854-9165)

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

Purchasing Office (854-9700)

- Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9415)

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

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

TRAVIS COUNTY HISTORICAL COMMISSION

Membership Application/Information for Appointment

Name (First, Middle, Last): Vonnye Rice-Gardner

Address (street, city, zip-code): 1609 E. 7th St Austin TX 78702

Mailing Address (if different from above) _____

Email Address: Vonnye @ msn.com

Home Phone: 512-322-0309 Work: 512-223-5114 Cell: 512-653-3716

Travis County Precinct in which you live: 1st: _____ 2nd: _____ 3rd: _____ 4th:

Biographical Information

Employer: Austin Community College

Occupation/Position: Educator

Business Address: 3401 Webberville Rd Austin Community College Bldg 2000

Education: High School Austin High College B.A. Huston-Tillotson Graduate: M.Ed. Adm. Texas State Univ.

Degree, certificate, certifications, held: _____

Other schools, training or employment that might aid in preservation work: Archeology

Special Interests and hobbies: history

Describe any preservation work you have done or reasons why you are interested in being appointed to the Travis County Historical Commission (attach extra sheet, if required): Lifelong interest in history of Austin and Travis County. minor in history. Served on Travis County Historical Commission Served on PTA; historian Healing PTA Assisted in research 4th ward, Houston, Harris County (Yates Family)

I would like to be considered for the Travis County Historical Commission and certify that the above information is true and correct. (Please attach Non-Conflict of Interest Affidavit)

Vonnye Rice-Gardner
Signature

02-04-09
Date

NON-CONFLICT OF INTEREST AFFIDAVIT

Definition:

No County appointed official, whether paid or unpaid, shall engage in any business or transaction or shall have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his/her official duties in the public interest or would tend to impair his/her independence of judgment or action in the performance of his/her official duties."

Know All Men By These Present

Vonnys Rice-Gardner has read and understands the definition shown above as it relates to any possible conflict of interest.

The undersigned makes this affidavit as specified of interest on his/her part or on the part of any immediate family member.

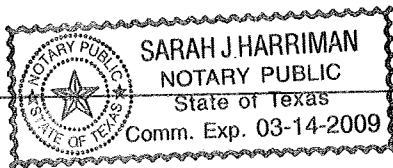
In witness thereof, the undersigned has signed and sealed this instrument on this 4 day of Feb, 20 09.

Vonnys Rice Gardner
Signature of Applicant
02-04-09
Date

Personally appeared before the undersigned, Vonnys Rice-Gardner
Who after being duly sworn, deposes and states that the facts stated in the above affidavit are true.

Sarah J. Harriman
Notary Public, Travis County, Texas

My commission expires _____



Travis County Commissioners' Court Agenda Request

Meeting Date: MARCH 3, 2009

I. A. Requestor: DEECE ECKSTEIN, IGR Phone # 854-9754

B. Specific Agenda Wording:

1. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING:

A. LEGISLATION RELATING TO HEALTH BENEFITS COVERAGE PROVIDED TO PERSONS WHO RETIRE EARLY FROM EMPLOYMENT BY CERTAIN COUNTIES OR MUNICIPALITIES;

B. UPDATE ON LEGISLATION RELATING TO JUVENILE JUSTICE ISSUES IN THE 81ST TEXAS LEGISLATURE;

C. TRAVIS COUNTY POSITION AND STRATEGY REGARDING LEGISLATION RELATING TO:

1. APPRAISAL REFORM (INCLUDING HB 2, HB 133, HB 134, HB 1038, HJR 22, HJR 36, SB 678, SB 721, and SB 771);

2. APPRAISAL CAPS (INCLUDING HB 17, HB 46, HB 127, HB 700, HB 701, HB 711, HB 1018, HB 1092, HB 1575, HJR 12, HJR 15, HJR 21, HJR 42, HJR 43, HJR 44, HJR 51, HJR 55, SB 218, SB 299, SB 700, SJR 10, and SJR 13);

3. REVENUE CAPS (INCLUDING HB 1576 and SB 402); and

4. TAX ABATEMENTS (INCLUDING HB 88, HB 703, HB 773, HB 1127, and HB 1127);

D. HOUSE BILL 1284, RELATING TO THE CREATION OF A COURT RECORD PRESERVATION FUND AND IMPOSING A FEE; and

E. SENATE BILL 555, RELATING TO INDEMNIFICATION PROVISIONS IN CONSTRUCTION CONTRACTS.

C. Sponsor: _____
County Commissioner or County Judge

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.

- 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

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

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.

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

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.

AS OF	WEEK	1	2	3	4	5	6	7	8	9	10
THURSDAY		15-Jan	22-Jan	29-Jan	5-Feb	12-Feb	19-Feb	26-Feb	5-Mar	12-Mar	19-Mar
	HBs					1,221	1,448	1,846			
	HJR s					51	57	65			
	SB s					799	936	1,115			
	SJR s					23	26	26			
TOTAL	BILLS					2,094	2,467	3,052			
TRAVIS COUNTY											
	TRACKED					571	502	538			
	ANALYZED					220	272	300			
	SUPPORT					0	21	30			
	OPPOSE					0	9	16			

AS OF	WEEK	11	12	13	14	15	16	17	18	19	20
THURSDAY		26-Mar	2-Apr	9-Apr	16-Apr	23-Apr	30-Apr	7-May	14-May	21-May	28-May
	HB s										
	HJR s										
	SB s										
	SJR s										
TOTAL	BILLS										
TRAVIS COUNTY											
	TRACKED										
	ANALYZED										
	SUPPORT										
	OPPOSE										



Intergovernmental Relations

Deece Eckstein, Coordinator

Granger Building, Suite 535

(512) 845-9754

deece.eckstein@co.travis.tx.us

LEGISLATIVE ACTION MEMO

TO: Travis County Commissioners Court

THROUGH: Deece Eckstein, Coordinator, Intergovernmental Relations

FROM: Alicia Perez, Executive Manager, Administrative 

Operations

DATE: Tuesday, March 3, 2009

RE: Agenda Item 35-A

CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS,
INCLUDING:

1. LEGISLATION RELATING TO HEALTH BENEFITS COVERAGE PROVIDED TO PERSONS WHO RETIRE EARLY FROM EMPLOYMENT BY CERTAIN COUNTIES OR MUNICIPALITIES.

SUGGESTED MOTION

[None.]

Summary and IGR Coordinator Recommendation

Commissioners Court adopted this issue as one of its legislative priorities on December 23, 2008. On February 10, 2009, the Court approved specific bill language, subject to review by the Benefits Committee.

The Benefits Committee was scheduled to consider the issue at its meeting on Monday, February 23, but was unable to do so due to time constraints. In the meantime, the County Auditor suggested alternative language for the bill.

On Tuesday, Dan Mansour forwarded the original draft language of the bill and the Auditor's alternate language to the members of the Benefits Committee along with a survey instrument. The survey was due at the close of business on Thursday, February 26, 2009.

This is obviously an important issue to County employees. We seek a full airing of this proposal and some direction from the Court.

If the Court moves forward with this idea, IGR suggests it give broad latitude to the legislative consultants in the execution of its wishes. Other bills have been filed that could be vehicles for this legislative change. Suggested wording for a motion:

That the Travis County Commissioners Court go on record in support of granting counties authority to fashion more options for health coverage for early retirees of the county.

Attachments

1. Memo from Dan Mansour to the Employee Benefits Committee, February 24, 2009.
2. Screenshot of the survey instrument provided to members of the Employee Benefits Committee, February 24, 2009.



Human Resources Management Department

1010 Lavaca

• P.O. Box 1748

• Austin, Texas 78767

• (512) 854-9165 / FAX(512) 854-9757

February 24, 2009

TO: Employee Benefits Committee

FROM: Dan Mansour, Risk and Benefits Manager

SUBJECT: Early Retirees (Non-Medicare Eligible)

A short committee meeting was scheduled for yesterday afternoon following the UHC Executive Health Summary. The meeting was to discuss Texas Local Gov. Code Chapter 175 referencing health care offered to early retirees of a county or municipality. Unfortunately we ran out of time and committee members. We are working under a tight timeline to report back to Commissions Court following their tentative approval of the original draft bill pending the Committee's comments. In lieu of calling a meeting I am asking committee members to review the attachments and submit their comments via e-mail.

ISSUE - This subject has been discussed and debated numerous times. The purpose of amending Chapter 175 is solely due to early retiree claims cost and level of contributions that now stand at \$1,170 per month, or \$14,040 annually for each early retiree. Factors affecting cost,

- Inadequate spread of risk
- Retirees eligible for three County plans exacerbate the inadequate spread of risk
- Age class of early retirees incur high per member per month costs (\$688.77 compared to \$332.16 for active employees)

Amending Chapter 175 to create options to exercise fiscal control is important as the number of early retirees increase. The options include,

- Enroll in fully insured plan specifically for early retirees
- Enroll in a pool created for early retirees
- Designate which plan retirees may enroll in when multiple plans are offered active employees

Summary and Recommendation – Much of the current language in Chapter 175 remains unchanged. Both draft bills require early retiree's coverage be comparable to those offered to active employees. Attached is the original draft bill presented to Commissioners Court, and a compromise draft bill from the Auditor's Office. The chief differences between the bills are,

- > Definition of comparable coverage (Sec. 175.0015, 1.)
- > Employee plan (Sec. 175.0015, 2.)
- > If no comparable coverage can be found retirees can select coverage from the employee health plan(s) (Sec 3 b 3)
- > Retirees may select non-comparable coverage at their discretion

The Auditor's draft bill contains valid compromise language, that with the following modification, I support,

- ✓ Evaluation of "comparable coverage" will be verified by an actuary who carries the designation of Fellow of the Society of Actuaries and Member of American Academy of Actuaries
- ✓ If comparable coverage can not be found retirees shall be eligible to enroll in a plan then offered to active employees as designated by the commissioners court or city council

Both bills are included for your review and comments. As you make comments please indicate your preference of the two bills and if the above two suggested modifications should be included. Please submit your comments, and suggestions, by close of business Thursday, February 26th. Please respond using the table and send as an attachment to this e-mail for tracking purposes. I'm available for any questions at 632-2887 or 854-9499.

Original Draft

By: _____

____.B. No. _____

A BILL TO BE ENTITLED

AN ACT

relating to health benefits coverage provided to persons who retire early from employment by certain counties or municipalities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 175, Local Government Code, is amended by adding Section 175.0015 to read as follows:

Sec. 175.0015. DEFINITION. In this chapter, "early retiree" means a person who retires from county or municipal employment before the person is eligible for federal Medicare benefits.

SECTION 2. Section 175.002, Local Government Code, is amended by amending Subsection (a) and adding Subsections (a-1) and (a-2) to read as follows:

(a) A person to whom this chapter applies is entitled to purchase continued health benefits coverage for the person and the person's dependents as provided by this chapter unless the person is eligible for group health benefits coverage through another employer. Except as provided by Subsection (a-1)

and subject to Subsection (a-2), the [The] coverage shall be provided under the group health insurance plan or group health coverage plan provided by or through the employing county or municipality to its employees.

(a-1) As an alternative to providing health benefits coverage under a group health insurance plan or group health coverage plan offered to active employees, a county or municipality may provide coverage for early retirees under:

(1) a fully insured health benefits plan or a self-insured health benefits plan that is separate from the plans offered to its active employees; or

(2) a group health insurance plan or group health coverage plan offered by a pool established under Chapter 172 or a health benefits plan issuer authorized to do business in this state and designated by the municipality or county as exclusively for early retirees.

(a-2) If a county or municipality offers more than one group health insurance plan or group health coverage plan to its active employees, the county or municipality, as applicable, may elect to offer early retirees continued coverage under only one of those plans, as selected by the county or municipality.

SECTION 3. Section 175.003(b), Local Government Code, is amended to read as follows:

(b) Except as provided by Subsections (c) and (d), the level of coverage provided under this chapter at any given time is:

(1) for persons other than early retirees, the same level of coverage provided to current employees of the county or municipality at that time; and

(2) for early retirees, a level of coverage that is comparable to the level of coverage provided to active employees of the county or municipality, as determined by the commissioners court or governing body of the municipality for each enrollment period.

SECTION 4. Section 175.005, Local Government Code, is amended to read as follows:

Sec. 175.005. DUTY TO INFORM RETIREE OF RIGHTS. (a) A county and a municipality shall provide written notice to a person to whom this chapter may apply of the person's rights under this chapter not later than the date the person retires from the county or municipality. A county or municipality may fulfill its requirements under this section by placing the written notice required by this section in a personnel manual or employee handbook that is available to all employees.

(b) At least 30 days before the date of the scheduled change, a county or municipality must provide written notice to a person whose health benefits plan is scheduled to change as a result of the county or municipality electing to provide:

(1) alternative health benefits coverage under Section 175.002(a-1); or

(2) health benefits coverage under a plan selected by the county or municipality under Section 175.002(a-2).

SECTION 5. The changes in law made by this Act to Sections 175.002 and 175.003, Local Government Code, apply to a person who retires from county or municipal employment regardless of the date on which the person retires.

SECTION 6. This Act takes effect September 1, 2009.

Auditor's Draft Bill

By: _____

____.B. No. _____

A BILL TO BE ENTITLED

relating to health benefits coverage provided to persons who retire early from employment by certain counties or municipalities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 175, Local Government Code, is amended by adding Section 175.0015 to read as follows:

Sec. 175.0015. DEFINITION. In this chapter:

1. "Comparable coverage" means the health benefits defined in the contract and summary plan description do not limit the medical and prescription choices of the person or person's health care provider in any way that is not also limited for employees.

2. "Employee plan" means a county's or municipality's group health insurance plan or group health coverage plan for employees.

SECTION 2. Section 175.002, Local Government Code, is amended by adding Subsection (e) to read as follows:

Sec. 175.002. RIGHT TO PURCHASE CONTINUED COVERAGE

(e) Coverage may be provided under a separate fully insured health plan, a separate self-insured health plan, or a designated retiree health insurance plan

or health coverage plan offered by a pool or an insurer or health maintenance organization authorized to do business in this state solely to persons to whom this chapter applies, so long as the coverage is comparable to the county's or municipality's employee plan. If the county or municipality offers a plan for a person covered by this chapter that is not comparable to the county's or municipality's employee plan, the person has a right to purchase continuing health coverage on the county's or municipality's employee plan.

SECTION 3. Sections 175.003(b) and (d), Local Government Code, are amended and a new subsection (e) is added to read as follows:

(b) Except as provided by Subsections (c) and (d), the level of coverage provided under this chapter at any given time is:

(1) the same level of coverage provided to current employees of the county or municipality at ~~that~~ the time of coverage; or

(2) comparable coverage as defined in this chapter; or

(3) non-comparable coverage, so long as the non-comparable coverage is a voluntary selection by the person, and offered in addition to and not in lieu of coverage under (b)(1).

(d) The person may elect to continue coverage at a reduced level: on plans ~~if~~ offered by the county or municipality to persons covered under this chapter, including coverage on plans that are not the county's or municipality's employee plan.

(e) Nothing in this section shall be construed as to create an obligation for the county to fund retiree benefits in whole or in part; or if funded in any year, to continue such funding beyond the fiscal year in which the funded benefit was approved.

SECTION 4. The changes in law made by this Act to Sections 175.002 and 175.003, Local Government Code, apply only to a person who leaves county or municipal employment on or after September 1, 2009.

SECTION 5. This Act takes effect September 1, 2009.

Last Updated 02-27-09 at 11:30am

Advocacy Workshop Survey

[Exit this survey](#)

1. Default Section

This survey is to receive committee member comments on modifying Local Gov. Code Chapter 175 regarding early retiree health care

* 1. After review of the two draft bills which is your recommend choice

- Original Draft Bill
- Auditor's Draft Bill
- Other (please specify)

* 2. If you selected the Auditor's draft bill please answer this question.

After review of the two suggested modifications to the Auditor's bill do you feel they should be made

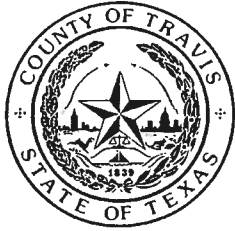
- The first modification should be included
- The second modification should be included
- Neither modification should be included

Comment

3. Please provide your comments and suggestions:

4. List any section from either draft bill that you recommend be excluded from the draft bill(s)

Done



Intergovernmental Relations

Deece Eckstein, Coordinator

Granger Building, Suite 535

(512) 845-9754

deece.eckstein@co.travis.tx.us

LEGISLATIVE ACTION MEMO

TO: Travis County Commissioners Court

THROUGH: Deece Eckstein, Coordinator, Intergovernmental Relations

FROM: Estela P. Medina, Chief Juvenile Probation Officer

Roger Jefferies, Executive Manager, Justice and Public
Safety

DATE: Tuesday, March 3, 2009

RE: Agenda Item 35-B

CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS,
INCLUDING:

- B. UPDATE ON LEGISLATION RELATING TO JUVENILE JUSTICE ISSUES IN
THE 81ST TEXAS LEGISLATURE

SUGGESTED MOTION

[None.]

Summary and IGR Coordinator Recommendation

In anticipation of a discussion in the March 3rd session of the Travis County Commissioners Court on juvenile justice issues before the state legislature, specifically the impact of a restructuring of the Texas Youth Commission, please see below summary information on the Sunset Commission's report on the Texas Youth Commission, the Juvenile Probation Commission, and the Office of the Independent

Ombudsman. Also included are facts about each agency as well as facts on the Travis County Probation Department.

Texas Youth Commission/Texas Juvenile Probation Commission
Summary of Recommendations by the Sunset Commission

The Texas Legislature initiated a series of reforms in 2007 targeting the Texas Youth Commission (TYC). These reforms came about as a result of allegations of abuse in TYC facilities and general agency mismanagement.

During this period, the Texas Sunset Commission conducted their scheduled review of both the TYC and the Texas Juvenile Probation Commission (TJPC) and made several recommendations.

Among the issues they identified are:

1. Texas' juvenile justice agencies, services, and funding need a major restructuring to ensure an effective continuum of treatment and sanctions for youthful offenders.

To address this issue they recommended:

- Abolishing TYC and TJPC and transfer their functions to a newly created state agency, the Texas Juvenile Justice Department, headed by an 11-member board with a sunset date of 2015.
 - Modifying state funding for probation services by consolidating funding streams, considering past performance in awarding grants, and establishing a pilot program to encourage counties to keep lower risk offenders in their communities.
 - Requiring the new agency to develop a comprehensive five-year Juvenile Justice Improvement Plan, with annual implementation updates, to better integrate state and county juvenile justice functions and to address other critical state-level reforms.
2. The Office of the Independent Ombudsman and the New Texas Juvenile Justice Department need clearer guidelines to ensure effective interaction.

For this issue they recommended:

- Requiring the new Texas Juvenile Justice Department and Office of the Independent Ombudsman to jointly develop and adopt rules outlining procedures for the Department to review and comment on OIO's draft reports and to formally respond to OIO's published reports.
 - Requiring the new Department and OIO to adopt a memorandum of understanding outlining how the agencies should communicate in areas of overlapping responsibilities.
 - Require that the OIO undergo a Sunset review during the same period as the Department.
3. A small number of non-secure residential facilities, used exclusively by counties for placing youth on probation, are not licensed or monitored by any state agency.

For this issue they recommended:

- Requiring the new Texas Juvenile Justice Department to regulate all public and private non-secure correctional facilities that accept only youth on probation.
 - Requiring the new Department to establish certification standards for employees who work in non-secure correctional facilities that accept only youth on probation.
 - Requiring a local juvenile board to annually inspect any non-secure correctional facility in its jurisdiction used only for youth on probation, and certify the facility's suitability with the Texas Juvenile Justice Department.
4. Elements of TJJC's Officer Certification Program do not conform to commonly applied licensing practices.

For this issue, they recommended:

- Standardizing juvenile probation and detention officer certification functions by authorizing continuing education.
- Improving the State's ability to protect youth on probation by authorizing the new Texas Juvenile Justice Department to place certified officers on probation and temporarily suspend officers' certification, and transferring disciplinary hearings to the State Office of Administrative Hearings.

The Sunset Commission estimated that by combining the TYC and the TJPC, the state would realize an annualized savings of \$27.7 million. The savings would be generated by elimination of duplicative administrative positions, reducing TYC central office salaries, and closing three secure facilities.

TYC Facts:

Funding in FY 2008: \$265 million (avg. cost per day per youth is \$186 for institutions, \$141 for halfway houses, and \$96 for contract care).

Staffing: 4,200, including 2,281 juvenile correction officers and 335 central office staff.

Youth offenders: In FY 2008 TYC's population decreased from 3,400 to 2,425. The median age was 16. 93% were males. 77% were in juvenile court on two or more felony offenses before being committed. Approximately 2,400 youth per day were on parole supervision.

TJPC Facts:

Funding in FY 2007: \$147.4 million, almost all to local departments to support probation services and run facilities. Funding from TJPC accounted for an average of 31 percent of local department's budgets.

Staffing: the agency has 67 positions.

Probation population in FY 2007: TJPC provided funding to local probation departments to supervise 110,895 youth, made up of 32% felonies, 58% misdemeanors, and the rest other minor offenses.

Monitoring: In FY 2007, the agency monitored 169 local probation departments and 86 facilities for compliance with health, safety, programmatic, and fiscal standards, conducting 228 on-site monitoring visits.

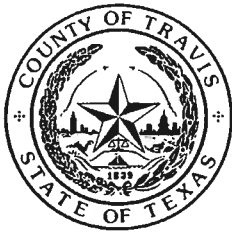
Travis County Juvenile Probation Facts:

Funding in FY 2009: \$31.6 million local.

Staffing: 423.5 FTE's

Youth offenders in FY 2008: Total referrals – 5,597; Total detained – 2,932, Avg. daily population in detention – 86; Total on regular probation – 602; Total on intensive supervision – 225.

Information above excerpted from the January 2009 Sunset Advisory Commission Report to the Legislature on the Texas Youth Commission, Texas Juvenile Probation Commission, and the Office of the Independent Ombudsman, and the Travis County FY 2009 Budget



Intergovernmental Relations

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LEGISLATIVE ACTION MEMO

TO: Travis County Commissioners Court

THROUGH: Deece Eckstein, Coordinator, Intergovernmental Relations

FROM: Rodney Rhoades, Executive Manager, PBO

DATE: February 25, 2009

RE: Legislation Related to Appraisal Caps, Revenue Caps, Sales Price Disclosure & Appraisal Process, and Tax Abatements

Recommendations

The following lists of bills give a summary of what legislation has been filed as of February 2009 in the 81st Legislature. Since this legislation is likely to change throughout the session and additional bills may be filed before March 13th, PBO does not recommend that the Commissioners Court take action on any specific bill. However there are general principles that the Court may wish to make known to the Legislature.

- Travis County supports efforts to make the homestead appraisal process more transparent, user-friendly and efficient. Efforts would include disclosing the sale price of a property when determining the appraised value.
- Travis County would support the ability to raise revenue via a sales tax, *if and only if*, the effective and rollback rate tax calculations are left unchanged. Sales tax can be regressive and volatile. See the attached slides from the City Manager's presentation to Austin's City Council showing how much sales tax may change from year to year. If Travis County had the ability to raise sales tax revenue, it would be PBO's recommendation to use it for one time expenditures.

- Travis County does not support any proposition that includes an unfunded county-wide election, which is currently estimated to cost between \$750,000 and \$800,000 according to the Travis County Clerk's Office.
- Travis County does not support limiting the county's ability to raise revenue either by reducing the rollback tax rate or reduce the maximum percentage increase on a residence homestead appraisal.

PBO will monitor the following bills and may come back to Commissioners Court at a later date if any of these bills require specific attention.

Summary of:

Legislation Related to Appraisal Caps

HB 17, HB 127, HB 700, HB 711, HB 1018, HJR 12, HJR 21, HJR 42, HJR 44, HJR 51, SB 299 & SJR 13 House & Senate Bills and Constitutional Amendments to amend the Tax Code to:

- Reduce the maximum percentage increase on a residence homestead appraisal for a tax year from 10% to 5%

Author: Various

Status: Referred to House Ways & Means Committee on February 12, 2009

HB 46 & HJR 15 House Bill & Constitutional Amendment to amend the Tax Code to:

- Allow a Commissioners Court to hold an election to reduce the maximum percentage increase on a residence homestead appraisal in a tax year no less than 3% or greater than 10%

Author: Debbie Riddle Chair of House Appropriations Subcommittee on Criminal Justice and member of the House Appropriations Committee

Status: Referred to House Ways & Means Committee on February 12, 2009

HB 701 & HJR 43 House Bill and Constitutional Amendment to amend the Tax Code to:

- Allows a person who otherwise have had an exemption, but acquires a property after January 1 of a tax year to apply for and receive an exemption under certain requirements and criteria outlined in the first 5 ½ pages of the bill; and

- Amends Chapter 326 "Municipal and County Sales and Use Tax for Property Tax Relief, to allow the calling of an election by a Municipality's governing body and/or Commissioners Court to adopt a sales tax at the rate of ½ percent to reduce their respective property tax rates. **This language appears to be similar to that in SB 402 (see below), except that it may be a Dollar-for-Dollar offset against the Property Tax Levy as opposed to a 3 % offset on the 8 % Rollback rate.**

Author: John Zerwas member of the House Appropriations Committee

Status: Referred to House Ways & Means Committee on February 19, 2009

HB 1092 & HJR 55 House Bill and Constitutional Amendment to amend the Tax Code to:

- Allow an election, either called by Commissioners Court or voter petition, to create an alternative method of homestead appraisal calculation
- This calculation would be based on a five year average increase, not the current use of one year increase.

Author: Tan Parker Vice Chair of House Technology, Economic Development & Workforce Committee

Status: Referred to House Ways & Means Committee February 12, 2009

SB 218 & SJR 10 Senate Bill and Constitutional Amendment to amend the Tax Code to:

- Reduce the maximum percentage increase on a residence homestead appraisal for a tax year from 10% to 5%
- Allow a Commissioners Court to hold an election to increase the maximum percentage increase to no more than 10%.

Author: Robert Nichols Vice Chair of Senate Intergovernmental Relations Committee and member of Senate Health & Human Services Committee

Status: Referred to Senate Finance Committee on February 11, 2009

SB 700 Senate Bill to amend the Tax Code to:

- Allow refunds of tax bills on residence homesteads retroactively 5 years on late homestead exemptions; and requires a property's market value to also include the use the property is currently used and not the highest and best potential use of the property;
- Amends Article 4 "Rollback Tax Rate and Required Election" to lower the Rollback Rate from 1.08 to 1.05 on the M&O portion of the tax rate, and it

requires the governing body of a taxing unit, other than a school district, to call an election to permit it to adopt a tax rate above the Rollback Rate, rather than the current method of requiring within 90 days a petition to hold an election from 10 percent of the registered voters of the taxing unit;

- Requires Appraisal Districts for a county of more than 500,000 population to implement a Electronic Filing of Notice of Protest (EFNP) system; and under the EFNP system property owner is allowed to appeal the Appraisal Board's decision to Small Claims Court (JP Court) as well as District Court, if the incremental amount of taxes in dispute does not exceed \$5,000; and
- The final judgment of the Small Claims Court cannot be appealed by any person.

Author: Dan Patrick Vice Chair of both the Senate Education and Senate Higher Education Committees

Status: Filed February 6, 2009

Legislation Related to Revenue Caps

SB 402 Senate Bill to amend the Tax Code to:

- Allow an election to reduce the calculation of the rollback tax rate from 1.08 to 1.05 and to substitute a .25% county or municipality-wide sales tax
- The county or municipality may go beyond the current 8.25% sales tax maximum under 323.101(b) in order to add the additional tax

Author: Kevin Eltife, Vice Chair Senate Economic Development Committee

Status: Referred to Senate Finance Committee on February 17, 2009

Legislation Related to Sales Price Disclosure and Appraisal Process

HB 2 & HJR 36 House Bill and Constitutional Amendment to the Tax Code to:

- Allow Appraisal Review Boards of adjoining two or more Appraisal Districts to Consolidate to provide for consolidated equalizations; and
- Allow Market Value of a Residence Homestead to be determined Solely on its value as a residential homestead regardless of other uses.

Author: John Otto - Vice Chair House Ways & Means Committee

Status: Referred to House Ways & Means Committee on February 12, 2009

HB 133 House Bill to amend the Property Code to:

- Require Mandatory Sales Price Disclosure for ALL property, except a timeshare interest in real property;
- Describe the Sales Price Disclosure Form (SPDF) and require the County Clerk (Clerk) to record the instrument and the Clerk can not be held liable criminally or civilly for recording of disclosing information on the form;
- Sales data from the SPDF may not be used by the Chief Appraiser as sole basis for increasing appraised value of real property; and
- A person may file suit in District Court to compel an Appraisal District to comply with the preceding requirement of the Chief Appraiser.

Authors: Mike Villareal and Joaquin Castro respectively members of the House Ways & Means and of the House County Affairs Committees

Status: Referred to House Ways & Means Committee on February 12, 2009

HB 134 & HJR 22 House Bill and Constitutional Amendment to amend the Tax Code to:

- Establish an Office of Property Appraisal (OPA) in the Comptroller's Office to be directed and controlled by the Comptroller;
- Establish in the OPA an Office of Property Tax Public Counsel (OPTPC) headed by a Property Tax Counsel, appointed by the Comptroller, to represent interests of single-family residential and small business property owners;
- Require the OPA to review Appraisal Standards, Procedures and Methodology used by an Appraisal District to determine taxable value of property in a School District under standards and criteria in the following 7 ½ pages of the Bill;
- The Comptroller shall set the standards for training and education of appraisers and regulate property tax professionals and consultants under standards and criteria in the following 3 pages of the Bill;
- The Comptroller may order the consolidation of two or more Appraisal Districts;
- Amends Articles 7, 8, 9, 10 and 11 of the Tax Code "Notice of Proposed Tax Rate" under requirements and criteria in the following 11 pages of the Bill to accommodate the significant changes related to property appraisals; and
- Sets out criteria allowing for the Deferred Collection of Taxes on an Appreciating Residence Homestead.

Author: Mike Villareal of the House Ways & Means Committee

Status: Referred to House Ways & Means Committee on February 12, 2009

HB 1038 House Bill to amend the Tax Code to:

- Require the Chief Appraiser in determining the market value of a residence homestead to not exclude from consideration residential property in the same

neighborhood, sold at foreclosure in any of three years preceding the current tax year, or has a market value that declined due to a declining economy.

Authors: Ken Paxton and John Zerwas respectively members of the House Ways & Means Committee and the House Appropriations Committee

Status: Filed on February 3, 2009

SB 678 Senate Bill to amend the Tax Code to:

- Requires the Chief Appraiser to not consider any period during which open-space land is owned by the state as a change in the use of the land.

Author: Eliot Shapleigh Vice Chair of the Senate Veteran Affairs & Military Installations Committee and Chair of the Subcommittee on Base Realignment and Closure

Status: Filed on February 3, 2009

SB 721 Senate Bill to amend the Tax Code to:

- Requires a temporary prohibition on increasing the value of a residence homestead for ad valorem tax purposes if the appraised value of the homestead for the preceding tax year, if the appraised value as determined by the Chief Appraiser was reduced by the Appraisal Board and the Board's determination was not overturned on appeal or was reduced by agreement with the Chief Appraiser.

Author: Glenn Hegar Vice Chair of the Senate Government Organization Committee and member of the Senate Natural Resources Committee

Status: Filed on February 6, 2009

SB 771 Senate Bill to amend the Tax Code to:

- Requires the Appraisal District to use all available evidence specific to a property to be taken into account in determining the property's market value; and
- Requires the Chief Appraiser in the following tax year, to not increase the appraised value of a property by a percentage that exceeds the average percentage increase in the final appraised value of the property for the preceding five years unless the increase by the Chief Appraiser is reasonably supported by substantial evidence when all the reliable and probative evidence in the record is considered.

Author: Tommy Williams Chair of the Senate Administration Committee and member of the Senate Finance Committee

Status: Filed on February 10, 2009

Legislation Related to Tax Abatements

HB 88 House Bill to amend the Tax Code to:

- Allow Dedication of Tax Increment Fund revenues to be used to be used by School Districts for construction or reconstruction of educational facilities.

Author: Armando Martinez member of the House Judiciary & Civil Jurisprudence Committee

Status: Referred to House Ways & Means Committee on February 12, 2009

HB 703 House Bill to amend the Tax Code to:

- Allow a school district(s) within very narrow parameters to enter into agreements under the Texas Economic Development Act.

Author: Joe Heflin member of the House Agriculture & Livestock Committee

Status: Filed on January 21, 2009

HB 773 House Bill to amend the Tax Code to:

- Extend the expiration date of the Property Redevelopment and Tax Abatement Act from September 1, 2009, to September 1, 2021.

Author: Rene Oliveira Chair of the House Ways & Means Committee

Status: Filed January 26, 2009

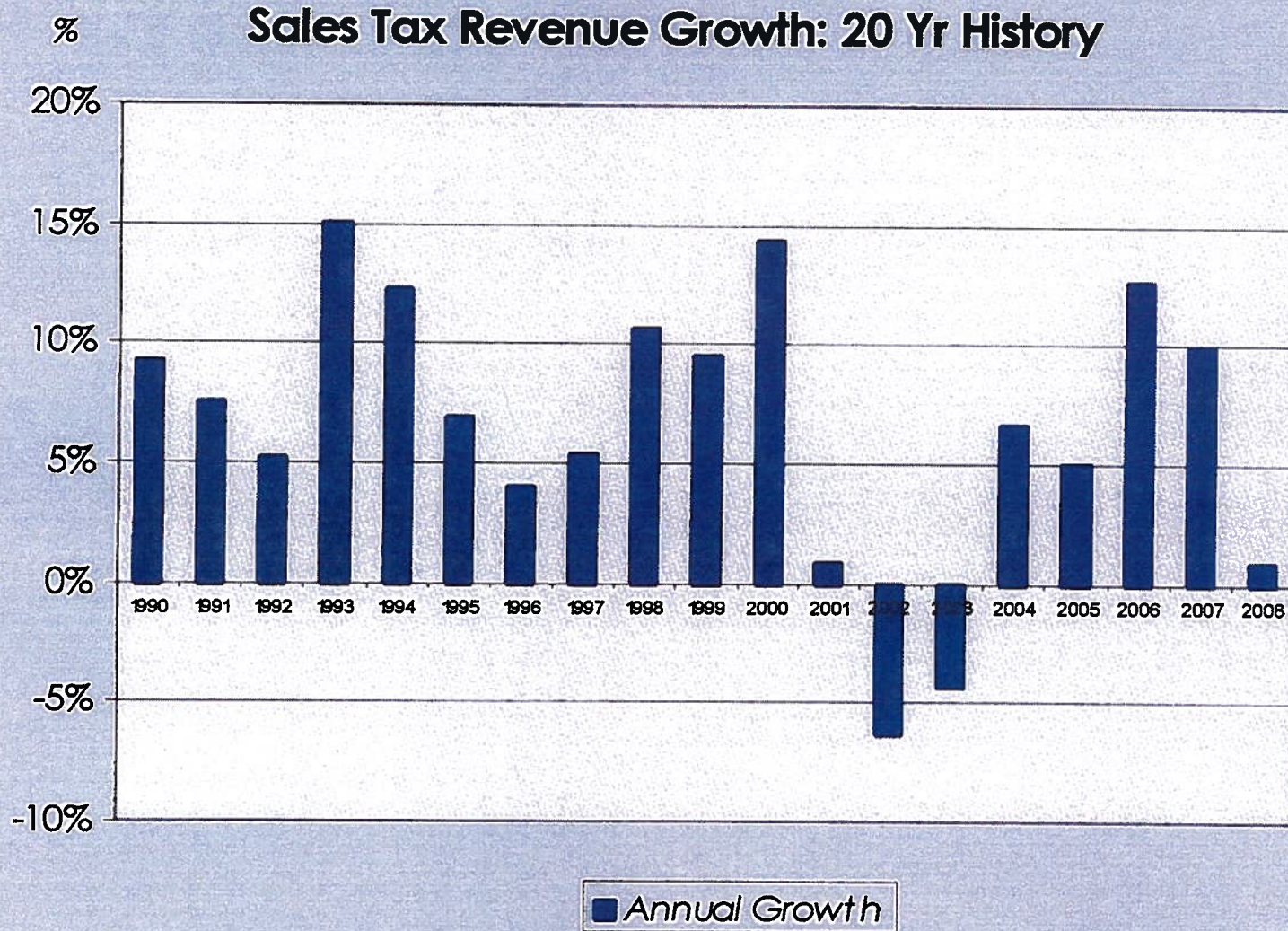
HB 1127 House Bill to amend the Tax Code to:

- Allow a Commissioners Court to execute a Tax Abatement Agreement with the lessee of taxable real property, or the owner of taxable tangible personal property, or both in a reinvestment zone under Section 312.402 (County Tax Abatement Agreements).

Author: Joe Heflin member of the House Agriculture & Livestock Committee

Status: Filed on February 9, 2009

FY09 General Fund Revenue: Sales Tax



FY09 General Fund Revenue: Sales Tax

Sales Tax

- \$160.1 million assumed in budget
 - 26% of General Fund revenue
 - Budget based on projection of 3% growth
 - Well below 15 year average growth of 6.0%
- FY09 Sales Tax
 - Year-To-Date revenue is down 4.0%
 - February payment (due this week) is for December sales – holiday season, quarterly & annual remittances
 - 4 consecutive months of declining revenue
 - FY09 collections are estimated to be 6% below FY08 actual collections

\$15.6 million shortfall projected



Intergovernmental Relations

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LEGISLATIVE ACTION MEMO

TO: Travis County Commissioners Court

THROUGH: Deece Eckstein, Coordinator, Intergovernmental Relations

FROM: Alicia Perez, Executive Manager, Admin. Ops. 

DATE: Tuesday, March 3, 2009

RE: Agenda Item # 35-D -- Court Record Preservation Fund
and Fee

SUGGESTED MOTION

That the Travis County Commissioners Court go on record in support of legislation creating a \$10 Court Record Preservation Fee payable by all convicted criminal defendants and used only to digitize court records and preserve them from natural disasters.

Summary and IGR Coordinator Recommendation

House Bill 1284 would add a \$10 fee to court costs paid by criminals convicted in County and District Courts. This fee revenue would fund digitization of court records and preservation of records from natural disasters in the county and district courts.

Issues and Opportunities

When the operation of County and District Courts are interrupted by natural disasters like hurricanes, some counties find themselves unprepared for disaster recovery. By mandating the establishment of a

dedicated fund specifically for digital imaging of court records, this law aims to maintain the continuity of record-keeping for judicial operations. The fund established by this fee would be administered by or under the direction of the Commissioners Court.

Background

This bill was introduced by Representative Craig Eiland of Galveston, and is similar to another bill filed this session, Senate Bill 925, that would apply only to Galveston County.

Budgetary and Fiscal Impact

Once established, this fee could generate more than \$70,000 annually for a new Travis County and District Courts Technology Fund.

Attachments

1. House Bill 1284, 81st Texas Legislature, filed version, February 16, 2009.

81R6463 GCB-D

By: Eiland

H.B. No. 1284

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a court record preservation fund;
imposing a fee.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 102, Code of Criminal Procedure, is amended by adding Article 102.0051 to read as follows:

Art. 102.0051. COURT COSTS; COURT RECORD PRESERVATION FUND.

(a) A defendant convicted of a criminal offense in a county court, statutory county court, or district court shall pay a court record preservation fee not to exceed \$10 as a cost of court.

(b) In this article, a person is considered convicted if:

(1) a sentence is imposed on the person;

(2) the person receives community supervision, including deferred adjudication community supervision; or

(3) the court defers final disposition of the person's case.

(c) The clerks of the courts described by Subsection (a) shall collect the costs and pay them to the county treasurer or to any other official who discharges the duties commonly delegated to the county treasurer, as appropriate, for deposit in a fund to be

H.B. No. 1284

known as the court record preservation fund.

(d) A fund designated by this article may be used only to digitize court records and preserve the records from natural disasters.

(e) The court record preservation fund shall be administered by or under the direction of the commissioners court of the county.

SECTION 2. Subchapter C, Chapter 102, Government Code, is amended by adding Section 102.0411 to read as follows:

Sec. 102.0411. COURT RECORD PRESERVATION FEE ON CONVICTION IN DISTRICT COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a district court shall collect from a defendant a court record preservation fee not to exceed \$10 under Article 102.0051, Code of Criminal Procedure, on conviction.

SECTION 3. Subchapter D, Chapter 102, Government Code, is amended by adding Section 102.0611 to read as follows:

Sec. 102.0611. COURT RECORD PRESERVATION FEE ON CONVICTION IN STATUTORY COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a statutory county court shall collect from a defendant a court record preservation fee not to exceed \$10 under Article 102.0051, Code of Criminal Procedure, on conviction.

SECTION 4. Subchapter E, Chapter 102, Government Code, is amended by adding Section 102.0811 to read as follows:

Sec. 102.0811. COURT RECORD PRESERVATION FEE ON CONVICTION IN COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a county court shall collect from a defendant a court record preservation

H.B. No. 1284
fee not to exceed \$10 under Article 102.0051, Code of Criminal
Procedure, on conviction.

SECTION 5. The change in law made by this Act applies only to a cost on conviction for an offense committed on or after the effective date of this Act. A cost on conviction for an offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 6. This Act takes effect September 1, 2009.

38

Travis County Commissioners Court Agenda Request

Voting Session 03/03/09
(Date)

Working Session 03/03/09
(Date)

I. A. Request made by: **COUNTY ATTORNEY (Tim Labadie)** Phone # **854-9513**
Signature of Elected Official/Appointed Official/Executive Manager/County Attorney

B. Requested Text:

RECEIVE LEGAL ADVICE FROM AND GIVE DIRECTION TO COUNTY ATTORNEY AS TO WHETHER TO FILE SUIT AGAINST PEDRO DANIEL TO RECOVER FOR DAMAGE TO A COUNTY-OWNED GUARDRAIL AND TAKE APPROPRIATE ACTION; EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE §551.071(1)(A).

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

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

Joe Gieselman, Executive Manager, TNR 854-9383

III. Required Authorizations: Please check if applicable:

Planning and Budget Office (854-9106)

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

Human Resources Department (854-9165)

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

Purchasing Office

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

County Attorney's Office (854-9415)

- X Contract, Agreement, Policy & Procedure

RECEIVED
COUNTY JUDGE'S OFFICE
09 FEB 20 PM 4:23

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

#39

Travis County Commissioners Court Agenda Request

Voting Session 03/03/09
(Date)

Working Session 03/03/09
(Date)

I. A. Request made by: COUNTY ATTORNEY (Tim Labadie) Phone # 854-9513
Signature of Elected Official/Appointed Official/Executive Manager/County Attorney

B. Requested Text:

RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION REGARDING SETTLEMENT OFFER FROM GRIMES COUNTY CONCERNING PAYMENT OF COURT COSTS ASSOCIATED WITH MENTAL HEALTH SERVICES PROCEEDINGS CONDUCTED IN TRAVIS COUNTY AND TAKE APPROPRIATE ACTION; EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOV'T CODE §551.071(1)(B).

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

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

Dana DeBeauvoir, County Clerk (854-9188)

III. Required Authorizations: Please check if applicable:

Planning and Budget Office (854-9106)

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

Human Resources Department (854-9165)

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

Purchasing Office

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

County Attorney's Office (854-9415)

- X Contract, Agreement, Policy & Procedure

RECEIVED
COUNTY JUDGE'S OFFICE
09 FEB 20 PM 4:23

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

44

Travis County Commissioners Court Agenda Request

Voting Session: 03/03/09 Work Session: 03/03/09
(Date) (Date)

A.. Request made by: COUNTY ATTORNEY SHERINE E. THOMAS
Phone # 854-9513



Signature of Elected Official/Appointed Official/Executive Manager/County Attorney

B. Requested Text: RECEIVE LEGAL BRIEFING REGARDING THE MEDIATION OF CLAIMS BY KAREN STEITL, INCLUDING SETTLEMENT OFFER IN EEOC CHARGE NO. 31C-2008-01470 AND TAKE APPROPRIATE ACTION. EXECUTIVE SESSION PURSUANT TO TEX. GOV. CODE §551.071(1)(A), §551.071(1)(B), AND §551.074

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

II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request (Original and eight copies of agenda request and backup).

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

Alicia Perez, Executive Manager, Administrative Operations 854-9343

III. Required Authorizations: Please check if applicable:

- Planning and Budget Office (473-9106)
- Additional funding for any department or for any purpose
- Transfer of existing funds within or between any line item budget
- Grant
- Human Resources Department (473-9165)
- A change in your department's personnel (reclassification, etc.)
- Purchasing Office (473-9700)
- Bid, Purchase Contract, Request for Proposal, Procurement
- County Attorney's Office (473-9415)
- Contract, Agreement, Policy & Procedure

RECEIVED
COUNTY JUDGE'S OFFICE
09 FEB 25 PM 3:37

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

45

TRAVIS COUNTY COMMISSIONERS COURT AGENDA REQUEST

Voting Session: March 3, 2009

A. Request made by: Stephen H. Capelle, Asst. County Atty Phone #: 854-9513
(Elected Official/Appointed Official/Executive Manager/County Attorney)

B. Requested text: CONSIDER BRIEFING FROM THE COUNTY ATTORNEY REGARDING THE PENDING LITIGATION IN TRAVIS COUNTY, TEXAS AND STATE OF TEXAS VS. COLDWATER DEVELOPMENT LTD. AND RODMAN EXCAVATION, INC., ET AL. AND/OR TAKE APPROPRIATE ACTION. (EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOVT. CODE ANN., SECTIONS 551.071(1)(A) AND 551.071(1)(B))

C. Approved by: _____
Signature of Commissioner or Judge

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

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

Joe Gieselman, Executive Mgr., TNR, 854-9383

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

RECEIVED
COUNTY JUDGE'S OFFICE
09 FEB 25 PM 4:16

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted to the County Judge's office in writing by 3:00pm on Tuesdays for the next week's meeting. Late or incomplete requests may be deferred to the next meeting.

AGENDA REQUEST

Last Updated 02-27-09 at 11:30am

VS # C2
March 3, 2009
02/24/2009

Please consider the following item for voting session 02/24/2009

I. A. Request made by: Commissioner Ron Davis
Phone No. 854-9111

B. Requested Text:
Reappoint David Erickson and Marilyn Samuelson to serve on the Board of Commissioners for Travis County Emergency Services District # 13 to a two year term beginning January 1, 2009 until January 1, 2011:

C. Approved by: [Signature]
Signature of Commissioner (Ron Davis, Commissioner, Pct. 1)

II. A. Is backup material attached*: YES X NO

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

B. Have the agencies affected by this request been invited to attend the Voting Session? YES X NO

Please list those contacted and their phone numbers:
David Erickson – 512- 474-1094
Marilyn Samuelson – 512-281-4116

III. PERSONNEL
A change in your department's personnel. (reclass., etc.)

IV. BUDGET REQUEST:
If your request involves any of the following please check:
 Additional funding for your department
 Transfer of funds within your department budget
 A change in your department's personnel

RECEIVED
COUNTY JUDGE'S OFFICE
09 FEB 20 AM 11:05

The County Personnel (854-9165) and/or Budget and Research Office (854-9106) must be notified prior to submission of this agenda request.

AGENDA REQUEST DEADLINES

All Agenda Requests and supporting materials must be submitted to the County Judge's Office in writing by 5:00 p.m. on Monday for the next week's meeting.

ERICKSON DEMEL & Co., P.C.

CERTIFIED PUBLIC ACCOUNTANTS
7800 N MOPAC, SUITE 105
AUSTIN, TEXAS 78759

February 19, 2009

The Honorable Ron Davis
Travis County Commissioner, Pct. One
P.O. Box 1748
Austin, Texas 78767

VIA FACSIMILE: 512-854-4897

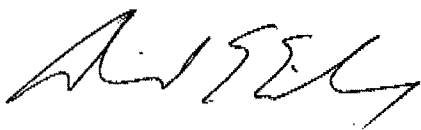
Re: Travis County Emergency Services District #13

Dear Commissioner Davis:

This letter is to request that you reappoint me to serve another term as Commissioner for the above mentioned Travis County Emergency Services District #13.

Thank you for your consideration to this matter.

Sincerely,



David E. Erickson, Jr.
Travis County ESD #13
Board of Commissioners

Last Updated 02-27-09 at 11:30am


14914 Svenska Road
Coupland, TX 78615
February 18, 2009

The Honorable Ron Davis
Travis County Commissioner, Pct One
P.O. Box 1748
Austin, TX 78767

Re: Travis County Emergency Services District # 13

Dear Commissioner Davis:

This letter is to request that you reappoint me to serve another term as Commissioner for the above mentioned Travis County Emergency Services District # 13. Thank you for your consideration to this matter.

Sincerely,

Marilyn Samuelson
Secretary
Travis County ESD # 13
Board of Commissioners

Travis County Commissioners Court Agenda Request

Meeting Date: March 3, 2009

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

B. Specific Agenda Wording:

REAPPOINT H. WILLIAM BEARE, JR., DAVID A. WHITE AND PATTI BYLER HANSEN TO SERVE ON THE TRAVIS COUNTY HISTORICAL COMMISSION, EFFECTIVE IMMEDIATELY THROUGH JANUARY 31, 2011. (JUDGE BISCOE)

C. Sponsor: _____
County Commissioner or County Judge

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

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

RECEIVED
COUNTY JUDGE'S OFFICE
09 FEB 23 PM 3:51

III. Required Authorizations: Please check if applicable:

Planning and Budget Office (854-9106)

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

Human Resources Department (854-9165)

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

Purchasing Office (854-9700)

- Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9415)

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

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

TRAVIS COUNTY HISTORICAL COMMISSION

Membership Application/Information for Appointment

Name (First, Middle, Last): H. WILLIAM BEAN, JR

Address (street, city, zip-code): 1001 REBBECA

Mailing Address (if different from above) _____

Email Address: HWBJI@AOL.COM

Home Phone: 837-2780 Work: _____ Cell: 785-5584

Travis County Precinct in which you live: 1st: _____ 2nd: 3rd: _____ 4th: _____

Biographical Information

Employer: SELF

Occupation/Position: SENIOR PROPERTY TAX CONSULTANT

Business Address: P.O. BOX 1 MC NEIL, TEXAS 78651

Education: High School _____ College _____ Graduate: _____

Degree, certificate, certifications, held: B.A. B.S.

Other schools, training or employment that might aid in preservation work: _____

Special Interests and hobbies: _____

Describe any preservation work you have done or reasons why you are interested in being appointed to the Travis County Historical Commission (attach extra sheet, if required): MEMBER SINCE 1979

I would like to be considered for the Travis County Historical Commission and certify that the above information is true and correct. (Please attach Non-Conflict of Interest Affidavit)

H. William Bean, Jr
Signature

2-4-09
Date

NON-CONFLICT OF INTEREST AFFIDAVIT

Definition:

No County appointed official, whether paid or unpaid, shall engage in any business or transaction or shall have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his/her official duties in the public interest or would tend to impair his/her independence of judgment or action in the performance of his/her official duties."

Know All Men By These Present

H. William Beare, Jr has read and understands the definition shown above as it relates to any possible conflict of interest.

The undersigned makes this affidavit as specified of interest on his/her part or on the part of any immediate family member.

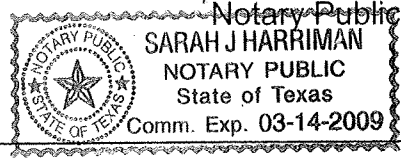
In witness thereof, the undersigned has signed and sealed this instrument on this 4 day of FEB, 2009.

H. William Beare, Jr
Signature of Applicant

2-4-08
Date

Personally appeared before the undersigned, H. William Beare, Jr
Who after being duly sworn, deposes and states that the facts stated in the above affidavit are true.

Sarah J. Harriman
Notary Public, Travis County, Texas



My commission expires _____

TRAVIS COUNTY HISTORICAL COMMISSION

Membership Application/Information for Appointment

Name (First, Middle, Last): David A. White

Address (street, city, zip-code): 8904 La Siesta Ct.

Mailing Address (if different from above) _____

Email Address: dwhite@austin,rr.com

Home Phone: 512 301 4898 Work: 512 425 5840 Cell: 512 517 4150

Travis County Precinct in which you live: 1st. _____ 2nd. _____ 3rd. 4th. _____

Biographical Information

Employer: TMLT

Occupation/Position: Claims Supervisor

Business Address: PO Box 160140 Austin TX 78716

Education: High School _____ College Graduate: _____

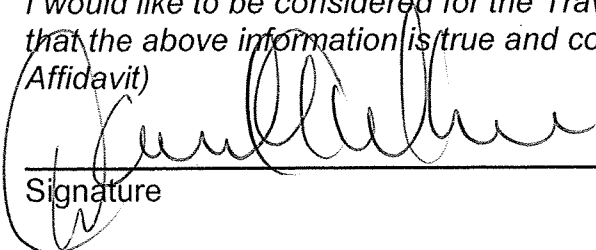
Degree, certificate, certifications, held: BBA

Other schools, training or employment that might aid in preservation work: _____

Special Interests and hobbies: _____

Describe any preservation work you have done or reasons why you are interested in being appointed to the Travis County Historical Commission (attach extra sheet, if required): _____

I would like to be considered for the Travis County Historical Commission and certify that the above information is true and correct. (Please attach Non-Conflict of Interest Affidavit)



Signature

2/4/09

Date

NON-CONFLICT OF INTEREST AFFIDAVIT

Definition:

No County appointed official, whether paid or unpaid, shall engage in any business or transaction or shall have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his/her official duties in the public interest or would tend to impair his/her independence of judgment or action in the performance of his/her official duties."

Know All Men By These Present

David White has read and understands the definition shown above as it relates to any possible conflict of interest.

The undersigned makes this affidavit as specified of interest on his/her part or on the part of any immediate family member.

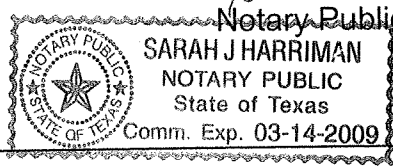
In witness thereof, the undersigned has signed and sealed this instrument on this 4 day of February, 2009.

David White
Signature of Applicant

2/4/09
Date

Personally appeared before the undersigned, David White
Who after being duly sworn, deposes and states that the facts stated in the above affidavit are true.

Sarah J. Harriman
Notary Public, Travis County, Texas



My commission expires _____

TRAVIS COUNTY HISTORICAL COMMISSION

Membership Application/Information for Appointment

Name (First, Middle, Last): Patti Byler Hansen

Address (street, city, zip-code): 5402 Marsh Creek Drive; Austin, TX; 78759

Mailing Address (if different from above) N/A

Email Address: patti_niles@yahoo.com

Home Phone: (512) 502-1227 Work: N/A Cell: (512) 502-1227

Travis County Precinct in which you live: 1st: _____ 2nd: X 3rd: _____ 4th: _____

Biographical Information

Employer: Retired from Applied Research Laboratories, University of Texas at Austin

Occupation/Position: Manager; Contracts, Purchasing, and Shipping/Receiving

Business Address: _____

Education: High School _____ College _____ Graduate: X

Degree, certificate, certifications, held: MA – Community & Regional Planning (UTA)

Other schools, training, or employment that might aid in preservation work: _____

Special Interests and hobbies: _____

Describe any preservation work you have done or reasons why you are interested in being appointed to the Travis County Historical Commission (attach extra sheet, if required):

My educational background includes a Masters degree in Community & Regional Planning from the University of Texas at Austin, where my interest in history and preservation began. I am an active member of the Heritage Society of Austin, serving as a volunteer and past member of the board of directors, a current member of the Austin Historic Landmark Commission, and a long-time member of the Travis County Historical Commission.

I would like to be considered for the Travis County Historical Commission and certify that the above information is true and correct. (Please attach Non-Conflict of Interest Affidavit)

Patti B. Hansen

3 Feb. 2009

Signature

Date

Travis County Historical Commission Application
Page 2

NON-CONFLICT OF INTEREST AFFIDAVIT

Definition:

No County appointed official, whether paid or unpaid, shall engage in any business or transaction or shall have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his/her official duties in the public interest or would tend to impair his/her independence of judgment or action in the performance of his/her official duties.

Know All Men By These Present

Patti B. Hansen has read and understands the definition shown above as it relates to any possible conflict of interest.

The undersigned makes this affidavit as specified of interest on his/her part or on the part of any immediate family member.

In witness thereof, the undersigned has signed and sealed this instrument on this 4 day of February, 2009.

Patti B. Hansen
Signature of Applicant
4 February 2009
Date

Personally appeared before the undersigned, Patti B. Hansen
Who after being duly sworn, deposes and states that the facts stated in the above affidavit are true.

Sarah J. Harriman
Notary Public, Travis County, Texas



My commission expires _____

C4

Travis County Commissioners Court Agenda Request

Voting Session Tuesday, March 10³, 2009 Work Session _____
(Date) (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 February 10, 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 FEBRUARY 10, 2009

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 10th day of February 2009, the Commissioners' Court convened the Voting Session at 9:14 AM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Robert Resnick.

The Commissioners Court recessed the Voting Session at 12:11 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle), convened at 1:42 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 1:43 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:43 PM and adjourned at 1:51 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 1:51 PM and adjourned at 1:53 PM.

The Commissioners Court reconvened the Voting Session at 1:53 PM.

The Commissioners Court retired to Executive Session at 2:43 PM.

The Commissioners Court reconvened the Voting Session at 4:58 PM.

The Commissioners Court adjourned the Voting Session at 5:05 PM.

CITIZENS COMMUNICATION

Members of the Court heard from: Bob Pope, Travis County Resident; Gus Peña, Travis County Resident; and Ronnie Gjemre, Travis County Resident. (9:14 AM)

4. CONSIDER AND TAKE APPROPRIATE ACTION TO RECOGNIZE TRAVIS COUNTY EMPLOYEES WHO PARTICIPATED IN THE TRAVIS 1000 AND VIRGIN HEALTHMILES WELLNESS PROGRAM CHALLENGES. (9:38 AM)

Members of the Court heard from: Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD); Zetta Garnett, Benefits Assistant, HRMD; and Dr. Lynn Stewart, MD, Health and Wellness Clinic; Travis County Wellness Center.

Discussion only. No formal action taken.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

5. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING MATTERS RELATED TO THE TRAVIS COUNTY HEALTHCARE DISTRICT BOARD OF MANAGERS: (9:52 AM)
 - A. REVIEW OF APPLICATIONS TO FILL COUNTY-APPOINTED AND JOINT CITY/COUNTY VACANCIES;
 - B. PROPOSED QUESTIONS FOR INTERVIEWS WITH CANDIDATES; AND
 - C. TIMELINE AND OTHER RELATED ISSUES.

Clerk's Note: Items 5.A-C are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); Susan Spataro, Travis County Auditor; John Hille, Assistant County Attorney; and Jim Collins, Executive Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that, concerning Item 5.C, we consider the timeline has come and gone, and consider the 13 applications that we have before us. This closes the door for those who did not apply before the deadline.

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 County Judge recommended that, regarding Item 5.A, the Court draft an Executive Manager to serve on the subcommittee with the County Judge and Sherri Fleming, Executive Manager, TCHHS&VS. The subcommittee should proceed to evaluate the 13 applicants and the materials they submitted; and, in two weeks, give a short list of 3-5 names to the Commissioners Court, but with a written evaluation of all 13 so that the entire Court can see how the subcommittee arrived at the shortlist, decide on how many applicants to interview, post the interviews, and conduct them.

Items 5.A and B discussion only.

Items 5.A and B to be reposted on February 24, 2009.

PLANNING AND BUDGET DEPT. ITEMS

6. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (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.

Clerk's Note: Judge Biscoe requested information on what happened to the \$112,000.00 allocated for lease space that is not needed.

7. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:25 AM)
- A. GRANT APPLICATION TO THE EMERGENCY FOOD AND SHELTER BOARD FOR HEALTH AND HUMAN SERVICES TO PROVIDE EMERGENCY UTILITY ASSISTANCE TO QUALIFIED TRAVIS COUNTY RESIDENTS;
 - B. GRANT CONTRACT WITH THE U.S. DEPARTMENT OF JUSTICE FOR THE SHERIFF'S OFFICE ON-GOING TECHNOLOGY IMPROVEMENTS AND/OR PERSONNEL PROTECTION EQUIPMENT UPGRADES THROUGH THE 2008 BYRNE JUSTICE ASSISTANCE GRANT;
 - C. GRANT CONTRACT WITH THE BUREAU OF JUSTICE ASSISTANCE FOR JUVENILE PROBATION TO EXTEND THE JUSTICE AND MENTAL HEALTH COLLABORATION PROGRAM COPE FROM ITS ORIGINAL END DATE OF FEBRUARY 28, 2009 TO SEPTEMBER 30, 2009; AND
 - D. GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR'S CRIMINAL JUSTICE DIVISION FOR THE JUVENILE ASSESSMENT CENTER IN JUVENILE PROBATION TO EXTEND THE EXISTING CONTRACT ONE MONTH TO MATCH THE STATE'S FISCAL YEAR.

Clerk's Note: Items 7.A-D approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 11. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (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 THE FOLLOWING PROPERTY CLAIM RECOMMENDATIONS: (9:25 AM)

- A. STAR FLIGHT DEPARTMENT - SETTLE; AND
- B. TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT - SETTLE.

Clerk's Note: Items 12.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 13. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE TRAVIS COUNTY SPACE STANDARDS. (11:29 AM)

Members of the Court heard from: Roger El Khoury, Director, Facilities Management; and Jim Barr, Senior Project Manager, Facilities Management.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we approve Item 13, and agree to look at private restrooms on a case-by-case basis.

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

14. RECEIVE UPDATE ON VISITATION CENTER CONSTRUCTION PROJECT AT TRAVIS COUNTY COMMUNITY JUSTICE CENTER (STATE JAIL) AND TAKE APPROPRIATE ACTION. (11:22 AM)

Members of the Court heard from: Roger Jefferies, Executive Manager, Justice and Public Safety (JPS); Roger El Khoury, Director, Facilities Management; and Jim Barr, Senior Project Manager, Facilities Management.

Discussion only. No formal action taken.

Item 14 to be reposted at the appropriate time when ready for additional action.

PURCHASING OFFICE ITEMS

15. APPROVE MODIFICATION NO. 3, AN ASSIGNMENT OF CONTRACT NO. 06T00243DR FROM SPARKLING CARWASH, INC. TO SQUEEKY CLEAN CARWASH. (9:25 AM)

Clerk's Note: Item 15 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

16. APPROVE CONTRACT AWARDS FOR EROSION CONTROLS MATERIALS, IFB NO. B090078NB, TO THE FOLLOWING LOW BIDDERS: (9:25 AM)
- A. BAMERT SEED CO., FOR LINE ITEM 1-01;
 - B. JUSTIN SEED, FOR LINE ITEMS 1-02, 1-04, 1-06;
 - C. LESCO, INC. FOR LINE ITEM 1-05;
 - D. AFS ENVIRONMENTAL, INC., FOR LINE ITEMS 1-07, 1-08; AND
 - E. HANES GEO COMPONENTS, FOR LINE ITEMS 1-03, 2-01 TO 2-11.

Clerk's Note: Items 16.A-E approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 17. APPROVE CONTRACT NO. PS090008VR, JUVENILE PROBATION DEPARTMENT POT OF GOLD PROGRAM, TO PROVIDE CRIME VICTIMS SERVICES FOR THE CRIME VICTIMS FUND PROGRAM. (9:25 AM)

Clerk's Note: Item 17 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

Clerk's Note: The County Judge noted that the contract is for \$12,099.00.

- 18. APPROVE PROCUREMENT CARD POLICIES AND PROCEDURES FOR USE BY THE TRAVIS COUNTY PURCHASING OFFICE. (10:14 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; and Susan Spataro, Travis County Auditor.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Gómez to approve Item 18.

Motion carried:

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

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

- 19. CONSIDER AND TAKE APPROPRIATE ACTION ON ALTERNATIVE SHORT FORM PLAT SUBDIVISION REVIEW FEES. (1:53 PM)

Members of the Court heard from: Anna Bowlin, Program Manager, Planning and Engineering, Transportation and Natural Resources (TNR); and Cynthia McDonald, Financial Manager, TNR.

Motion by Commissioner Eckhardt **and seconded by** Judge Biscoe to accept the suggested fee schedule with the basic plat review increased by \$200.00.

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

20. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(2:10 PM)
- A. REIMBURSEMENT RESOLUTION FOR FISCAL YEAR 2009 VEHICLE PURCHASES;
 - B. MODIFY FLEET BY ADDING FIVE ELECTRIC VEHICLES AND REMOVING TWO PICK-UP TRUCKS;
 - C. REQUEST TO PURCHASE ONE TRAILER MAINTAINED MESSAGE SIGN; AND
 - D. USE OF THE LOCAL INITIATIVE PROJECT (FEDERAL GRANT FUNDING CONTRACT) TO PAY FOR 50% OF THE PROPANE POWERED LAWNMOWERS, ELECTRIC VEHICLES, HYBRID VEHICLES, SOLAR POWERED CHANGEABLE MESSAGE SIGN, PROPANE SCHOOL BUSES FOR MANOR INDEPENDENT SCHOOL DISTRICT, FLEX FUEL VEHICLES FOR THE CITY OF MANOR AND HYBRIDS FOR THE CITY OF AUSTIN.

Clerk's Note: Items 20.A-D are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Adele Noel, Air Quality Project Manager, TNR; Joe Gieselman, Executive Manager, TNR; Mike Joyce, Fleet Manager, TNR; Susan Spataro, Travis County Auditor; Jessica Rio, Assistant Budget Manager, Planning and Budget Office (PBO); John Hille, Assistant County Attorney; and Tom Weber, Environmental Quality Program Manager, TNR.

Motion by Judge Biscoe and seconded by Commissioner Davis that we approve the reimbursement resolution, but substitute the Allocated Reserve for the Unallocated Reserve as the funding source in Item 20.A.

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

ITEM 20 CONTINUED

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Item 20.B.

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

Motion by Commissioner Eckhardt and seconded by Commissioner Gómez to approve Item 20.C.

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

Motion by Commissioner Gómez and seconded by Commissioner Eckhardt to approve Item 20.D.

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

- 21. CONSIDER AND TAKE APPROPRIATE ACTION ON TWO CASH SECURITY AGREEMENTS WITH TAYLOR MORRISON OF TEXAS, INC. FOR SIDEWALK FISCAL FOR RIVER DANCE, PHASE 4 AND PHASE 6A SUBDIVISIONS IN PRECINCT THREE. (9:25 AM)

Clerk's Note: Item 21 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

22. CONSIDER AND TAKE APPROPRIATE ACTION ON THE CENTRAL TEXAS REGION'S IMPLEMENTATION OF THE 2009 BIG PUSH INITIATIVES TO MAINTAIN ATTAINMENT OF THE 8-HOUR OZONE NATIONAL AMBIENT AIR QUALITY STANDARD. (11:37 AM)

Members of the Court heard from: Tom Weber, Environmental Quality Program Manager, TNR; Adele Noel, Air Quality Project Manager, TNR; and Ronnie Gjemre, Travis County Resident.

Discussion only. No formal action taken.

Item 22 to be reposted on February 17, 2009.

OTHER ITEMS

23. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:25 AM)

Clerk's Note: Item 23 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 24. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING: (10:49 AM)
 - A. STATUS REPORT ON DRAFTING LEGISLATION TO ADDRESS TRAVIS COUNTY LEGISLATIVE PRIORITIES; AND
 - B. DRAFT LEGISLATIVE LANGUAGE FOR CERTAIN TRAVIS COUNTY PRIORITY ISSUES.

Clerk's Note: Items 24.A&B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Deece Eckstein, Intergovernmental Relations Officer; Joe Gieselman, Executive Manager, TNR; Dan Mansour, Risk and Benefits Manager, HRMD; and The Honorable Susan Steeg, Justice of the Peace, Precinct Three.

Clerk's Note: The Court discussed supporting legislation relating to the relocation of utilities on certain highways and county roads.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to support the legislation.

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 discussed supporting legislation relating to the regulation of storm water management by certain counties.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to support the legislation.

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

ITEM 24 CONTINUED

Clerk's Note: The Court discussed supporting legislation relating to health benefits coverage provided to persons who retire early from employment by certain counties or municipalities.

Motion by Judge Biscoe and seconded by Commissioner Gómez to support the legislation, conditioned upon this being presented to the Employee Benefits Committee and other appropriate persons at Travis County, and to report back to the Court at the appropriate time.

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 discussed supporting legislation relating to the payment of a special expense fee on a grant of deferred disposition in a justice or municipal court.

Motion by Commissioner Huber and seconded by Judge Biscoe to support the legislation.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Item 24.A was Discussion only.

- 25. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM THE TRAVIS COUNTY SHERIFF'S OFFICE TO DRIVE TWO COUNTY-OWNED VEHICLES TO A POLICE DRIVING INSTRUCTORS COURSE IN BURNS FLATS, OKLAHOMA. (9:25 AM)

Clerk's Note: Item 25 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 26. CONFIRMATION OF DEPUTY CONSTABLES FOR PRECINCT FOUR, PER TEXAS LOCAL GOVERNMENT CODE, SECTION 86.011. (9:25 AM)

Clerk's Note: Item 26 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 27. CONSIDER AND TAKE APPROPRIATE ACTION ON THE APPROVAL AND CONFIRMATION OF DEPUTY CONSTABLES FOR PRECINCT TWO, PER TEXAS LOCAL GOVERNMENT CODE, SECTION 86.011. (9:25 AM)

Clerk's Note: Item 27 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 28. CONSIDER AND TAKE APPROPRIATE ACTION ON THE APPROVAL AND CONFIRMATION OF DEPUTY CONSTABLES FOR PRECINCT THREE, PER TEXAS LOCAL GOVERNMENT CODE, SECTION 86.011. (9:25 AM)

Clerk's Note: Item 28 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 29. CONSIDER AND TAKE APPROPRIATE ACTION ON A LEASE AGREEMENT BY THE TRAVIS COUNTY HEALTHCARE DISTRICT FOR A NEW COMMUNITY HEALTH CENTER TO BE LOCATED AT IH-35 AND RUNDBERG LANE. (9:45 AM)

Members of the Court heard from: Trish Young, President and Chief Executive Officer, Travis County Healthcare District; and David Vliet, Chief Executive Officer, Community Healthcare System of Austin and Travis County.

Motion by Judge Biscoe and seconded by Commissioner Eckhardt to approve Item 29.

Motion carried:

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

30. CONSIDER AND TAKE APPROPRIATE ACTION ON APPOINTMENT OF GENE WILLS AS FIRE COMMISSIONER TO THE EMERGENCY SERVICES DISTRICT NO. 4 BOARD TO REPLACE CAROLYN LEWIS EFFECTIVE IMMEDIATELY THROUGH DECEMBER 31, 2010. (COMMISSIONER DAVIS) (9:25 AM)

Clerk's Note: Item 30 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

31. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR ADDITIONAL STAFFING NEEDS FOR FIELD RELEASE CITATIONS FOR JUSTICE OF THE PEACE PRECINCT FIVE. (10:20 AM)

Members of the Court heard from: The Honorable Herb Evans, Justice of the Peace Precinct 5; Greg Hamilton, Travis County Sheriff; Ronnie Gjemre, Travis County Resident; Darren Long, Major, Travis County Sheriff's Office (TCSO); Roger Jefferies, Executive Manager, JPS; and Diana Ramirez, Budget Analyst, PBO.

Discussion only. No formal action taken.

Item 31 to be reposted on February 24, 2009.

- 32. CONSIDER AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY'S APPOINTMENTS TO THE CITY OF AUSTIN-TRAVIS COUNTY SUSTAINABLE FOOD POLICY BOARD. (COMMISSIONER ECKHARDT) (11:17 AM)

Clerk's Note: The members of the Court listed their nominations for appointment to the City of Austin-Travis County Sustainable Food Policy Board:

- Precinct 1 – Richard Pierce;
- Precinct 2 – David Davenport;
- Precinct 3 – Michelle Murphy-Smith;
- Precinct 4 – Paula McDermott; and,
- Judge Biscoe – Max Elliott and Katy Kramer-Petrie.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve submission of this list of appointees to the City of Austin.

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

A Clarification of the previous Motion was made by Judge Biscoe that the Court first approves the list, and then submits it to the City of Austin. The Court also expressed its thanks to all of the applicants.

- 33. CONSIDER AND TAKE APPROPRIATE 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. (11:15 AM)

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the Travis County Clerk's plan.

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

- 34. 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 AND/OR MODIFICATION OF AFTER SCHOOL INTERLOCAL, AS APPROPRIATE. (9:14 AM)

Item 34 postponed until February 17, 2009.

- 35. CONSIDER AND TAKE APPROPRIATE ACTION ON INTERNSHIP OPPORTUNITIES WITHIN TRAVIS COUNTY GOVERNMENT AND FUNDING OPTIONS FOR AUSTIN COMMUNITY COLLEGE STUDENTS DURING THE FALL 2009 AND SPRING 2010 SEMESTERS. (COMMISSIONER ECKHARDT) (9:25 AM)

Clerk's Note: Item 35 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 36. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO JOIN THE TEXAS HIGH SPEED RAIL AND TRANSPORTATION CORPORATION PROJECT. (11:02 AM)

Members of the Court heard from: B. Travis Kelly, Public Policy Consultant, Dean International, Inc.; and Ronnie Gjemre, Travis County Resident.

Motion by Judge Biscoe and seconded by Commissioner Gómez that we delay action today, and touch base with the City of Austin, the Austin-San Antonio Commuter Rail Corridor Group, and Capital Area Metropolitan Planning Organization (CAMPO), try to figure out where they are on this, and try to move forward as a region.

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 County Judge noted that this process might take 3-4 months.

40. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING POSSIBLE SALE OF COUNTY-OWNED LAND OFF FM 969 IN EAST AUSTIN. ^{1 AND 2}
(2:43 PM) (5:01 PM)

Clerk's Note: Judge Biscoe announced that Item 40 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

Discussion only. No formal action taken.

Item 40 to be reposted on February 17, 2009.

41. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING OUTSTANDING OBLIGATION FROM KENNEDY RIDGE WATER SUPPLY CORPORATION FOR UTILITY RELOCATION AGREEMENT. ¹ (2:43 PM) (5:01 PM)

Clerk's Note: Judge Biscoe announced that Item 41 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

Item 41 to be reposted on February 17, 2009.

- 42. A. RECEIVE LEGAL BRIEFING FROM COUNTY ATTORNEY ON ISSUES REGARDING CONFIDENTIAL CLIMATE ASSESSMENT AND IMPLEMENTATION OF HUMAN RESOURCES MANAGEMENT DEPARTMENT (HRMD) DEVELOPMENT PLAN FOR EXECUTIVE MANAGER OF ADMINISTRATIVE OPERATIONS AND DIRECTOR OF HRMD AND TAKE APPROPRIATE ACTION; AND
- B. DELIBERATE RESULTS OF CONFIDENTIAL CLIMATE ASSESSMENT AND IMPLEMENTATION OF HRMD DEVELOPMENT PLAN FOR EXECUTIVE MANAGER OF ADMINISTRATIVE OPERATIONS AND DIRECTOR OF HRMD AND TAKE APPROPRIATE ACTION. ^{1 AND 3}
(2:43 PM) (5:02 PM)

Clerk’s Note: Judge Biscoe announced that Items 42.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.

Motion by Judge Biscoe **and seconded by** Commissioner Huber to appoint Commissioner Gómez and the County Judge to serve as a subcommittee of the Commissioners Court to work along with Ms. Hall and the mediator/coach who was selected, to implement Plan A that we approved at our last meeting.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	no
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to authorize the Travis County Attorney to go ahead and finalize the draft Code of Conduct for submission to members of the Commissioners Court; and if any member has an issue or suggestion, to communicate that to the County Attorney’s Office, but we can not communicate that to one another; and if it looks like there are significant changes that the Court should deliberate on, we will have it back on the Court’s Agenda next week, February 17, 2009. Let’s self-impose a deadline of 12:00 PM, Thursday, February 19, 2009, and if we have a document that, based on our responses, is satisfactory, then we will sign that document for distribution to employees and the Human Resources Management Department (HRMD), Thursday afternoon, February 29, 2009, or at the latest, Friday morning, February 20, 2009.

Motion carried:

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

43. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING ISSUES RELATED TO NOVATION OF LICENSE AGREEMENT FOR OPERATION OF COMMUNITY CENTER. ^{1 AND 2} (2:45 PM)

Clerk's Note: Judge Biscoe announced that Item 43 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

Item 43 not needed.

Item 43 to be reposted on February 17, 2009.

44. CONSIDER AND TAKE APPROPRIATE ACTION CONCERNING SETTLEMENT OFFER REGARDING PAYMENT FOR STAR FLIGHT SERVICES RENDERED TO CONCEPCION HUERTA AND SAMANTHA HUERTA. ¹ (2:43 PM) (5:01 PM)

Clerk's Note: Judge Biscoe announced that Item 44 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to accept the offer to settle for the amount of \$10,000.00, conditioned upon Commissioner Eckhardt's being satisfied, along with the County Attorney, that the documentation and other evidence ascertainable within the next few days corroborates the information we have been provided.

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

ADDED ITEM

A1. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. PS080310ML, EMPLOYMENT PRACTICE SOLUTIONS, FOR ADDITIONAL HUMAN RESOURCES ANALYSIS SERVICES. (2:43 PM) (5:05 PM)

Clerk's Note: Judge Biscoe announced that Item A1 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Item A1.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	no
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to adjourn the Voting Session. (5:05 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


C4

Travis County Commissioners Court Agenda Request

Voting Session Tuesday, March 3, 2009 Work Session _____
(Date) (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 February 172009**

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 FEBRUARY 17, 2009

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 17th day of February 2009, the Commissioners' Court convened the Voting Session at 9:17 AM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Commissioners Court recessed the Voting Session at 12:09 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle), convened at 1:37 PM and adjourned at 1:38 PM.

The Commissioners Court, meeting as the Travis County Bee Cave Road District #1 (Galleria), convened at 1:38 PM and adjourned at 1:38 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:38 PM and adjourned at 1:52 PM.

The Commissioners Court reconvened the Voting Session at 1:53 PM.

The Commissioners Court retired to Executive Session at 2:37 PM.

The Commissioners Court reconvened the Voting Session at 4:37 PM.

The Commissioners Court adjourned the Voting Session at 4:41 PM.

PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT TWO: NORTHRIDGE ACRES, RESUBDIVISION OF LOT 1 (3 TOTAL LOTS). (ACTION ITEM #5) (9:18 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 Eckhardt to open the public hearing.

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	absent

Members of the Court heard from: Anna Bowlin, Program Manager, Planning and Engineering, Transportation and Natural Resources (TNR).

Motion by Commissioner Davis **and seconded by** Commissioner Eckhardt to close the public hearing.

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	absent

- 3. RECEIVE COMMENTS REGARDING THE COMMUNITY NEEDS OF THE UNINCORPORATED AREAS AND PROJECT IDEAS FOR THE DEVELOPMENT OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM YEAR 2009 ACTION PLAN AVAILABLE FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. (9:20 AM)

Clerk's Note: This Item is a public hearing to receive comments.

Motion by Commissioner Davis **and seconded by** Commissioner Eckhardt to open the public hearing.

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	absent

Members of the Court heard from: Christy Moffett, Social Services Manager, Travis County Health and Human Services (TCHHS); Jo Catherine Quinn, Director, Self-Sufficiency Services, Caritas; Gus Peña, Travis County Resident; and Jane Prince-Maclean, Case Management Coordinator, Family Support Services Division, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS).

Motion by Judge Biscoe **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	yes
Precinct 3, Commissioner Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

CITIZENS COMMUNICATION

Members of the Court heard from: Gus Peña, Travis County Resident; Maurice Priest, Travis County Resident; Ronnie Gjemre, Travis County Resident; Karen Renick, Founder, VoteRescue; Vickie Karp, Director, Public Relations, VoteRescue; and Jenny Clark, VoteRescue. (9:37 AM)

6. CONSIDER AND TAKE APPROPRIATE ACTION ON 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 8:00 AM TO 8:00 PM. (10:00 AM)

Clerk's Note: Item 6 is the action item for the public hearing on Agenda Item 2.

Clerk's Note: Item 6 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

7. CONSIDER AND TAKE APPROPRIATE ACTION ON A PRELIMINARY PLAN IN PRECINCT ONE: NEW SWEDEN ESTATES PRELIMINARY PLAN (104 LOTS). (10:00 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. NOTIFY COURT OF SATISFACTORY CONSTRUCTION OF THE PRIVATE STREETS FOR AMARRA DRIVE, PHASE 2, A SUBDIVISION IN PRECINCT THREE. (10:00 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. RECEIVE BRIEFING FROM STAFF AND TAKE APPROPRIATE ACTION REGARDING THE FOLLOWING: (10:16 AM)
- A. NEW POLICIES THAT TRAVIS COUNTY CAN ADOPT TO REDUCE GROUND LEVEL OZONE IN SUPPORT OF THE 2009 BIG PUSH INITIATIVE; AND
 - B. ADDITIONAL INITIATIVES THAT TRAVIS COUNTY CAN TAKE IN CONJUNCTION WITH OTHER GOVERNMENTAL ENTITIES AND TRAVIS COUNTY RESIDENTS.

Clerk's Note: Items 9.A&B are associated with one another and were called for concurrent discussion.

Clerk's Note: The Court discussed the following proposals for final review by County departments:

- 1) Restrictions in County Operations on Ozone Watch Days;
- 2) Special Ozone Watch Day Teleworking Schedule;
- 3) Educate County Employees on Commuting Options;
- 4) Expand Communications to Travis County Citizens and County Employees; and,
- 5) Parking restrictions on Ozone Watch Days.

Members of the Court heard from: Tom Weber, Environmental Quality Program Manager, TNR; Adele Noel, Air Quality Project Manager, TNR; Joe Gieselman, Executive Manager, TNR; Jon White, Natural Resources Program Manager, TNR; Ronnie Gjemre, Travis County Resident; Christopher Gilmore, Assistant County Attorney; and Susan Spataro, Travis County Auditor.

Motion by Commissioner Eckhardt **and seconded by** Judge Biscoe to approve Proposal 1 for final review by County departments and return for final review in two weeks, Tuesday March 3, 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

10. CONSIDER AND TAKE APPROPRIATE ACTION TO PAY \$105,377 FROM THE TRAVIS COUNTY GENERAL FUND ALLOCATED RESERVES TO FUND 475, CONTRACTUAL CAPITAL PROJECTS, IN THE BUDGET FOR TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT FOR THE KENNEDY RIDGE WATER SUPPLY CORPORATION UTILITY RELOCATION PROJECT. (2:21 PM)

Item 10 not needed.

PLANNING AND BUDGET DEPT. ITEMS

11. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(10:00 AM)
- A. GRANT CONTRACT WITH THE RETIRED SENIORS VOLUNTEER PROGRAM ADVISORY COUNCIL TO PARTIALLY FUND A PART-TIME POSITION IN THE HEALTH AND HUMAN SERVICES DEPARTMENT'S SENIORS VOLUNTEER CHILDREN IMMUNIZATION PROGRAM;
 - B. GRANT CONTRACT AMENDMENT WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS, 2008 COMPREHENSIVE ENERGY ASSISTANCE GRANT PROGRAM IN THE HEALTH AND HUMAN SERVICES DEPARTMENT TO FULLY EXPEND THE GRANT AWARD;
 - C. GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR'S CRIMINAL JUSTICE DIVISION FOR ENHANCEMENT SERVICES FOR THE CRIMINAL COURTS DRUG COURT PROGRAM;
 - D. GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR'S CRIMINAL JUSTICE DIVISION FOR CIVIL COURTS TO CONTINUE THE FAMILY DRUG TREATMENT COURT PROGRAM FOR CHILD WELFARE INVOLVING PARENTS WITH SUBSTANCE ABUSE;
 - E. GRANT CONTRACT AMENDMENT WITH THE SUPERVISED VISITATION AND SAFE EXCHANGE GRANT PROGRAM IN COUNSELING AND EDUCATION SERVICES; AND

ITEM 11 CONTINUED

- F. GRANT CONTRACT MODIFICATION WITH THE OFFICE OF THE GOVERNOR'S CRIMINAL JUSTICE DIVISION FOR CIVIL COURTS TO CONTINUE THE FAMILY DRUG TREATMENT COURT.

Clerk's Note: Items 11.A-F 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 BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:17 AM)

Item 12 not needed.

- 13. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES RELATED TO THE FISCAL YEAR 2010 BUDGET, INCLUDING: (11:18 AM)

- A. FISCAL YEAR 2010 BUDGET PARAMETERS; AND

- B. PROPOSED FISCAL YEAR 2010 BUDGET GUIDELINES.

Clerk's Note: Items 13.A&B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Rodney Rhoades, Executive Manager, Planning and Budget Office (PBO); Jessica Rio, Assistant Budget Manager, PBO; Travis Gatlin, Budget Analyst, PBO; Sherri Fleming, Executive Manager, TCHHS&VS; and Leroy Nellis, Budget Manager, PBO.

ADMINISTRATIVE OPERATIONS ITEMS

14. 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 \$859,996.86 FOR THE PERIOD OF JANUARY 30 TO FEBRUARY 5, 2009. (10:00 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 PROPOSED ROUTINE PERSONNEL AMENDMENTS. (10:00 AM)

Clerk's Note: Item 15 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

16. A. CONSIDER AND TAKE APPROPRIATE ACTION ON EMPLOYEE REFUNDS UNDER TUITION REIMBURSEMENT POLICY 10.021; AND
B. AUTHORIZE THE COUNTY AUDITOR AND TREASURER TO REIMBURSE CERTAIN EMPLOYEES. (10:00 AM)

Clerk's Note: Items 16.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

JUSTICE AND PUBLIC SAFETY ITEMS

17. CONSIDER AND TAKE APPROPRIATE ACTION ON THE UPDATED AMERICAN RED CROSS OF CENTRAL TEXAS MEMORANDUM OF UNDERSTANDING WITH TRAVIS COUNTY. (10:00 AM)

Clerk's Note: Item 17 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

Clerk's Note: The County Judge noted that the Contract would be effective from January 31, 2009 at the request of the Red Cross of Central Texas.

PURCHASING OFFICE ITEMS

18. APPROVE INTERLOCAL AGREEMENT NO. IL090054VR, AUSTIN-TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION, FOR SUBSTANCE ABUSE TREATMENT SERVICES FOR THE DRUG DIVERSION COURT PROGRAM. (2:22 PM)

Motion by Commissioner Davis **and seconded by** Commissioner Eckhardt to approve Item 18.

Motion carried:

County Judge Samuel T. Biscoe	abstain
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

19. APPROVE CONTRACT AWARD FOR CUSTOM WELDING TRAILERS, IFB NO. B090150NB, TO THE LOW BIDDER, MAGNUM TRAILERS. (10:00 AM)

Clerk's Note: Item 19 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

20. APPROVE MODIFICATION NO. 3 TO CONTRACT NO. 08K00128RV, THE BARR COMPANY, FOR PRECINCT TWO OFFICE BUILDING MODIFIED ENTRY AND SECOND FLOOR EXPANSION. (10:00 AM)

Clerk's Note: Item 20 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 21. APPROVE CONTRACT NO. PS090162ML TO ORCHID CELLMARK FOR PROFESSIONAL DNA CONSULTING AND ANALYSIS SERVICES. (11:16 AM)

Members of the Court heard from: Marvin Brice, Construction Procurement Management, Purchasing; and Susan Spataro, Travis County Auditor.

Motion by Judge Biscoe and seconded by Commissioner Eckhardt to approve Item 21.

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

OTHER ITEMS

- 22. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:00 AM)

Clerk's Note: Item 22 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 23. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF JANUARY 2009. (10:00 AM)

Clerk's Note: Item 23 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 24. CONSIDER AND TAKE APPROPRIATE ACTION ON APPOINTMENT OF RONDA DARDIN SCHULTZ TO THE TRAVIS COUNTY CHILDREN'S PROTECTIVE SERVICES BOARD EFFECTIVE IMMEDIATELY TO FEBRUARY 2012. (COMMISSIONER DAVIS) (10:00 AM)

Clerk's Note: Item 24 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 25. 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 AND/OR MODIFICATION OF AFTER SCHOOL INTERLOCAL, AS APPROPRIATE. (2:06 PM)

Members of the Court heard from: Sherri Fleming, Executive Manager, TCHHS&VS; and Mary Etta Gerhardt, Assistant County Attorney.

Discussion only. No formal action taken.

Item 25 to be reposted on February 24, 2009.

- 26. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO AUTHORIZE COUNTY STAFF AND APPROPRIATE CONSULTANTS TO THE COUNTY TO TAKE SUCH ACTIONS AS ARE NECESSARY TO PROCEED WITH THE REFUNDING OF A PORTION OF THE COUNTY'S OUTSTANDING LIMITED TAX DEBT. (1:53 PM)

Members of the Court heard from: Ladd Pattillo, Travis County Financial Adviser; and Don Gonzalez, Director, Estrada and Hinojosa.

Motion by Judge Biscoe **and seconded by** Commissioner Eckhardt that we authorize Staff and the Consultant to work with these consultants to put together an appropriate deal to bring back to us at the appropriate time.

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

27. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING: (11:33 AM)
- A. STATUS REPORT ON THE 81ST TEXAS LEGISLATURE;
 - B. TRAVIS COUNTY'S POSITION REGARDING LEGISLATIVE OPTIONS TO INCREASE TRANSPORTATION MOBILITY FUNDING;
 - C. DRAFT BILL LANGUAGE FOR CERTAIN TRAVIS COUNTY LEGISLATIVE PRIORITIES; AND
 - D. BILLS PENDING BEFORE THE 81ST TEXAS LEGISLATURE.

Clerk's Note: Items 27.A&D are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Deece Eckstein, Intergovernmental Relations Officer; Greg Knaupe, Legislative Consultant, Santos Alliance, Inc.; Joe Gieselman, Executive Manager, TNR; and John Hille, Assistant County Attorney.

Clerk's Note: The Court discussed the modification of Bullet 1 of the proposed Travis County Principles regarding Local Transportation Options in Item 27.B to – **“USER BASED:** New transportation funding sources should be levied on users of the transportation system and/or sources that generate/benefit from the use.”

Motion by Commissioner Eckhardt **and seconded by** Judge Biscoe to approve the language change.

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 discussed the modification of Bullet 4 of the proposed Travis County Principles regarding Local Transportation Options in Item 27.B.

Motion by Judge Biscoe **and seconded by** Commissioner Eckhardt to insert “substantial net increase”.

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

ITEM 27 CONTINUED

Clerk's Note: The County Judge noted that by approving the previous Motions the Court has adopted both the Policy Statement and the Principles, and directs its Legislative Consultants to find whatever is the best legislative vehicle.

Clerk's Note: In Item 27.C the Court discussed a bill amending two provisions of statute that will allow Travis County to levee a fee on new development that helps pay for the arterial roadway system that serves that subdivision.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Huber to approve the bill.

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

Items 27.A&D were Discussion only. No formal action taken.

Items 27.A&D to be reposted on February 24, 2009.

- 28. RECEIVE AUDIT REPORTS FOR THE FOLLOWING EMERGENCY SERVICES DISTRICTS: (10:00 AM)
 - A. EMERGENCY SERVICES DISTRICT NO. 1 FOR FISCAL YEAR 2007;
 - B. EMERGENCY SERVICES DISTRICT NO. 2 FOR FISCAL YEAR 2007;
 - C. EMERGENCY SERVICES DISTRICT NO. 5 FOR FISCAL YEARS 2005, 2006 AND 2007;
 - D. EMERGENCY SERVICES DISTRICT NO. 8 FOR FISCAL YEAR 2007; AND
 - E. EMERGENCY SERVICES DISTRICT NO. 12 FOR FISCAL YEARS 2006 AND 2007;

Clerk's Note: Items 28.A-E approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

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.

29. CONSIDER AND TAKE APPROPRIATE ACTION ON AN OFFER TO SELL APPROXIMATELY 80 ACRES OF LAND LOCATED NEAR STATE HIGHWAY 130 AND U.S. HIGHWAY 71 EAST FOR INCLUSION IN THE ONION CREEK OPEN SPACE PROJECT. ^{1 AND 2} (2:37 PM) (4:37 PM)

Clerk's Note: Judge Biscoe announced that Item 29 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis that we accept the offer of \$360,000.00 for the 82.5 acres, and the source is the 2005 Bond Election Program.

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

30. CONSIDER AND TAKE APPROPRIATE ACTION ON PURCHASE CONTRACT FOR APPROXIMATELY 3.5 ACRES OF LAND FROM THE TRAVIS COUNTY COMMUNITY SUPERVISION AND CORRECTIONS DIVISION TO SECURE SMART FACILITY ENHANCEMENTS. ^{1 AND 2} (2:37 PM) (4:38 PM)

Clerk's Note: Judge Biscoe announced that Item 30 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

Discussion only. No formal action taken.

Item 30 to be reposted on February 24, 2009.

31. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING POSSIBLE SALE OF COUNTY-OWNED LAND OFF FM 969 IN EAST AUSTIN. ^{1 AND 2}
(2:37 PM) (4:38 PM)

Clerk's Note: Judge Biscoe announced that Item 31 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

Item 31 was not discussed.

Item 31 postponed until February 24, 2009.

32. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING ISSUES RELATED TO NOVATION OF LICENSE AGREEMENT FOR OPERATION OF COMMUNITY CENTER. ^{1 AND 2} (2:37 PM)
(4:38 PM)

Clerk's Note: Judge Biscoe announced that Item 32 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

Motion by Judge Biscoe **and seconded by** Commissioner Huber that we authorize the sending of an appropriate letter to the lessee in this case, indicating that we need past due payments to be brought current, and other terms and conditions of the contract to be complied with by or before the end of the contract period, which ends May 31, 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

33. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL PURCHASE OF REAL ESTATE IN CENTRAL AUSTIN. ^{1 AND 2}
(2:37 PM) (4:39 PM)

Clerk's Note: Judge Biscoe announced that Item 33 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

Discussion only. No formal action taken.

Item 33 to be reposted on March 3, 2009.

34. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL PURCHASE OF REAL ESTATE ALONG AIRPORT BOULEVARD.
^{1 AND 2} (2:37 PM) (4:39 PM)

Clerk's Note: Judge Biscoe announced that Item 34 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

Discussion only. No formal action taken.

Item 34 to be reposted on March 3, 2009.

35. A. RECEIVE LEGAL BRIEFING FROM COUNTY ATTORNEY ON ISSUES REGARDING CONFIDENTIAL CLIMATE ASSESSMENT AND IMPLEMENTATION OF HUMAN RESOURCES MANAGEMENT DEPARTMENT (HRMD) DEVELOPMENT PLAN FOR EXECUTIVE MANAGER OF ADMINISTRATIVE OPERATIONS AND DIRECTOR OF HRMD AND TAKE APPROPRIATE ACTION; AND
- B. DELIBERATE RESULTS OF CONFIDENTIAL CLIMATE ASSESSMENT AND IMPLEMENTATION OF HRMD DEVELOPMENT PLAN FOR EXECUTIVE MANAGER OF ADMINISTRATIVE OPERATIONS AND DIRECTOR OF HRMD AND TAKE APPROPRIATE ACTION. ^{1 AND 3}
 (2:37 PM) (4:39 PM)

Clerk's Note: Judge Biscoe announced that Items 35.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.

Members of the Court heard from: Mary Etta Gerhardt, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that the Commissioners Court approve and send out a statement of Court expectations of Human Resources Management Department (HRMD) employee behavior, and that we share with Alicia Perez, Executive Manager, Administrative Operations and Linda Moore Smith, Director, HRMD a copy of that letter moments before we deliver copies to HRMD employees.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	no
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

36. CLAIMS BY CHUCK KELLEY, INCLUDING THE CLAIMS IN EEOC CHARGE NO. 31C-2008-01436 AND EEOC CHARGE NO. 450-2009-00943. ¹ (2:37 PM) (4:40 PM)

Clerk's Note: Judge Biscoe announced that Item 36 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Clerk's Note: Items 36 and 37 are associated with one another and were called for concurrent discussion.

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we authorize the County Judge and Commissioner Gómez as a subcommittee of the Commissioners Court to send letters to parties sharing the results of the investigation and claims filed by Ms. Steitle and Mr. Kelley, and that we revise the draft that we had been presented.

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

37. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING CLAIMS BY KAREN STEITLÉ, INCLUDING THE CLAIMS IN EEOC CHARGE NO. 31C-2008-01470. ¹ (2:37 PM) (4:40 PM)

Clerk's Note: Judge Biscoe announced that Item 37 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.

Clerk's Note: Items 37 and 36 are associated with one another and were called for concurrent discussion. Please refer to Item 36 for a summary of the action taken by the Court.

ADDED ITEMS

- A1. RECEIVE UPDATE ON VISITATION CENTER CONSTRUCTION PROJECT AT TRAVIS COUNTY COMMUNITY JUSTICE CENTER (STATE JAIL) AND TAKE APPROPRIATE ACTION. (2:23 PM)

Members of the Court heard from: Roger Jefferies, Executive Manager, Justice and Public Safety (JPS).

Discussion only. No formal action taken.

- A2. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM THE ENVISION CENTRAL TEXAS WORK GROUP FOR COMMENTS ON PROCESS AND RECOMMENDATIONS REGARDING COUNTY GROWTH MANAGEMENT AUTHORITY. (2:23 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR.

Motion by Judge Biscoe and seconded by Commissioner Davis that we express our deep appreciation to them for sending us this information; that we indicate our keen interest and desire in providing a formal response; and that we indicate our intention to review this matter further, and approve a formal document setting forth our position next Tuesday, February 24th, 2009; that we further find out as much as we can about the early March, 2009 Capital Area Council of Governments (CAPCOG) Conference.

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

C5



Travis County Commissioners Court Agenda Request

Voting Session 3/03/09
(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 approving the setting of a Public Hearing on March 24, 2009, to receive comments regarding a request to authorize the filing of an instrument to vacate two tracts of 0.313 and 0.179 acres which comprise the Drainage Easement as recorded at 2008087239 of the Official Public Records of Travis County, Texas – a separate instrument drainage easement dedicated in Travis County, Precinct 3.

C. Approved by: _____
Commissioner Karen 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:

<u> Chris Gilmore: </u>	<u> 854-9415 </u>	<u> Mike Hettenhausen: </u>	<u> 854-7562 </u>
<u> Anna Bowlin: </u>	<u> 854-7561 </u>	<u> Don Grigsby: </u>	<u> 854-7560 </u>

III. Required Authorizations: Please check if applicable:

 Planning and Budget Office (854-9106)

___ Additional funding for any department or for any purpose

___ Transfer of existing funds within or between any line item budget

___ Grant

 Human Resources Department (854-9165)

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

 Purchasing Office (854-9700)

___ Bid, Purchase Contract, Request for Proposal, Procurement

 County Attorney's Office (854-9415)

___ Contract, Agreement, Policy & Procedure

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

RECEIVED
COUNTY JUDGE'S OFFICE
FEB 25 AM 5:12



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

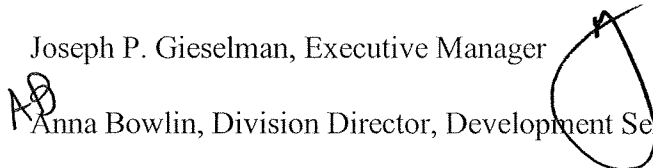
411 West 13th Street
Executive Office Building, 11th Floor
P.O. Box 1748
Austin, Texas 78767
(512) 854-9383
FAX (512) 854-4697

MEMORANDUM

DATE: February 23, 2009

TO: Members of the Commissioners' Court

THROUGH: Joseph P. Gieselman, Executive Manager

FROM:  Anna Bowlin, Division Director, Development Services

SUBJECT: Consider and take appropriate action on approving the setting of a Public Hearing on March 24, 2009, to receive comments regarding a request to authorize the filing of an instrument to vacate two tracts, of 0.313 and 0.179 acres, which comprise the Drainage Easement as recorded at 2008087239 of the Official Public Records of Travis County, Texas – a separate instrument drainage easement dedicated in Travis County, Precinct 3.

Summary and Staff Recommendation:

TNR has received a request from the property owner's engineer requesting to vacate a Drainage Easement comprised of two tracts, of 0.313 and 0.179 acres, which were recorded May 28, 2008, in reference to a proposed plat called The Coves at Sky Ranch. That plat was never recorded and the developer has changed the proposed lay-out of the subdivision of the property. The property owner is requesting this vacation in order to move forward with the new configuration of the property.

Professional Engineer, Davood Salek, has stated: "Since there is no longer any proposed open channel within the subject drainage easement and its alignment falls across several buildable areas of proposed lots, I request the vacation of the drainage easement as recorded easement in Travis County Records Doc # 2008087239."

Travis County Engineer, Don Grigsby, has stated he has no objections to this vacation. TNR recommends the vacation of the 25' wide drainage easement as described in the attached Order of Vacation and as shown on the attached field notes and sketch.

Budgetary and Fiscal Impact:

None.

Issues and Opportunities:

Although someone had this document recorded prematurely, we are able to vacate the Drainage Easement, by this process, and return the property to its unencumbered state so that the developer can continue to plat the land in a better way.

February 23, 2009

Page 2

Required Authorizations:

None.

Exhibits:

Letter of Request

Engineer's letter

Recorded Easement

Field Notes and Sketch

Location Maps (4)

DV:AB:dv

1105 Coves at Sky Ranch – DE vacation

09-DE-01

7401 B Highway 71 West
Suite 160 • Austin, TX 78735
p 512.583.2600
f 512.583.2601

February 18, 2009

Mrs. Darla Vasterling
Travis County TNR.
Planning and Engineering Services
411 W 13th St.
Executive Office Building
Austin, Texas 78757

Re: Vacation of Drainage Easement granted to the public by document # 2008087239 across 110.06 ac. of land conveyed to Stephen Paul Taylor by deed recorded in Vol. 8697 Pg. 385 of the deed records of Travis County .

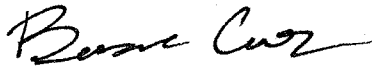
Dear Mrs. Vasterling,

Please find attached a copy of the Metes and Bounds and sketch of the Drainage Easement referenced above. This drainage easement was granted to the public per the requirements of Travis County Final Plat and Subdivision construction review comments as it was intended to contain an open channel that conveyed storm water runoff from proposed subdivision improvements to Lake Travis. This proposed Subdivision was called "The Coves at Sky Ranch Phase One". This subdivision plat was never approved and has been redesigned and resubmitted to Travis County without the proposed open drainage channel that was required by the original design. The redesigned subdivision is called "The Coves at Sky Ranch". Please see the attached Proposed Drainage Plan for The Coves at Sky Ranch which has been approved by Don Grigsby of your office, for the new drainage design.

Since there is no longer any drainage to convey with in the subject drainage easement and its alignment falls across several buildable areas of proposed lots, I request the vacation of the drainage easement as recorded in the Travis County Records Doc # 2008087239.

Please feel free to contact me at 583-2600 with any questions or comments.

Thank you,



Buck Culp



7401 B Highway 71 West
Suite 160 • Austin, TX 78735
p 512.583.2600
f 512.583.2601

February 23, 2009

Mrs. Darla Vasterling
Travis County TNR.
Planning and Engineering Services
411 W 13th St.
Executive Office Building
Austin, Texas 78757

Re: Vacation of Drainage Easement granted to the public by document # 2008087239 across 110.06 ac. of land conveyed to Stephen Paul Taylor by deed recorded in Vol. 8697 Pg. 385 of the deed records of Travis County.

Dear Mrs. Vasterling,

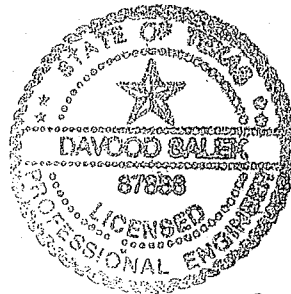
Please find attached a copy of the Metes and Bounds and sketch of the Drainage Easement referenced above. This drainage easement was granted to the public per the requirements of Travis County Final Plat and Subdivision construction review comments as it was intended to contain an open channel that conveyed storm water runoff from proposed subdivision improvements to Lake Travis. This proposed Subdivision was called "The Coves at Sky Ranch Phase One". This subdivision plat was never approved and has been redesigned and resubmitted to Travis County without the proposed open drainage channel that was required by the original design. The redesigned subdivision is called "The Coves at Sky Ranch". Please see the attached Proposed Drainage Plan for The Coves at Sky Ranch which has been approved by Don Grigsby at your office, for the new drainage design.

Since there is no longer any proposed open channel within the subject drainage easement and its alignment falls across several buildable areas of proposed lots, I request the vacation of the drainage easement as recorded in the Travis County Records Doc # 2008087239.

Please feel free to contact me at 583-2600 with any questions or comments.

Sincerely,


Davood Salek, P.E.



02-23-2009





EASE 2008087239

7 PGS

DRAINAGE EASEMENT

STATE OF TEXAS §

COUNTY OF TRAVIS §

**ORIGINAL
FILED FOR RECORD**

THAT, Hinman Development Company, a Limited Liability Company in the County of Travis, State of Texas, referred to as Grantors, whether one or more, whose mailing address is 6309 Sanderson Ave., Austin, Texas 78749, for and in consideration of the sum of TEN DOLLARS (\$0.00) and other good and valuable consideration, to Grantors in hand paid by Travis County, Texas, the receipt and sufficiency of which is acknowledged, have this day **GRANTED, SOLD AND CONVEYED**, and by these presents do hereby **GRANT, SELL AND CONVEY**, unto the Public, a Drainage Easement ("Easement") for the construction, operation, maintenance, replacement, upgrade, and repair of drainage channel and facility in, under, upon and across the following described land, together with any improvements and fixtures thereon, any and all rights and appurtenances pertaining to the Easement use; to-wit:

All that parcel of land, situated in Travis County, Texas, described in **EXHIBIT "A"** attached hereto and made a part hereof for all purposes, ("Easement Tract").

TO HAVE AND TO HOLD the same perpetually to the Public, together with the right and privilege at any and all times to enter said premises, or any part thereof, for the purpose of construction, operation, maintenance, replacement, upgrade, and repair of drainage channel and facility and making connections therewith.

Grantor does hereby covenant and agree to **WARRANT AND FOREVER DEFEND** title to the Easement herein granted, unto the said Public, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, subject to the matters set forth herein.

Executed on May 20, 2008.

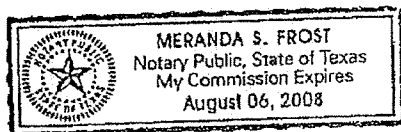
Grantor:

Steven Paul Taylor
Steven Paul Taylor, Operations Partner
Hinman Development Company, L.L.C.

STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on May 20, 2008, by Steven Paul Taylor, Operations Partner of Hinman Development Company, a Limited Liability Company, on behalf of said corporation.



Meranda S. Frost
Notary Public, State of Texas

**JAMES E. GARON
& ASSOCIATES, INC.**
PROFESSIONAL LAND SURVEYORS

924 Main Street
Bastrop, Texas 78602
512-303-4185
Fax 512-321-2107
jgaron@austin.rr.com

May 12, 2008

LEGAL DESCRIPTION TRACT 1: BEING A 0.313 ACRE TRACT OF LAND LYING IN AND SITUATED OUT THE W.M. MAXEY SURVEY NO. 652, ABSTRACT NO. 578 AND THE J.E. MAXEY SURVEY NO. 519, ABSTRACT NO. 534, ALL IN TRAVIS COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN CALLED 110.06 ACRE REMAINDER TRACT CONVEYED TO STEVEN PAUL TAYLOR BY DEED RECORDED IN VOLUME 8697, PAGE 385 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.313 ACRE TRACT BEING A TWENTY-FIVE (25) FOOT WIDE STRIP OF LAND FOR THE PURPOSE OF A DRAINAGE AND ACCESS EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a point for the southeasterly corner hereof, being in the northerly line of that certain 9.557 acre tract of land conveyed to Hinman Development Company, LLC by deed recorded in Document No. 2008074792 of the Official Public Records of Travis County, Texas, from which said **POINT OF BEGINNING** a ½" iron rod set at the northeasterly corner of said 9.557 acre tract bears S 71°18'09" E a distance of 40.00 feet, S 79°08'42" E a distance of 235.32 feet and S 83°42'12" E a distance of 405.10 feet;

THENCE N 71°18'09" W a distance of 25.00 feet for the southerly line hereof to a point of curvature for the southwesterly corner hereof;

THENCE for the westerly line hereof the following three (3) calls:

- 1) With said curve, being a curve to the left, having a radius of 315.00 feet, an arc distance of 434.33 feet and whose chord bears N 20°48'12" W a distance of 400.74 feet to a point for an angle point hereof,
- 2) N 03°35'53" W a distance of 112.17 feet to a point for an angle point hereof,
- 3) N 38°09'32" E a distance of 2.64 feet to a point of curvature for the northwesterly corner hereof;

THENCE with said curve, being a curve to the right, having a radius of 60.00 feet, an arc distance of 29.33 feet and whose chord bears S 56°46'00" E a distance of 29.03 feet to a point for the northeasterly corner hereof;

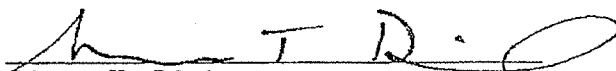
• Page 2

May 12, 2008

THENCE for the easterly line hereof the following two (2) calls:

- 1) S 03°35'53" E a distance of 83.58 feet to a point of curvature for an angle point hereof,
- 2) With said curve, being a curve to the right, having a radius of 340.00 feet, an arc distance of 455.13 feet and whose chord bears S 19°39'04" E a distance of 421.90 feet to the **POINT OF BEGINNING** and containing 0.313 acres of land, more or less.

Surveyed by:



Glenn T. Dial
Registered Professional Land Surveyor
Server\Counties\Travis\Subd\The Coves at Sky Ranch\Esmt1.doc



**JAMES E. GARON
& ASSOCIATES, INC.**
PROFESSIONAL LAND SURVEYORS

924 Main Street
Bastrop, Texas 78602
512-303-4185
Fax 512-321-2107
jgaron@austin.rr.com

May 12, 2008

LEGAL DESCRIPTION TRACT 2: BEING A 0.179 ACRE TRACT OF LAND LYING IN AND SITUATED OUT THE J.E. MAXEY SURVEY NO. 519, ABSTRACT NO. 534, ALL IN TRAVIS COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN CALLED 110.06 ACRE REMAINDER TRACT CONVEYED TO STEVEN PAUL TAYLOR BY DEED RECORDED IN VOLUME 8697, PAGE 385 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.179 ACRE TRACT BEING A TWENTY-FIVE (25) FOOT WIDE STRIP OF LAND FOR THE PURPOSE OF A DRAINAGE EASEMENT MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a point for the southwesterly corner hereof, from which said **POINT OF BEGINNING** a ½" iron rod set at the northeasterly corner of that certain 9.557 acre tract of land conveyed to Hinman Development Company, LLC by deed recorded in Document No. 2008074792 of the Official Public Records of Travis County, Texas, said 9.557 acre tract bears S 56°46'00" E a distance of 29.03 feet, S 03°35'53" E a distance of 83.58 feet, S 19°39'04" E a distance of 421.90 feet, S 71°18'09" E a distance of 40.00 feet, S 79°08'42" E a distance of 235.32 feet and S 83°42'12" E a distance of 405.10 feet;

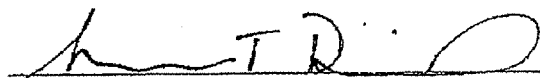
THENCE N 38°09'32" E a distance of 311.49 feet for the westerly line hereof to a point for the northwesterly corner hereof;

THENCE S 67°09'06" E a distance of 25.92 feet for the northerly line hereof to a point for the northeasterly corner hereof;

THENCE S 38°09'32" W a distance of 315.35 feet for the easterly line hereof to a point of curvature for the southeasterly line hereof;

THENCE with said curve, being a curve to the left, having a radius of 60.00 feet, an arc distance of 25.37 feet and whose chord bears N 58°39'26" W a distance of 25.18 feet to the **POINT OF BEGINNING** and containing 0.179 acres of land, more or less.

Surveyed by:



Glenn T. Dial
Registered Professional Land Surveyor
Server\Counties\Travis\Subd\The Coves at Sky Ranch\Esm2.doc

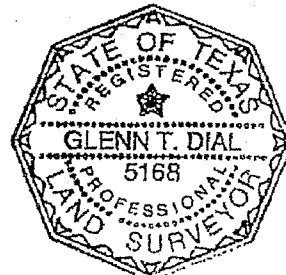
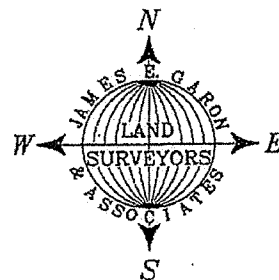


EXHIBIT "A"

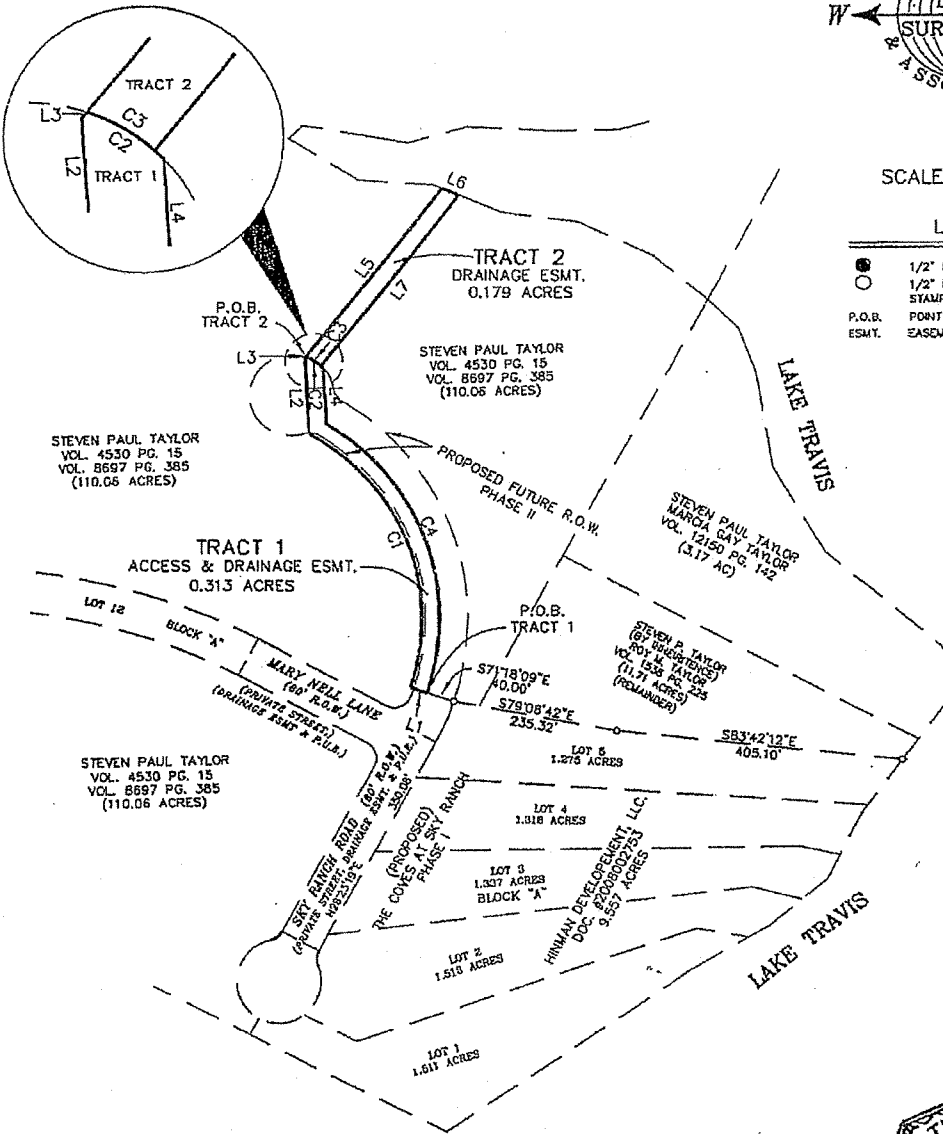
SKETCH TO ACCOMPANY METES AND BOUNDS ON TWO TRACTS OF LAND OUT OF THE W.M. MAXEY SURVEY NO. 652, ABSTRACT NO. 578 AND THE J.E. MAXEY SURVEY NO. 519, ABSTRACT NO. 534, SITUATED IN TRAVIS COUNTY, TEXAS.



SCALE 1" = 200'

LEGEND

- 1/2" REBAR FOUND
- 1/2" REBAR SET W/CAP STAMPED J.E. GARON RPLS 4303
- P.O.B. POINT OF BEGINNING
- ESMT. EASEMENT



CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	CHORD BEARING	DELTA
C1	315.00	434.33	259.67	400.74	N20°48'12"W	79°00'05"
C2	60.00	29.33	14.96	29.03	S56°46'00"E	28°00'15"
C3	60.00	25.37	12.88	25.18	N58°39'26"W	24°13'23"
C4	340.00	455.13	268.96	421.90	S19°39'04"E	76°41'49"

LINE TABLE		
LINE	LENGTH	BEARING
L1	25.00	N71°18'09"W
L2	112.17	N03°35'53"W
L3	2.64	N38°09'32"E
L4	83.58	S03°35'53"E
L5	311.49	N38°09'32"E
L6	25.92	S67°09'06"E
L7	315.35	S38°09'32"W



4-21-2008

JAMES E. GARON & ASSOC.
 PROFESSIONAL LAND SURVEYORS
 924 Main Street
 Bastrop, Texas 78502
 (512) 303-4185
 fax (512) 321-2107

FILE: Server\Co\Travis\Subd\The Coves at Sky Ranch\Esmt.dwg

BOARD OF DIRECTORS
NORTHWEST TRAVIS COUNTY ROAD DISTRICT NO. 3

Voting Session Tuesday, March 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 February 10, 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 – FEBRUARY 10, 2009

NORTHWEST TRAVIS COUNTY ROAD DISTRICT NO. 3

On Tuesday, the 10th day of February 2009, the Commissioners' Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, convened the Voting Session at 1:42 PM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Robert Resnick.

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. (1:42 PM)

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the investments.

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 NORTHWEST TRAVIS COUNTY ROAD DISTRICT NO. 3 MINUTES FOR VOTING SESSIONS OF JANUARY 21 AND 27, 2009. (1:42 PM)

Motion by Commissioner Gómez **and seconded by** Commissioner Huber 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

Date of Approval


Samuel T. Biscoe, Travis County Judge

BOARD OF DIRECTORS
NORTHWEST TRAVIS COUNTY ROAD DISTRICT NO. 3

Voting Session Tuesday, March 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 February 17, 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 – FEBRUARY 17, 2009

NORTHWEST TRAVIS COUNTY ROAD DISTRICT NO. 3

On Tuesday, the 17th day of February 2009, the Commissioners' Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, convened the Voting Session at 1:37 PM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Road District Board of Directors adjourned the Voting Session of the Northwest Travis County Road District No. 3 (Golden Triangle) at 1:38 PM.

1. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST ROAD DISTRICT FUNDS. (1:37 PM)

Motion by Commissioner Gómez **and seconded by** Commissioner Davis that the investments be made.

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.
(1:38 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

_____ **Date of Approval**

_____ **Samuel T. Biscoe, Travis County Judge**


Board of Directors
Travis County Bee Cave Road District No. 1 Agenda Request

Voting Session Tuesday, March 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 Travis County Bee Cave Road District No. 1 Minutes for the Voting Session of February 10, 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 – FEBRUARY 10, 2009

TRAVIS COUNTY BEE CAVE ROAD DISTRICT NO. 1

On Tuesday, the 10th day of February, 2009, the Commissioners' Court, meeting as the Travis County Bee Cave Road District No. 1 (Galleria) Board of Directors, convened the Voting Session at 1:42 PM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Robert Resnick.

The Road District Board of Directors adjourned the Voting Session of the Travis County Bee Cave Road District No. 1 (Galleria) at 1:43 PM.

1. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST ROAD DISTRICT FUNDS. (1:42 PM)

Motion by Commissioner Huber **and seconded by** Commissioner Gómez to approve the investments in Item 1.

Motion carried:

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

2. APPROVE TRAVIS COUNTY BEE CAVE ROAD DISTRICT NO. 1 MINUTES FOR VOTING SESSION OF JANUARY 21, 2009. (1:42 PM)

Motion by Commissioner Huber **and seconded by** Commissioner Eckhardt 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

Board of Directors
Travis County Bee Cave Road District No. 1 Agenda Request


2

Voting Session Tuesday, March 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 Travis County Bee Cave Road District
No. 1 Minutes for the Voting Session of
February 17, 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 – FEBRUARY 17, 2009
TRAVIS COUNTY BEE CAVE ROAD DISTRICT NO. 1

On Tuesday, the 17th day of February, 2009, the Commissioners' Court, meeting as the Travis County Bee Cave Road District No. 1 (Galleria) Board of Directors, convened the Voting Session at 1:38 PM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Road District Board of Directors adjourned the Voting Session of the Travis County Bee Cave Road District No. 1 (Galleria) at 1:38 PM.

1. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST ROAD DISTRICT FUNDS. (1:38 PM)

Motion by Commissioner Gómez **and seconded by** Commissioner Huber to approve the investments in Item 1.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	abstain
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

TRAVIS COUNTY HOUSING FINANCE CORPORATION
AGENDA REQUEST

Work Session _____ Voting Session March 3, 2009 Executive Session _____
Date Date Date

- I. A. Request made by: Samuel T. Biscoe, President
Elected Official
- B. Requested Text: Consider and take appropriate action on request to approve minutes of Board of Director meetings of January 13, January 21, and February 10, 2009.

Approved by: _____
Signature of Samuel T. Biscoe, President

- II. A. Any backup material to be presented to the court must be 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 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 (473-9106)
- Additional funding for any department or for any purpose
- Transfer of existing funds within or between any line item
- Grant
- Human Resources Department (473-9165)
- A change in your department's personnel (reclassifications, etc.)
- Purchasing Office (473-9700)
- Bid, Purchase Contract, Request for Proposal, Procurement
- County Attorney's Office (473-9415)
- Contract, Agreement, Policy & Procedure

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted to the County Judge's office in writing by 5:00 PM on Tuesdays for the next week's meeting. Late or incomplete requests may be deferred to the next meeting.

**MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS OF
TRAVIS COUNTY HOUSING FINANCE CORPORATION
HELD ON TUESDAY, JANUARY 13, 2009**

A regular meeting of the TRAVIS COUNTY HOUSING FINANCE CORPORATION Board of Directors was held on Tuesday, January 13, 2009, at 1:42 p.m. at Travis County Commissioners' Court Room, 314 W. 11th St., Austin, Texas pursuant to proper notice and call of said meeting.

Members of the Board of Directors in attendance were Samuel T. Biscoe, President; Sarah Eckhardt, Vice President; Karen Huber, Treasurer; Margaret Gomez, Secretary and Ron Davis, Assistant Secretary.

1. **CONSIDER AND TAKE APPROPRIATE ACTION TO REQUEST TO APPROVE NEW SIGNATURE CARDS FOR THE JPMORGAN CHASE BANK ACCOUNT.**

The Board heard from: Harvey Davis, Manager

Motion: Director Gomez moved to approve Samuel T. Biscoe, Sarah Eckhardt and Karen Huber as the signors on the bank account.
Director Biscoe seconded the motion.

Motion carried:

Director Biscoe	yes
Director Eckhardt	yes
Director Huber	yes
Director Gomez	yes
Director Davis	yes

2. **CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE MEMBERSHIP INVOICE FROM TEXAS ASSOCIATION OF LOCAL HOUSING FINANCE AGENCIES.**

The Board heard from: Harvey Davis, Manager

Motion: Director Gomez moved to approve the membership invoice.
Director Davis seconded the motion.

Motion carried:

Director Biscoe	yes
Director Eckhardt	yes
Director Huber	yes
Director Gomez	yes
Director Davis	yes

Staff Note: Payment amount \$525.00.

3. **CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE A PLAN TO APPLY FOR FUNDING FROM THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR A NEIGHBORHOOD STABILIZATION PROGRAM.**

The Board heard from: Harvey Davis, Manager; Mike Gonzalez, Sr. Financial Analyst; and Christy Moffitt, CDBG Manager.

Motion: Director Biscoe made a motion for staff to bring back specific figures next week of funds needed for Mike Gonzalez to work full-time for three months so he can develop a Neighborhood Stabilization Program application to be submitted to the Texas Department of Housing and Community Affairs.

Director Eckhardt seconded the motion.

Motion carried:	Director Biscoe	yes
	Director Eckhardt	yes
	Director Huber	yes
	Director Gomez	yes
	Director Davis	yes

ADJOURN

The meeting was adjourned at 2:24 p.m.

Margaret Gomez, Secretary

**MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS OF
TRAVIS COUNTY HOUSING FINANCE CORPORATION
HELD ON TUESDAY, JANUARY 21, 2009**

A regular meeting of the TRAVIS COUNTY HOUSING FINANCE CORPORATION Board of Directors was held on Tuesday, January 21, 2009, at 1:42 p.m. at Travis County Commissioners' Court Room, 314 W. 11th St., Austin, Texas pursuant to proper notice and call of said meeting.

Members of the Board of Directors in attendance were Samuel T. Biscoe, President; Sarah Eckhardt, Vice President; Karen Huber, Treasurer; and Ron Davis, Assistant Secretary. Margaret Gomez, Secretary, was absent.

- 1. CONSIDER AND TAKE APPROPRIATE ACTION TO REQUEST TO AUTHORIZE A RELEASE OF LIEN FOR A FIRST-TIME HOMEBUYER THAT PARTIALLY REPAID A LOAN EXECUTED ON APRIL 4, 2007.**

The Board heard from: Harvey Davis, Manager

Motion: Director Biscoe moved authorize the Release of Lien.
Director Eckhardt seconded the motion.

Motion carried:

Director Biscoe	yes
Director Eckhardt	yes
Director Huber	yes
Director Gomez	absent
Director Davis	yes

- 2. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE AN INVOICE FROM MOODY'S INVESTORS SERVICE FOR RATING SERVICES FOR THE EXTENSION OF THE \$15.5 MILLION TRAVIS COUNTY HOUSING FINANCE CORPORATION SINGLE FAMILY MORTGAGE REVENUE AND REFUNDING BONDS (MORTGAGE-BACKED SECURITIES PROGRAM) SERIES 2007A (AMT).**

The Board heard from: Harvey Davis, Manager

Motion: Director Biscoe moved to approve the invoice.

Director Eckhardt seconded the motion.

Motion carried:

Director Biscoe	yes
Director Eckhardt	yes
Director Huber	yes
Director Gomez	absent
Director Davis	yes

Staff Note: Payment amount \$1,500.00.

3. **CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO EXECUTE PARTIAL RELEASE OF LIENS ON TWO LOTS OWNED BY AUSTIN HABITAT FOR HUMANITY, INC. 4502 AND 4604 ACERS LANE.**

The Board heard from: Harvey Davis, Manager

Motion: Director Biscoe made a motion approve the release of liens on 4502 and 4604 Acers Lane.

Director Eckhardt seconded the motion.

Motion carried:	Director Biscoe	yes
	Director Eckhardt	yes
	Director Huber	yes
	Director Gomez	absent
	Director Davis	yes

4. **CONSIDER AND TAKE APPROPRIATE ACTION ON A CONTRACT AMENDMENT WITH TRAVIS COUNTY IN ORDER TO PROVIDE FUNDS TO CONVERT A PART-TIME SENIOR FINANCIAL ANALYST TO FULL-TIME STATUS FOR THREE MONTHS TO DEVELOP A PLAN TO APPLY FOR FUNDING FROM THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR A NEIGHBORHOOD STABILIZATION PROGRAM.**

The Board heard from: Harvey Davis, Manager

Motion: Director Biscoe made a motion approve the contract.

Director Davis seconded the motion.

Motion carried:	Director Biscoe	yes
	Director Eckhardt	yes
	Director Huber	yes
	Director Gomez	absent
	Director Davis	yes

ADJOURN

The meeting was adjourned at 1:49 p.m.

Ron Davis, Assistant Secretary

**MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS OF
TRAVIS COUNTY HOUSING FINANCE CORPORATION
HELD ON TUESDAY, FEBRUARY 10, 2009**

A regular meeting of the TRAVIS COUNTY HOUSING FINANCE CORPORATION Board of Directors was held on Tuesday, February 10, 2009, at 1:43 p.m. at Travis County Commissioners' Court Room, 314 W. 11th St., Austin, Texas pursuant to proper notice and call of said meeting.

Members of the Board of Directors in attendance were Samuel T. Biscoe, President; Sarah Eckhardt, Vice President; Karen Huber, Treasurer; Margaret Gomez, Secretary and Ron Davis, Assistant Secretary.

1. CONSIDER AND TAKE APPROPRIATE ACTION A GRANT APPLICATION FOR FUNDING FROM THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR A 2009/2011 HOME TENANT BASED RENTAL ASSISTANCE PROGRAM.

The Board heard from: Harvey Davis, Manager; and Sherri Fleming, Executive Manager, Travis County Health and Human Services

Motion: Director Biscoe moved to approve the grant application.
Director Eckhardt seconded the motion.

Motion carried:

Director Biscoe	yes
Director Eckhardt	yes
Director Huber	yes
Director Gomez	yes
Director Davis	yes

ADJOURN

The meeting was adjourned at 1:51 p.m.

Margaret Gomez, Secretary