

#

Travis County Commissioners Court Agenda RequestVoting Session 1/26/10  
(Date)Work Session \_\_\_\_\_  
(Date)

- I. A. Request made by: Joseph P. Gieselman Phone # 854-9383  
Executive Manager, TNR
- B. Requested text: **Receive comments regarding a request to authorize the filing of an instrument to Reject the Dedication of Paseo Sur in Arroyo Doble Section Four, a subdivision in Precinct 3.**

C. Approved by: \_\_\_\_\_  
Commissioner Karen Huber, Precinct Three

- II. A. Is backup material attached\*: Yes X No  
\*Any backup material to be presented to the court must be submitted with this Agenda Request (original and 8 copies).

- B. Have the agencies affected by this request been invited to attend the Work Session?  
Yes X No \_\_\_\_\_  
Please list those contacted and their phone numbers:

Christopher Gilmore - 854-9415  
Austin American Statesman

AB  
Anna Bowlin - 854-9383

- III. Required Authorizations: Please check if applicable:

Planning and Budget Office (473-9106)

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

Human Resources Department (473-9165)

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

Purchasing Office (473-9700)

- \_\_\_\_ Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (473-9415)

- \_\_\_\_ Contract, Agreement, Policy & Procedure

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

Travis County Commissioners Court Agenda RequestVoting Session 1/26/10  
(Date)Work Session \_\_\_\_\_  
(Date)I. A. Request made by: Joseph P. Gieselman Phone # 854-9383  
Executive Manager, TNRB. Requested text: **Consider and take appropriate action on approving a request to authorize the filing of an instrument to Reject the Dedication of Paseo Sur in Arroyo Doble Section Four, a subdivision in Precinct 3.**C. Approved by: \_\_\_\_\_  
Commissioner Karen Huber, Precinct ThreeII. A. Is backup material attached\*: Yes X No \_\_\_\_\_  
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Yes X No \_\_\_\_\_  
Please list those contacted and their phone numbers:Christopher Gilmore - 854-9415  
Austin American StatesmanAB Anna Bowlin - 854-9383

III. Required Authorizations: Please check if applicable:

Planning and Budget Office (473-9106)\_\_\_\_ Additional funding for any department or for any purpose  
\_\_\_\_ Transfer of existing funds within or between any line item budget  
\_\_\_\_ GrantHuman 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 &amp; 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, 11th Floor  
P.O. Box 1748  
Austin, Texas 78767  
(512) 854-9383  
FAX (512) 854-4697

### MEMORANDUM

DATE: December 16, 2009

TO: Members of the Commissioners' Court

FROM: Joseph P. Gieselman, Executive Manager

SUBJECT: Approve setting a Public Hearing date of January 26, 2010, to consider Rejecting the Dedication of Paseo Sur that is plated to run between Lot 1, Block B and Lot 12 Block A, Arroyo Doble Section Four, in Precinct 3. Precinct 3

#### **Summary and Staff Recommendation:**

When this was last considered in Commissioners Court the order neglected to include Exhibit "B". Therefore the applicant wanted a corrected Order. We were advised by an Assistant County Attorney to redo the whole process.

The right of way of Paseo Sur was dedicated by the plat of Arroyo Doble Section Four as recorded at Vol. 74 Page 67 of the Plat Records of Travis County, Texas. Paseo Sur was never constructed or maintained by Travis County. The current owners of Lot 12, Block A and Lot 1, Block B have requested that the right-of-way be rejected and revert back to their adjacent lots. The utility companies have indicated that they have no need for the right-of-way. Travis County has inspected the area and does not need it to be retained as a drainage easement. The applicants have collected signatures from many of their neighbors who indicate that they have no objection to the rejection. TNR recommends that the court approve this Order of Rejecting the Dedication of Paseo Sur.

Additional research has shown that there is a 7.5' Public Utility Easement, dedicated by the plat and running along the back of this row of lots, which needs to remain on this tract. There is also a 15' Drainage Easement, dedicated by Vol. 6098 Pg. 259 and running across the back of this row of lots, that needs to remain on this tract. The applicant has also supplied a sign off from the City of Austin Transportation Department stating that they have no need for this right-of-way.

#### **Budgetary and Fiscal Impact:**

There is no budgetary impact.

#### **Issues and Opportunities:**

This is an opportunity to correct the fact that one of the Exhibits was not specifically noted in the Order.

Page 2  
December 16, 2009

**Required Authorizations:**

Assistant County Attorney, Christopher Gilmore

**Exhibits:**

Order  
Field notes and exhibit  
Letter of request  
Statements from utility companies  
Statements from neighbors  
Statement from Union Pacific  
Map  
Sign Affidavit and photos

DV:JPG:dv

1105 Arroyo Doble Sec 4

Attachments

09-ROW-04



STATE OF TEXAS           §

COUNTY OF TRAVIS       §

**ORDER REJECTING THE DEDICATION OF AND ABANDONING  
RIGHT OF WAY FOR PASEO SUR**

**WHEREAS**, streets in the Arroyo Doble Section 4 Subdivision (“the Subdivision”) were dedicated to the public pursuant to a plat recorded at Volume 74, Page 67, Plat Records of Travis County, Texas (“the Plat”); and

**WHEREAS**, among the streets dedicated was Paseo Sur, which lies between Lot 1, Block B, and Lot 12, Block A, Arroyo Doble Section 4 Subdivision, and which was intended to provide for adequate traffic circulation if adjacent property was densely developed; and

**WHEREAS**, Travis County has not accepted the dedication of Paseo Sur and does not intend to construct a public street in the Paseo Sur right-of-way; and

**WHEREAS**, adjacent lot owners object to construction of Paseo Sur as a public street and have requested Travis County to formally forego the right to construct a public street there; and

**WHEREAS**, rejection of the dedication of and abandonment of Paseo Sur will not deny access or utility service to adjacent land within or outside the Subdivision; and

**WHEREAS**, the rejection of the dedication of the north half of the road “Exhibit A” was approved by the Travis County Commissioners Court on August 28, 2000, and recorded at Doc #2000147910 on September 14, 2000; and

**WHEREAS**, the rejection of dedication omitted “Exhibit B”; and

**WHEREAS**, the Travis County Commissioners Court (“the Court”) has scheduled an agenda item for this date to consider and provide an opportunity for public comment on this matter;

**NOW, THEREFORE, THE COURT FINDS AND ORDERS THAT:**

1. The recitals to this Order are true and correct and are incorporated in this Order for all purposes.
2. Rejection of the dedication and the abandonment of the public's interest in, Paseo Sur will not interfere with the established legal rights of any person.
3. The dedication of Paseo Sur, as described in Exhibit "B", which are attached to and incorporated in this Order, is hereby rejected and abandoned and the public's interest in the right-of-way is relinquished, with the exception of the 7.5' public utility easement dedicated by the Plat and the 15' drainage easement dedicated by instrument filed at Vol. 6098, Page 259, Travis County Real Property Records, the public's interest in both being hereby reserved.
4. This Order shall be filed in the Travis County Official Public Records.

ORDERED on January 26, 2010.

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Samuel T. Biscoe  
Travis County Judge

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Ron Davis  
Commissioner, Precinct 1

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Sarah Eckhardt  
Commissioner, Precinct 2

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Karen Huber  
Commissioner, Precinct 3

---

Margaret Gomez  
Commissioner, Precinct 4

## EXHIBIT "B"

FIELD NOTES DESCRIBING THE SOUTH ½ OF PASEO SUR A STREET IN THE ARROYO DOBLE, SECTION 4, A SUBDIVISION OF RECORD IN BOOK 74, PAGE 67, PLAT RECORDS TRAVIS COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½ inch rebar set at the intersection of the centerline of said Paseo Sur Street and the east line of the Missouri Pacific Railroad right-of-way for the northwest corner hereof;

THENCE with the centerline of said Paseo Sur Street, North 89°33'10" East 199.96 feet to a ½ inch rebar set in the west line of Viento Del Sur Street for the northeast corner hereof;

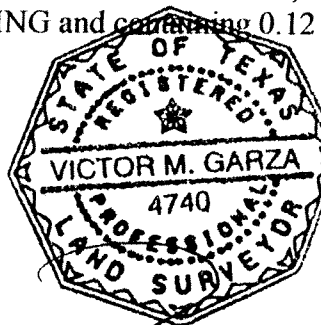
THENCE with the west line of said Viento Del Sur Street, South 00°16'10" East 50.06 feet to a 1 inch pipe found at the southeast corner of said Paseo Sur Street for the southeast corner hereof;

THENCE with the south line of said Paseo Sur Street and the north line of Lot 1, Block B, of said subdivision along a curve  
to the left whose radius is 25 feet and whose chord bears North 45°57'25" West 35.50 feet to a 1 inch pipe found at the point-of-tangency;

THENCE South 89°33'10" West 174.85 feet to a ½ inch rebar set for the at the north west corner of said Lot 1, for the southwest corner hereof;

THENCE with the east line of said Missouri Pacific Railroad r-o-w, North 00°07'20" West 24.94 feet to the PLACE OF BEGINNING and containing 0.12 acres of land, more or less.

R0512300B  
07-06-00



*Victor M. Garza*

I, Dana DeBeauvoir, County Clerk, Travis County, Texas, do hereby certify that this is a true and correct copy as same appears of record in my office. Witness my hand and seal of office on \_\_\_\_\_

SEP 15 2000



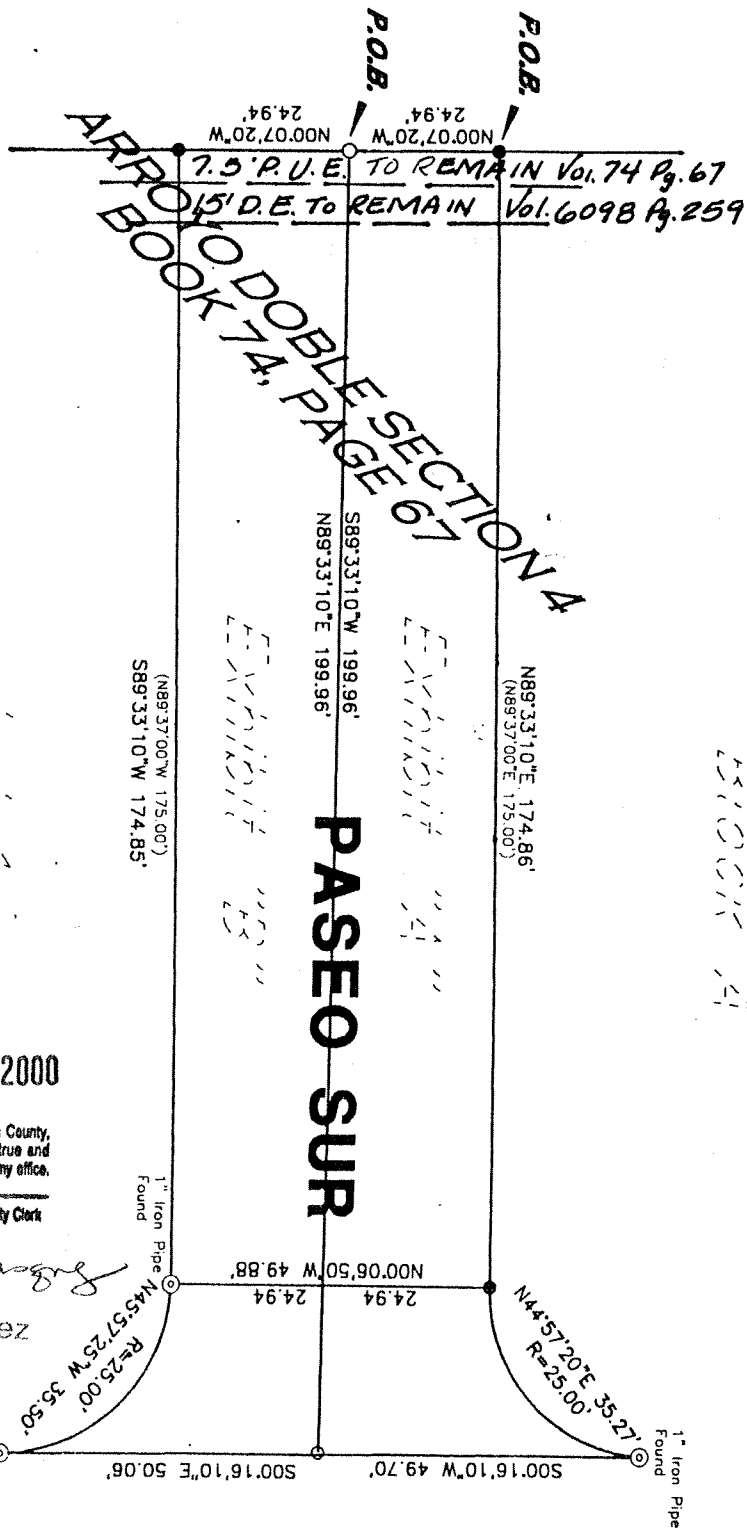
Dana DeBeauvoir, County Clerk  
By Deputy:

*M. Velasquez*

M. Velasquez

00517 0489

## LEGEND



SURVEY MAP OF PASEO SUR STREET  
ARROYO DOBLE SEC. 4

SEP 15 2000

I, Dana DeBeauvoir, County Clerk, Travis County, Texas, do hereby certify that this is a true and correct copy as same appears of record in my office. Witness my hand and seal of office on

Dana DeBeauvoir, County Clerk  
By Deputr.

M. Velasquez

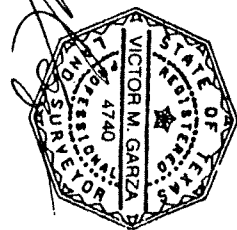
Dewey H. Burris & Associates  
Land Surveying Services

1404 West North Loop Blvd. 512-458-6969  
Austin, Texas 78756 Fax 512-458-9845

JOB# R0609400\_TA  
DATE 07-07-00

# VIENTO DEL SUR

00517 0490



Arroto DOBLE 4

# Fax

Please deliver immediately to: Darla Vasterling  
of: Eng. Dept. 9th Floor  
Fax number: 7084649  
Voice number:

Fax received from: Catherine Crossland  
of:  
Fax number: (512) 282-3243  
Voice number: 512-282-8320

Date: 9/1/99  
Time: 10:48:24 AM  
Number of Pages: 1

Subject: Paseo Sur Letters and petitions from Crossland &

## Message:

Please review our letters opposing the Hopkins request for driveway easement on Paseo Sur at Viento Del Sur in Manchaca.  
Thank you, Cathy Crossland FAX 282-3243,  
6 pages to follow.

**Joseph L. and Catherine S. Crossland**

**13100 Viento Del Sur • Manchaca TX 78652 • (512) 282-8320**

March 31, 1999

Sept. 1, 1999

FAX to Darla VASTERLING

Mr. Steve Manilla  
Division Director Engineering Services  
POB 1748  
Austin, TX 78767-1748

**RE: Permit Request from David Hopkins - Paseo Sur**

Dear Mr. Manilla,

My husband and I, as well as the other adjoining property owners (Larry and Jeanette Ybarra), are very opposed to having a roadway/train crossing placed adjacent to our home and pray that you will deny the Hopkins' request for permission to do so.

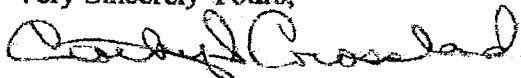
The Hopkins purchased the property with full knowledge of the available ingress and egress to the property. They already have full and legal access on to their property via the crossing on Horsethief Trail which is only 1500 feet south of the location they are requesting. If they felt that the new roadway was of material importance to their ability to enjoy the property, they had every opportunity prior to purchasing it to explore the possibility of having the crossing built. They could have made approval of such a crossing a condition of the sale. They chose not to. Attached is a copy of the sales listing for the property as it appeared in the Austin MLS. Access and directions to the property are clearly described.

There is no burden that would be relieved if the crossing is permitted to be built. The crossing would benefit the Hopkins in a minor way but could have serious negative implications to the character of our neighborhood. Viento Del Sur is currently a quiet "back loop" of the neighborhood and is traveled only by those who live here. The proposed crossing would create traffic where none currently exists, thereby turning what is now an interior neighborhood street into an artery for others to use.

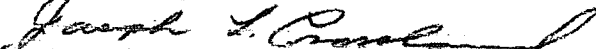
There are many other factors which should be considered as well. Safety, noise from additional whistle blowing, easy access to the tracks by children in the area where none currently exists, and what will surely be strong opposition from other neighbors once news of the proposed crossing is made known.

Please do not grant Mr. Hopkins request. Nothing good could come from it.

Very Sincerely Yours,



Catherine S. Crossland AND



cc: Lester Lehman

FAX 263.9117

cc: Darla Vasterling

March 31, 1999

Mr. Steve Manilla  
Travis County  
Division Director of Engineering Services  
P.O. Box 1748  
Austin, Texas 78767-1748

Mr. Doug G. Woods  
Union Pacific Railroad  
Manager Industry and Public Project Area Director  
24125 Alldine-Westfield Road  
Spring, Texas 77373

RE: County Easement of Paseo Sur, Travis County.

Gentlemen:

We are writing this letter to notify Travis County and Union Pacific that we oppose the approval of a requested permit by David and Elaine Hopkins to build a drive across our properties. Travis County and Union Pacific own the rights to an easement across our properties located at 13004 and 13100 Viento Del Sur. On the plat records this easement is identified as Paseo Sur. We understand that the Hopkins' have applied for a driveway permit on that easement to gain access to property they purchased last fall located behind us, as well as to gain accessibility to Lowden Lane. They already have access to their property by way of Horsethief Trail, an existing road at the end of the subdivision.

These two properties, including the easement section, have been owned and maintained by us, the owners, for at least 17 consecutive years (Larry and Jeanette Ybarra have lived and maintained their property and the easement for 17 years; the Crosslands have owned and maintained the adjoining property and the easement for approximately 4 years). We were told when we purchased these properties as early as 17 years ago, and have been reassured many times since, that a road would never be built across the easement.

Mr. Steve Manilla  
Mr. Doug Woods  
March 31, 1999  
Page 2

Drainage/Greenbelt Flow: Any driveway or crossover located here would interfere with the natural flow of excess water from the subdivision, very likely causing flooding on either or both of our properties. Flooding or drainage problems would probably occur on other properties in the surrounding area as well.

Increased Traffic: While initially the Hopkins might intend to be the sole users of the driveway, they cannot monitor its use by others. As time goes on, they will not be able to maintain it as a "private" drive and we would not be able to deny others the use of the drive to gain access to properties located there. The longer the road is there, the easier it will be for other property owners in that area to use it as a short-cut to those properties. We foresee that it could eventually become a well-used road for our neighborhood. That will put our children in danger, increase the risk of trespassing, and certainly lower the value of our properties.

Access to Railroad Tracks: In the past, access to the railroad tracks in this neighborhood has been minimal, both by Union Pacific personnel and by the public. Any required inspections by Union Pacific at this section of the tracks were nominal because there wasn't crossover here. The inspectors have been able to park on the road in front of our property and walk back to the tracks, or gain access through Horsethief Trail located at the end of the subdivision. Public access has been almost non-existent in the last 17 years, and there has been only one accident on this section of the tracks during that time (unfortunately, it was a fatality involving a young man). Again, if there is a drive/road through to the tracks, it puts our children in increased danger and increases the risks for Union Pacific, as well as our properties.

Access by Travis County/Other Utilities: The County and other utilities companies have been able to have access to the area in the same manner as the railroad personnel. There have not been any problems with this arrangement as long as we have lived here. Access to the area via a drive/road increases the traffic over the fiber-optic cable area and increases the maintenance required by utility personnel.

Purchase or Permit for the Easement: We were not aware that the Paseo Sur easement was available for purchase by an individual. If that is the case, we request that we be given the option to buy the easement rights. As the owners of the properties on which the easement is located, we feel we should have the first opportunity to buy it. Please let us know what the cost would be to us. In the alternative, we request that we be given the opportunity to apply for a permit across the easement so that we might have superior control of its use. In either case, we would certainly continue to allow the county and railroad personnel to have use of the land.

We adamantly oppose approval of the Hopkins' application to build a drive across the Paseo Sur easement. It appears to us that Mr. Hopkins simply wants a shortcut to his property across our properties, and we will not agree to give him that.



Mr. Steve Manilla  
Mr. Doug Woods  
March 31, 1999  
Page 3

We appreciate your thorough consideration regarding this matter and request that you deny David and Elaine Hopkins' application.

Sincerely,

Larry J. Ybarra

Jeanette Ybarra

Joseph L. Crossland

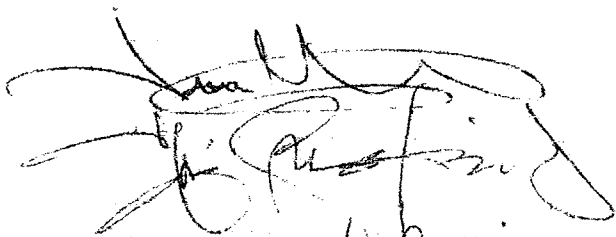
Cathy L. Crossland

13100 Viento Del Sur  
Marchaca Tx 78652  
(512) 282-8320

Ybarra  
13004 Viento del sur  
Marchaca, TX. 78652  
(512) 282-5227

FAX to Darla Vasterling 9/1/99

I/WE HAVE READ THE ATTACHED LETTER FROM THE YBARRA'S AND THE CROSSLAND'S CONCERNING OBJECTION TO AN APPLICATION TO BUILD A DRIVE ACROSS THE PASEO SUR EASEMENT. I/WE AGREE WITH THEM AND SUPPORT THEIR POSITION IN THIS MATTER.



Teresa H. Derickson

Nicole Cufal

Marshall San Manuel

Cherilyn "Tinker" Cotton

Irena + Ignacio Martinez Jr  
13002 Viento Del Sur

TERESA H. DERICKSON  
13003 Viento Del Sur

Nicole Cufal  
same as above ↑  
407 White tail DR.  
602 Bear Canyon

July 26, 2000

Darla Vasterling  
Travis County  
Transportation and Natural Resources  
411 West 13<sup>th</sup> Street, 11<sup>th</sup> Floor  
Austin, Texas 78701

RE: REJECTION OF DEDICATION OF (EASEMENT OF PASEO SUR)

Dear Ms. Vasterling:

Enclosed please find the following on the above matter:

1. Original letters to the Utility Companies;
2. Copy of letter from Union Pacific Railroad (refund check to Mr. Hopkins);
3. Copy of letters from adjacent and neighborhood owners (with signatures);
4. Original Field Notes from Surveyor marked Exhibit "A" with attached survey (which is our property of 13004 Viento Del Sur); and
5. Original Field Notes from Surveyor marked Exhibit "B" with attached survey (which is the Crosslands' property of 13100 Viento Del Sur).

Please note all items that are copies I have the originals.

Commissioner Baxter expressed at our last meeting that the \$650.00 submittal fee would be something that would be waived. Let me know if this is something that either Ms. Crossland or myself need to get with his office on.

Thank you for your assistance in this matter. Let Cathy Crossland or myself know if there is anything else needed.

Sincerely,

I, Dana DeBeauvoir, County Clerk, Travis County,  
Texas, do hereby certify that this is a true and  
correct copy as same appears of record in my office.  
Witness my hand and seal of office on \_\_\_\_\_

SEP 15 2000



Dana DeBeauvoir, County Clerk  
By Deputy:

*M. Velasquez*

M. Velasquez

*Danette Garra*

00517 0491

June 1, 2000

Mr. Lenny Jasinski  
 Pedernales Electric Cooperative  
 P.O. Box 467  
 Johnson, City, Texas 78636

### EASEMENT REQUIREMENT STATEMENT FOR VACATION OF PROPERTY

An application is being made to Travis County for the vacation of property at Paseo Sur, Manchaca, Texas and as described on the enclosed drawing or document. An action of the Commissioners' Court of Travis County is pending your return of this statement, your prompt reply is requested.

### STATEMENT

☒

We do not have need for an easement on the property as described in the accompanying document.

☐

We do have a need for an easement on the property as described in the accompanying document.

Lenny Jasinski  
 Signature

REAL ESTATE SUPERVISOR  
 Title

PEDERNALES ELECTRIC CO-OP.  
 Utility Company or District

Please return this completed form to:

Larry or Jeanette Ybarra  
 Name

13004 Viento del Sur  
 Address

Manchaca, TX. 78652  
 City/State/Zip

703-5763 WR#

I, Dana DeBeauvoir, County Clerk, Travis County, Texas, do hereby certify that this is a true and correct copy as same appears of record in my office. Witness my hand and seal of office on \_\_\_\_\_



Dana DeBeauvoir, County Clerk  
 By Deputy:

M. Velasquez  
 M. Velasquez

SEP 15 2000

00517 0492

South

June 1, 2000

Mr. Todd Thetford  
 Southwestern Bell Telephone Co.  
 1616 Guadalupe, #503  
 Austin, Texas 78701

### EASEMENT REQUIREMENT STATEMENT FOR VACATION OF PROPERTY

An application is being made to Travis County for the vacation of property at Paseo Sur, Manchaca, Texas and as described on the enclosed drawing or document. An action of the Commissioners' Court of Travis County is pending your return of this statement, your prompt reply is requested.

### STATEMENT

X

We do not have need for an easement on the property as described in the accompanying document.

\_\_\_\_\_

We do have a need for an easement on the property as described in the accompanying document.

James Dagnon  
 Signature

MGR.-ENG. DESIGN

\_\_\_\_\_  
 Title

Southwestern Bell Tel. Co.  
 Utility Company or District

Please return this completed form to:

Larry or Jeanette Ybarra  
 Name

13004 Viento del Sur  
 Address

Manchaca, TX. 78652  
 City/State/Zip

703-5763 wk #

I, Dana DeBeauvoir, County Clerk, Travis County, Texas, do hereby certify that this is a true and correct copy as same appears of record in my office. Witness my hand and seal of office on

SEP 15 2000



Dana DeBeauvoir, County Clerk  
 By Deputy:

M. Velasquez  
 M. Velasquez

00517 0493

June 1, 2000

Mr. Randy Harrison  
Time Warner Cable  
12012 N. Mopac  
Austin, Texas 78758

**EASEMENT REQUIREMENT STATEMENT FOR VACATION OF PROPERTY**

An application is being made to Travis County for the vacation of property at Paseo Sur, Manchaca, Texas and as described on the enclosed drawing or document. An action of the Commissioners' Court of Travis County is pending your return of this statement, your prompt reply is requested.

**STATEMENT**

✓

We do not have need for an easement on the property as described in the accompanying document.

We do have a need for an easement on the property as described in the accompanying document.

Laurie Schumpert  
Signature

Drafter  
Title

Time Warner Cable  
Utility Company or District

Please return this completed form to:

Larry or Jeanette Barra  
Name

13004 Viento del Sur  
Address

Manchaca, Tx. 78652  
City/State/Zip

Wk #703-5763

I, Dana DeBeauvoir, County Clerk, Travis County, Texas, do hereby certify that this is a true and correct copy as same appears of record in my office. Witness my hand and seal of office on \_\_\_\_\_



Dana DeBeauvoir, County Clerk  
By Deputy:

M. Velasquez

M. Velasquez

SEP 15 2000

00517 0494

August 3, 2000

## TO WHOM IT MAY CONCERN:

Arroyo Doble Water System, Inc. does not need a water line/  
utility easement along either side of Paseo Sur, going west from  
Viento del Sur. The Company does, however, need to retain the 8-22-00 TALKED TO GRUB  
utility easement along the Viento del Sur side of the Paseo Sur WATER LINE IS IN  
property, because our water line runs along there (see pink line on VIENTO DEL SUR - NO  
map). The public utility easement along the back of the Paseo PUE NEEDED AT THIS  
Sur property (parallel to the railroad track) also needs to be retained. INTERSECTION.  
OR  
YES



Norma J. Grubert  
Owner, Arroyo Doble Water Sys., Inc.

312-1501

I, Dana DeBeauvoir, County Clerk, Travis County,  
Texas, do hereby certify that this is a true and  
correct copy as same appears of record in my office.  
Witness my hand and seal of office on \_\_\_\_\_

SEP 15 2000



Dana DeBeauvoir, County Clerk  
By Deputy:



M. Velasquez

00517 0495

*Steve Prather***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) 473-9383  
 FAX (512) 473-9436  
 Engineering Services FAX (512) 708-4649

**EASEMENT REQUIREMENT STATEMENT FOR VACATION OF PROPERTY**

An application is being made to Travis County for the vacation of property  
 at PASEO SUR STREET BETWEEN 13004 & 13100 VIENTO DEL SUR (address) and/or  
PASEO SUR IN ARROYO DOBLE SEC. 4 (legal description) and as  
 described on the enclosed drawing or document. An action of the Commissioners' Court of  
 Travis County is pending your return of this statement, your prompt reply is requested.

**STATEMENT**X

We do not need the easement on the property described above for transportation  
 purposes.

We do have a need for an easement on the property as described above. A  
 description of the required easement is attached.

Steven E. Prather

Signature

TRANSPORTATION PLANNER

Title

DEVELOPMENT REVIEW & Insp. Dept.City of AUSTIN7-31-00

Date

DARLA VASTERLING

Name

TRAVIS COUNTY TNR

Address

FAX 708-4649

City/State/Zip

I, Dana DeBeauvoir, County Clerk, Travis County,  
 Texas, do hereby certify that this is a true and  
 correct copy as same appears of record in my office.  
 Witness my hand and seal of office on



Dana DeBeauvoir, County Clerk  
 By Deputy:

M. Velasquez  
M. Velasquez

SEP 15 2000

Please return this completed form to:

M:\ADMIN\ACB\VASTERLING\STMT#2.doc

00517

0496

0001

0001 0002 0003 0004

0005-0006-0007-0008

0009-0010-0011-0012





Hejl

Hopkins

25' Wide Access Easement

Paseo Sur

50' ROW

LeDoux  
DOVER

Sorrells

Easement

50' Access Easement

100' Railroad ROW

Horsethief Trail

I, Dana DeBeauvoir, County Clerk, Travis County, Texas, do hereby certify that this is a true and correct copy as same appears of record in my office. Witness my hand and seal of office on

SEP 15 2000



Dana DeBeauvoir, County Clerk  
By Deputy:

*M. Velasquez*

M. Velasquez

00517

0488

July 20, 2000

To Whom It May Concern:

Ref: PASEO SUR Easement,  
ARROYO DOBLE SUBDIVISION  
Travis County, Manchaca, Texas

We are the adjacent property owners and have no objection to the vacation or abandonment of the right-of-way Paseo Sur.

We have been advised that Travis County Commissioners Court may reject the dedication of Paseo Sur, and that Paseo Sur will be quitclaimed to the adjoining property owners, Larry and Jeanette Ybarra and Joseph and Catherine Crossland.

Teresa H. Derickson  
SIGNATURE  
TERESA H. DERICKSON  
PRINTED NAME & DATE

Kelli & Nicole Coupl  
SIGNATURE  
Kelli & Nicole Coupl  
PRINTED NAME & DATE

ADDRESS: 13003 Viento Del Sur  
MANCHACA, TX 78652

Juan Leal  
SIGNATURE  
JUAN Leal 7/20/2000  
PRINTED NAME & DATE

Self  
SIGNATURE  
Self Grubert 7-25-00  
PRINTED NAME & DATE

ADDRESS: 13107 Viento del Sur 13105 Viento Del Sur  
MANCHACA, TX 78652 ✓

Robert Frithiof  
SIGNATURE  
ROBERT FRITHIOF  
PRINTED NAME & DATE

Julia Frithiof  
SIGNATURE  
Julia FRITHIOF  
PRINTED NAME & DATE

ADDRESS: 13101 Viento DEL SUR  
MANCHACA, TX 78652

I, Dana DeBeauvoir, County Clerk, Travis County, Texas, do hereby certify that this is a true and correct copy as same appears of record in my office. Witness my hand and seal of office on \_\_\_\_\_



Dana DeBeauvoir, County Clerk  
By Deputy:

M. Velasquez  
M. Velasquez

SEP 15 2000

00517 0497

July 20, 2000

To Whom It May Concern:

Ref: PASEO SUR Easement,  
ARROYO DOBLE SUBDIVISION  
Travis County, Manchaca, Texas

*NEIGHBORHOOD*

We are the ~~adjacent~~ property owners and have no objection to the vacation or abandonment of the right-of-way Paseo Sur.

We have been advised that Travis County Commissioners Court may reject the dedication of Paseo Sur, and that Paseo Sur will be quitclaimed to the adjoining property owners, Larry and Jeanette Ybarra and Joseph and Catherine Crossland.

*Bretton T. Holcomb*  
SIGNATURE

PRINTED NAME & DATE

SIGNATURE

PRINTED NAME & DATE

ADDRESS: *527 SENDERO VERDE*  
MANCHACA, TX 78652

*Barbara Winkelmann*  
SIGNATURE

PRINTED NAME & DATE

SIGNATURE

PRINTED NAME & DATE

ADDRESS: *531 Sendero Verde*  
MANCHACA, TX 78652

*David Vidaurri*  
SIGNATURE

PRINTED NAME & DATE

SIGNATURE

PRINTED NAME & DATE

ADDRESS: *515 SENDERO VERDE*  
MANCHACA, TX 78652

I, Dana DeBeauvoir, County Clerk, Travis County, Texas, do hereby certify that this is a true and correct copy as same appears of record in my office. Witness my hand and seal of office on



Dana DeBeauvoir, County Clerk  
By Deputy:

*M. Velasquez*

SEP 15 2000

M. Velasquez

00517 0498

July 20, 2000

To Whom It May Concern:

Ref: PASEO SUR Easement,  
ARROYO DOBLE SUBDIVISION  
Travis County, Manchaca, Texas

We are the adjacent property owners and have no objection to the vacation or abandonment of the right-of-way Paseo Sur.

We have been advised that Travis County Commissioners Court may reject the dedication of Paseo Sur, and that Paseo Sur will be quitclaimed to the adjoining property owners, Larry and Jeanette Ybarra and Joseph and Catherine Crossland.

*Tinker Cotton*

SIGNATURE

*Tinker Cotton*

PRINTED NAME &amp; DATE

*Charles W. Benson*

SIGNATURE

*Charles W. Benson*

PRINTED NAME &amp; DATE

ADDRESS: *6021 Bear Canyon*  
MANCHACA, TX 78652

SIGNATURE

*John M. O'Mara Jr*

PRINTED NAME &amp; DATE

SIGNATURE

*Phyllis G. O'Mara*

PRINTED NAME &amp; DATE

ADDRESS: *13000 Viento Del Sur*  
MANCHACA, TX 78652

SIGNATURE

*Carmen Gallo*

PRINTED NAME &amp; DATE

*7/25/00*  
ADDRESS: *601 Bear Canyon Dr.*  
MANCHACA, TX 78652

SIGNATURE

*CHRIS GALLO*

PRINTED NAME &amp; DATE

I, Dana DeBeauvoir, County Clerk, Travis County, Texas, do hereby certify that this is a true and correct copy as same appears of record in my office. Witness my hand and seal of office on \_\_\_\_\_



Dana DeBeauvoir, County Clerk  
By Deputy:

*M. Velasquez*

SEP 15 2000

00517 0499

M. Velasquez

July 25, 2000

To Whom It May Concern:

Ref: Paseo Del Sur Easement

I, Dana DeBeauvoir, County Clerk, Travis County, Texas, do hereby certify that this is a true and correct copy as same appears of record in my office. Witness my hand and seal of office on \_\_\_\_\_



Dana DeBeauvoir, County Clerk  
By Deputy:

SEP 15 2000

M. Velasquez

M. Velasquez

We are the neighborhood property owners and have no objection to the vacation or abandonment of the right-of-way Paseo Sur Street, Travis County, Manchaca, Texas.

We have been advised that TRAVIS COUNTY COMMISSIONERS' COURT may reject the dedication of Paseo Sur and will vacate the easement. Larry and Jeanette Ybarra and Joseph and Catherine Crossland have applied to receive a deed to the property and we have no objection.

SIGNATURE

Michael David Taylor

PRINTED NAME

17102 N. Pinto 'DEE SUR - OWNER OF HOUSE  
ADDRESS  
MANCHACA, TX 78652  
2302 SHADOCK BLVD  
SAN ANTONIO, TX 78232

SIGNATURE

Pam Fields

PRINTED NAME

509 Bear Canyon Dr.

ADDRESS

MANCHACA, TX 78652

SIGNATURE

Roger Fields

PRINTED NAME

509 Bear Canyon Dr.

ADDRESS

MANCHACA, TX 78652

J. Karen Ramsey  
510 Bear Canyon  
Don Ramsey  
510 Bear Canyon Dr

J. Karen Ramsey

Don Ramsey

00517 0500

August 27, 2000

To Whom It May Concern:

Ref: Paseo Del Sur Easement

We are the neighborhood property owners and have no objection to the vacation or abandonment of the right-of-way Paseo Sur Street, Travis County, Manchaca, Texas.

We have been advised that TRAVIS COUNTY COMMISSIONERS' COURT may reject the dedication of Paseo Sur and will vacate the easement. Larry and Jeanette Ybarra and Joseph and Catherine Crossland have applied to receive a deed to the property and we have no objection.

Eva Ramirez EVA RAMIREZ  
SIGNATURE PRINTED NAME

532 SENDERO VERDE  
ADDRESS  
MANCHACA, TX 78652

Patricia Ramirez PATRICIA RAMIREZ  
SIGNATURE PRINTED NAME

532 SENDERO VERDE  
ADDRESS  
MANCHACA, TX 78652

Joseph Ramirez Joseph Ramirez  
SIGNATURE PRINTED NAME

532 Sendero Verde  
ADDRESS  
MANCHACA, TX 78652

I, Dana DeBeauvoir, County Clerk, Travis County, Texas, do hereby certify that this is a true and correct copy as same appears of record in my office. Witness my hand and seal of office on \_\_\_\_\_



Dana DeBeauvoir, County Clerk  
By Deputy:

M. Velasquez

SEP 15 2000

M. Velasquez

00517 0502

August 27, 2000

To Whom It May Concern:

Ref: Paseo Del Sur Easement

I, Dana DeBeauvoir, County Clerk, Travis County, Texas, do hereby certify that this is a true and correct copy as same appears of record in my office. Witness my hand and seal of office on \_\_\_\_\_



Dana DeBeauvoir, County Clerk  
By Deputy:

SEP 15 2000

*M. Velasquez*

M. Velasquez

We are the neighborhood property owners and have no objection to the vacation or abandonment of the right-of-way Paseo Sur Street, Travis County, Manchaca, Texas.

We have been advised that TRAVIS COUNTY COMMISSIONERS' COURT may reject the dedication of Paseo Sur and will vacate the easement. Larry and Jeanette Ybarra and Joseph and Catherine Crossland have applied to receive a deed to the property and we have no objection.

*Daniel E. Porter*

SIGNATURE

DANIEL E. PORTER

PRINTED NAME

533 Sendero Verde

ADDRESS

MANCHACA, TX 78652

*Terri Weber*

SIGNATURE

TERRI WEBER

PRINTED NAME

533 Sendero Verde

ADDRESS

MANCHACA, TX 78652

*Mildred J. Sitterly*

SIGNATURE

MILDRED J. SITTERLY

PRINTED NAME

600 Bear Canyon Dr.

ADDRESS

MANCHACA, TX 78652

*Lewis F. Sitterly*

LEWIS F. SITTERLY

600 Bear Canyon Dr.

00517 0503

UNION PACIFIC RAILROAD COMPANY



1711 Quintana Road  
San Antonio, TX. 78211

(210) 921-3701  
(210) 921-3708 Fax.

May 23, 2000

**FILE: Crossing: Private**  
**TX. Austin**  
**David Hopkins**  
**MP. 191.20 Austin Sub.**  
**DOT Unassigned.**

Mr. & Mrs. Larry Ybarra  
13004 Viento Del Sur  
Manchaca, TX. 78652

**SUBJECT: CHECK FOR DAVID HOPKINS**

Dear Mr. & Mrs. Ybarra;

Enclosed is a copy of the check for the location referenced above. The date on the check is 04/40/2000 and was deposited in Mr. Hopkins account on 04/18/2000. If you need additional information please call me at the number listed above.

Sincerely,

A handwritten signature in dark ink, appearing to read "Larry O. Hatley". The signature is fluid and cursive, with a large, sweeping initial "L".  
Larry O. Hatley  
Mgr. Ind. & Pub. Projects.



Post-it® Fax Note	7671	Date	5/5/00	# of pages	2
To	Larry Hatley	From	Reg Gibbs		
Co./Dept.		Co.	3		
Phone #		Phone #	280-6780		
Fax #	921-3708	Fax #			

UNION PACIFIC RAILROAD		CONTROL NO	0731176
PAY IN THE AMOUNT OF		TO ORDER OF	563
EIGHTEEN THOUSAND THREE HUNDRED TWENTY FIVE DOLLARS AND NO CENTS		PAYABLE THROUGH	U.S. BANK N.A.
9997		BOOTS BLUFF, NE 68383	
PAY TO	DAVID O. HOPKINS	DATE	CHECK AMOUNT
	3818 LOST OASIS HOLLOW	04/06/00	*****18,325.00
	AUSTIN TX 78738		
NOT VALID AFTER 6 MONTHS		ASSISTANT V.P. - CONTROLLER	
CHECK'S FACE HAS A COLORED BACKGROUND ON WHITE PAPER		540	
		ASSISTANT TREASURER	

"0731176" 1:104101575:149890075190"

"0001832500"

*David J. Hapner*

0020 8

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0020 8

WALKER WILSON SUR. 2  
ABST. 27

RAY D. WINDSOR  
6745/807  
3.52 A  
040230827

DAVID J. & MARGERY HOPKINS  
13260/4173  
7.21 A  
040230505

DAVID J. & MARGERY HOPKINS  
13260/4173  
15.00 A  
040230506

DAVID J. & MARGERY HOPKINS  
334.83

DAVID J. & MARGERY HOPKINS  
630.33

GENE LEDDOUX  
8880/681  
1.00 A  
040230427

I, Dana DeBeauvoir, County Clerk, Travis County,  
Texas, do hereby certify that this is a true and  
correct copy as same appears of record in my office.  
Witness my hand and seal of office on

SEP 15 2000



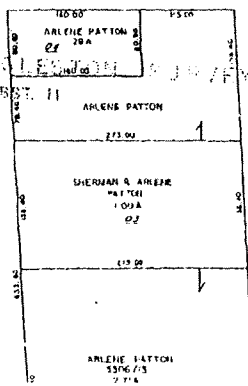
Dana DeBeauvoir, County Clerk  
By Deputy:

*M. Velasquez*  
M. Velasquez

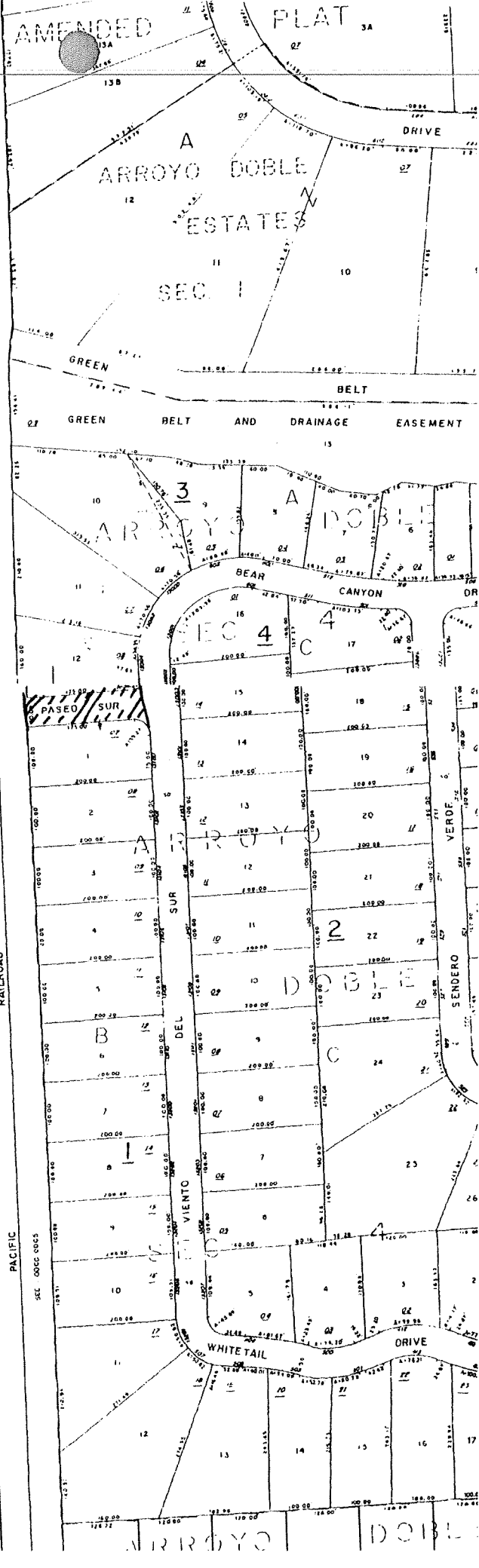
4

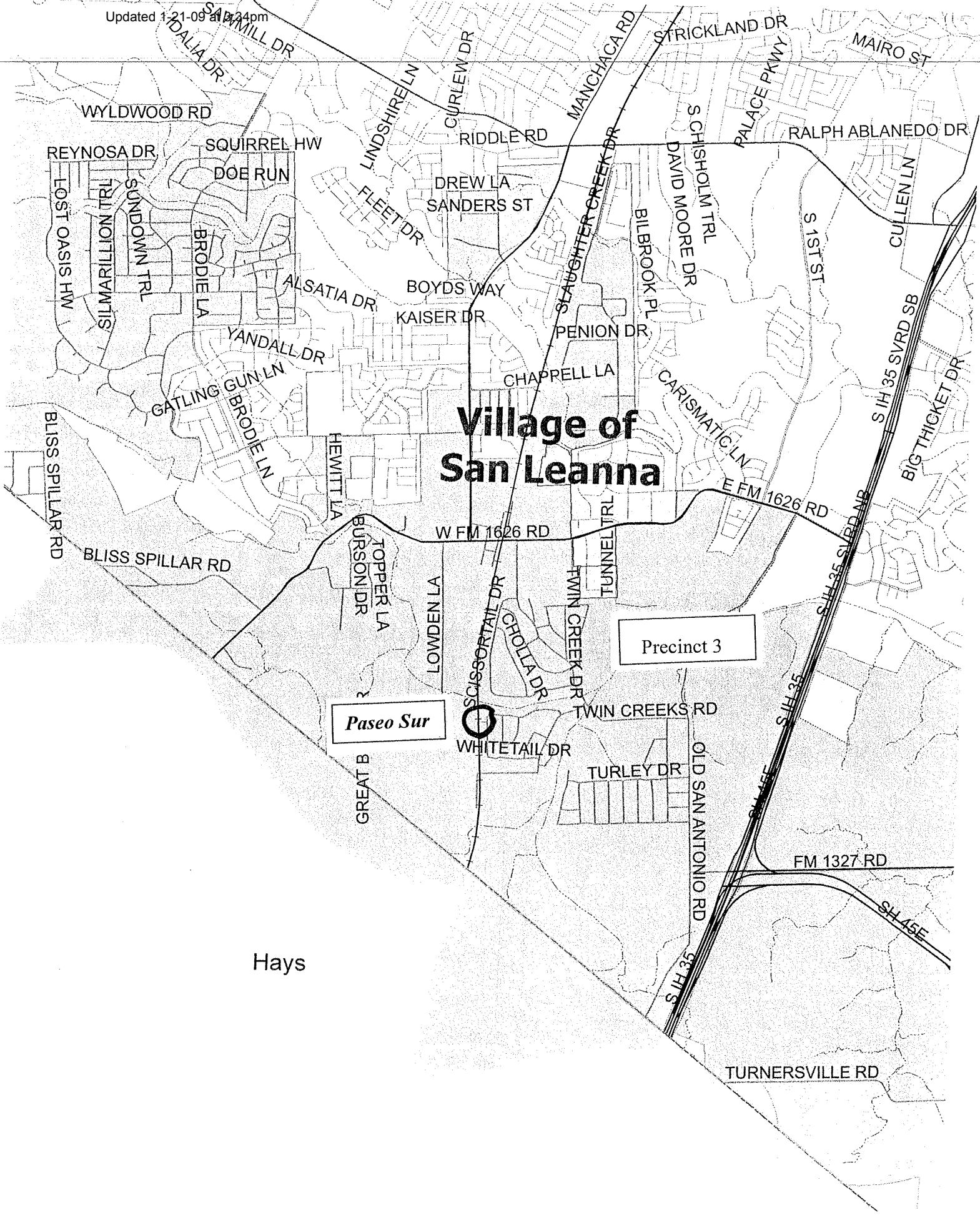
S. M. SORRELLS  
SEE 4 5627 6102

SUR ELECTION PURCHASER  
ABST. 11



00517 0505







RECEIVED

JAN 04 2010

TNR

**TRANSPORTATION AND NATURAL RESOURCES**

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street

Executive Office Building

P.O. Box 1748

Austin, Texas 78767

tel 512-854-9383

fax 512-854-4649

**AFFIDAVIT OF POSTING**

**TO: County Judge  
County Commissioners  
Travis County, Texas**

Public notice sign for Notice of Public Notice to approve the rejection of dedication of Paseo Sur in Arroyo Doble has been posted on this day

December 31, 2009 at a point as near as practical to the areas as possible.

CERTIFIED THIS THE 31st DAY OF December, 2009.

SIGNATURE:

Jaime Garcia


NAME (PRINT):

Jaime Garcia

TITLE:

Supervisor



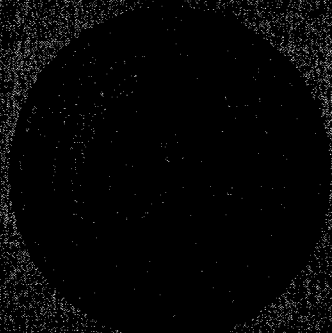
  
**NOTICE OF  
PUBLIC HEARING**  
ON JANUARY 26, 2010 AT 9:00 AM  
REJECTION OF DEDICATION

TO APPROVE THE REJECTION OF  
DEDICATION OF PASADO SUR IN ARROYO  
DOBLE SECTION FOUR, IN PRECINCT  
THREE

AT THE TRAVIS COUNTY  
COMMISSIONERS' COURTROOM  
314 WEST 6TH STREET  
FIRST FLOOR, AUSTIN  
FOR MORE INFORMATION CALL 354-9343

31 1:37PM





# NOTICE OF PUBLIC HEARING

ON JANUARY 26, 2010 AT 9:00 AM  
REJECTION OF DEDICATION

TO APPROVE THE REJECTION OF  
DEDICATION OF PARCELS IN HARBOYD  
SUBDIVISION, TOWNSHIP OF PRINCETON  
COUNTY, NEW JERSEY

STATE OF NEW JERSEY  
COUNTY OF PRINCETON

31 1:36PM

# PH # 2 / Action item # 11

Travis County Commissioners Court Agenda RequestVoting Session 1/12/2010

Work Session \_\_\_\_\_

I. A. Request made by: Joseph P. Gieselman Phone # 854-9383  
*Carol B. Gieselman*  
 Executive Manager, TNR

B. Requested Text: Receive comments on a request for a proposed street name change for an old segment of Gattis School Road to "Huntington Court" in Precinct 2.

C. Approved by: \_\_\_\_\_  
 Commissioner Sarah Eckhardt, Precinct Two

II. A. Is backup material attached\*: Yes X No \_\_\_\_\_  
 \*Any backup material to be presented to the court must be submitted with this Agenda Request (original and 8 copies).

B. Have the agencies affected by this request been invited to attend the Work Session?  
 Yes X No \_\_\_\_\_ Please list those contacted and their phone numbers:

Austin American StatesmanGayla Dembkowski - 854-9383Jaime Garcia - Sign ShopDon Ward - 854-9383Howard Herrin- 854-9383Kimberley Castillo – fax 974-0933Steve Manilla - 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 (854-9700)

\_\_\_\_ Bid, Purchase Contract, Request for Proposal, Procurement

County Attorney's Office (854-9415)

\_\_\_\_ Contract, Agreement, Policy &amp; 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.

10 JAN 21 PM 2:17  
 RECEIVED  
 COUNTY JUDGE'S OFFICE





## TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

---

411 West 13th Street  
Executive Office Building  
PO Box 1748  
Austin, Texas 78767  
(512) 854-9383  
FAX (512) 854-4648

December 29, 2009

### MEMORANDUM

TO: Members of the Commissioners Court

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

SUBJECT: Receive comments on a proposed street name change for the old segment of Gattis School Road to "Huntington Court", in Precinct 2.

#### Summary and Staff Recommendation:

The Travis County Address Coordinating Committee has determined the necessity for a street name change due to the realignment of Gattis School Road. The old street is parallel with the new realignment and will have cul-de-sacs on both ends. This will not change the address numbers.

Five property owners will be affected. Three written responses were mailed back and one verbal response in favor of "Huntington Court".

Staff recommends approval of this street name change, which has been cleared through 911 Addressing staff. We are requesting a public hearing date of January 26, 2010 pursuant of this street name change.

#### Exhibits:

Maps

CJ;gd

1105 Forest Creek Estates Section One

**TRAVIS COUNTY COMMISSIONERS COURT AGENDA REQUEST**

RECEIVED  
COUNTY JUDGE'S OFFICE  
10 JAN 19 PM 2:11

3✓

Please consider the following item for:

Voting Session:

**January 26, 2010**

I. A. Request made by:

  
Leroy Nellis, Budget Manager, Planning & Budget (49106)

**Approve proclamation recognizing the month of January 2010  
as "Mentoring Month" in Travis County.**

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

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 p.m. on  
Monday for the next week's meeting. Late or incomplete requests may be deferred to the next  
subsequent meeting.

**Travis County Commissioners Court Agenda Request**Meeting Date: January 26, 2010I. A. Requestor: Judge Biscoe Phone # 854-9555

B. Specific Agenda Language:

**Approve Resolution designating the month of January 2010 as  
"Poverty Awareness Month in Travis County."**C. Sponsor: \_\_\_\_\_  
County Commissioner or County JudgeII. 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.

Sherri Fleming, HHS	x44100
---------------------	--------

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)

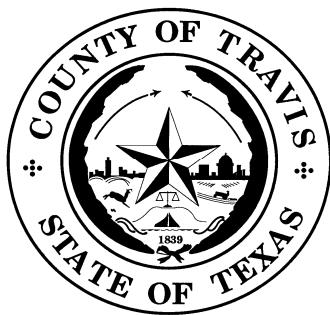
- ☐ Bid, Purchase Contract, Request for Proposal, Procurement

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.

# Resolution



WHEREAS, an estimated 144,336 (15%) Travis County residents were living in poverty in 2008, higher than the national poverty rate of 13%;

WHEREAS, 47,723 (19%) children under the age of 18 in Travis County were living in poverty in 2008;

WHEREAS, boys raised in poverty are twice as likely to be arrested and three times as likely to be incarcerated;

WHEREAS, girls raised in poverty are five times as likely to bear a child out of wedlock prior to the age of twenty-one;

WHEREAS, most researchers and policymakers agree that a family must earn at least twice the Federal Income Poverty Guideline, or \$42,400 for a family of four in 2009, to simply meet basic needs;

WHEREAS, eighty-four percent of Travis County families living in poverty did not receive any type of cash assistance and 72 percent of families in poverty did not receive food stamps in 2008;

WHEREAS, the demand for services to help individuals and families transition out of poverty continues to increase; and

WHEREAS, poverty has many tangible costs for our neighbors and community.

NOW, THEREFORE, BE IT RESOLVED THAT WE, THE TRAVIS COUNTY COMMISSIONERS COURT, DO HEREBY PROCLAIM THE MONTH OF JANUARY 2010 AS

**“POVERTY AWARENESS MONTH”**

IN TRAVIS COUNTY, AND ENCOURAGE ALL OF OUR CITIZENS TO INCREASE THEIR AWARENESS OF POVERTY BY ENGAGING IN ACTIVITIES AND SUPPORTING PROGRAMS DESIGNED TO IMPACT AND REDUCE THE EFFECTS OF POVERTY IN OUR COMMUNITY.

SIGNED AND ENTERED THIS \_\_\_\_\_ DAY OF JANUARY, 2010.

\_\_\_\_\_  
SAMUEL T. BISCOE  
Travis County Judge

\_\_\_\_\_  
RON DAVIS  
Commissioner, Pct. 1

\_\_\_\_\_  
SARAH ECKHARDT  
Commissioner, Pct. 2

\_\_\_\_\_  
KAREN L. HUBER  
Commissioner, Pct. 3

\_\_\_\_\_  
MARGARET J. GÓMEZ  
Commissioner, Pct. 4



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

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

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

*Cyd V. Grimes* 1/15/10

**Voting Session: Tuesday, January 26, 2010**

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

**Points of Contact:**

**Purchasing:** Ron Dube, Fixed Assets Mgr., Dan Rollie, Fixed Assets Warehouse Mgr., and Patricia Estrada, Administration

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

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

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

**Other:** N/A

- **Purchasing Recommendation and Comments:** Purchasing recommends approval of requested action. This procurement action met the compliance requirements as outlined by the statutes.
- The court will note that some of the items on the list have purchase dates of 1984 through 2010 with an acquisition method of F/A which means "Found At Inventory". That does not necessarily mean the items were bought during those years and now they are no longer useable. In nearly every case, the year reflects when the item was found within the department and entered into the HTE tracking system. Despite our best efforts, not all departments totally comply with our inventory policies and procedures.
- Pursuant to Section 263.151, declare the attached list of equipment as Surplus Property.

**APPROVED ( ) DISAPPROVED ( )**

**BY COMMISSIONERS COURT ON**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**COUNTY JUDGE**

LOT	AQ.	TYPE	YEAR	TAG #	IMP	DESCRIP	SERIAL	INS	COST	DEPT	DIV	P.O.	ASSET	LOC	STA	FUND
LOT#A	N/A	N/A	N/A	N/A	N/A	FIRE/SAFETY TRAILER(BILL PRICE RD)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	TCAUC3	N/A	N/A
LOT#B	N/A	N/A	N/A	N/A	N/A	STEEL SKIDS(SCRAP)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	TCAUC3	N/A	N/A
LOT#C	N/A	N/A	N/A	N/A	N/A	(2) U SHAPED STEEL BEAMS (EXPO)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	TCAUC3	N/A	N/A
LOT#D	N/A	N/A	N/A	N/A	N/A	50 OFFICE CHAIRS	N/A	N/A	N/A	N/A	N/A	N/A	N/A	TCAUC3	N/A	N/A
LOT#E	N/A	N/A	N/A	N/A	N/A	25 FILING CABINETS	N/A	N/A	N/A	N/A	N/A	N/A	N/A	TCAUC3	N/A	N/A
LOT#2071	PO	DMS	2007	131360	0	EXAM TABLE, ENOCHS	N/A	\$0.00	\$984.00	15	10	368515	83558	TCAUC3	A	8051
LOT#2072	PO	IEK	1991	80598	0	GRILL, FLATTOP, VULCAN	54007622LL	\$0.00	\$845.00	15	10		5042	TCAUC3	A	8036
LOT#F	N/A	N/A	N/A	N/A	N/A	(2) OLD MSA AIRPACKS	N/A	N/A	N/A	N/A	N/A	N/A	N/A	TCAUC3	N/A	N/A
LOT#G	N/A	N/A	N/A	N/A	N/A	(2) OLD MSA AIRPACKS	N/A	N/A	N/A	N/A	N/A	N/A	N/A	TCAUC3	N/A	N/A
LOT#H	N/A	N/A	N/A	N/A	N/A	20 OLD OFFICE DESKS	N/A	N/A	N/A	N/A	N/A	N/A	N/A	TCAUC3	N/A	N/A
LOT#2073	PO	IEK	1999	97414	0	REFRIGERATOR, HOBART	321067765	\$0.00	\$4,360.00	15	10	156837	46938	TCAUC3	A	8036
LOT#2074	PO	OGH	1995	88824	0	TANK 465-GAL OIL	N/A	\$0.00	\$0.00	49	8	71729	33708	TCAUC3	A	8015
LOT#2075	PO	SRV	2000	99490	0	UNISYS NDP 250 REMITTANCE	510416118	\$0.00	\$25,000.00	15	10	155054	49031	TCAUC3	A	8001
LOT#2075	PO	PRT	2000	99495	0	PRINTER UNISYS PAYMENT P	11KDN10	\$0.00	\$7,194.00	15	10	155054	49032	TCAUC3	A	8001
LOT#2075	PO	MON	2000	99491	0	MONITOR, HP M500 PAYMENT	MY92172807	\$1,073.55	\$0.00	15	10	155054	49033	TCAUC3	A	8001
LOT32075	PO	PCM	2000	99494	0	CPU, HP VECTRA PAYMENT PR	91940034		\$36,500.23	15	10	155054	49036	TCAUC3	A	8001



## TRAVIS COUNTY PURCHASING OFFICE

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

314 W. 11<sup>th</sup> Street, Room 400 Austin, Texas 78701 (512) 854-9700 Fax (512) 854-9188

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

*Cyd V. Grimes* 1/5/10

**Voting Session: Tuesday, January 26, 2010**

**REQUESTED ACTION:** APPROVE MODIFICATION NO. 3, AN ASSIGNMENT OF CONTRACT NO. 07T00026RG, FROM ENTERPRISE RENT A CAR TO EAN HOLDINGS, LLC D/B/A ENTERPRISE RENT A CAR. (COUNTY CLERK)

### ***Points of Contact:***

**Purchasing:** Rosalinda Garcia, 854-9763

**Department:** County Clerk, Dana Debevoir, Denise Carter

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

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

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

**Other:**

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

This contract provides rental of cargo vans for County Clerks during election on an as needed basis. The Commissioners Court approved the contract on January 9, 2007.

Modification No. 3 will approve Assignment of Contract to EAN Holdings, LLC d/b/a Enterprise Rental A Car.

Modification No. 2, approved by Purchasing Agent on October 31, 2008, extended the contract for an additional twelve (12) months through January 19, 2010.

Modification No. 1, approved by Purchasing Agent on October 11, 2007, extended the contract for an additional twelve (12) months through January 19, 2009.

### ➤ **Contract Modification Information:**

Modification Type: Assignment of Contract

➤

### ➤ **Statutory Verification of Funding:**

➤ ☐ Contract Verification Fund Forms: Verified \_\_\_\_\_ Not Verified \_\_\_\_\_ by Auditor.

**MODIFICATION OF CONTRACT NUMBER: 07T00026RG, Rental of Cargo Vans** Page 1 OF 1 Page

ISSUED BY: PURCHASING OFFICE 314 W. 11TH ST., RM 400 AUSTIN, TX 78701	PURCHASING AGENT ASST: Rosalinda Garcia TEL. NO: (512) 854-9700 FAX NO: (512) 854-9185	DATE PREPARED: November 24, 2009
ISSUED TO: Enterprise Rent A Car Attn: John Scarborough 4210 South Congress Ave. Austin, Texas 78745	MODIFICATION NO.: 0003	EXECUTED DATE OF ORIGINAL CONTRACT: January 9, 2007
ORIGINAL CONTRACT TERM DATES: <u>January 20, 2007 to January 19, 2008</u> CURRENT CONTRACT TERM DATES: <u>January 20, 2009 to January 19, 2010</u>		

**FOR TRAVIS COUNTY INTERNAL USE ONLY:**Original Contract Amount: \$ N/ACurrent Modified Amount \$ N/A

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

The above referenced contract is hereby modified to reflect the following changes:

- 1) Effective August 1, 2009, the Contractor's name on Contract No. 07T00026RG is changed as follows:

Enterprise of Rent A Car  
4210 South Congress Ave  
Austin, Texas 78745

to EAN Holdings, LLC  
Enterprise Rent A Car  
4210 South Congress Ave.  
Austin, Texas 78745

**Note to Vendor:**

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

LEGAL BUSINESS NAME: <u>EAN Holdings, LLC</u>	<input type="checkbox"/> DBA
BY: <u>[Signature]</u> SIGNATURE	<input checked="" type="checkbox"/> CORPORATION
BY: <u>Howard ZAROFF</u> PRINT NAME	<input type="checkbox"/> OTHER
TITLE: <u>Vice President</u> ITS DULY AUTHORIZED AGENT	DATE: <u>1-12-10</u>
TRAVIS COUNTY, TEXAS	DATE:
BY: <u>Cyd V. Grimes</u> CYD V. GRIMES, C.P.M., TRAVIS COUNTY PURCHASING AGENT	<u>1/15/10</u>
TRAVIS COUNTY, TEXAS	DATE:
BY: <u>SAMUEL T. BISCOE, TRAVIS COUNTY JUDGE</u>	



## ASSIGNMENT OF CONTRACT

The parties to this Assignment of Contract (this "Assignment") are Enterprise Rent A Car, a corporation duly authorized and operating under the laws of the State of Texas (Assignor"), and EAN Holdings, LLC doing business as Enterprise Rent A Car, a corporation duly authorized and operating under the laws of the State of Texas ("Assignee").

### RECITALS:

- A. Travis County and Enterprise Rent A Car, entered into a written Contract for the provision of Rental of Cargo Vans (Contract No. 07T0026RG) on January 9, 2007, which is hereby incorporated by reference herein for all purposes as if fully copied and set forth herein at length, (the "Contract"); and
- B. Assignor desires by this Assignment to assign all of its right, title and interest in and to the Contract to Assignee subject to the terms of the Contract and this Assignment.

### TERMS:

In consideration of the mutual agreements set forth in this Assignment, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Assignor assigns, transfers and conveys to Assignee all of its right, title and interest in and to the Contract effective as August 1, 2009 (the "Effective Date of Assignment").
2. Assignee accepts such assignment, and assumes and is bound by and shall perform all terms, conditions, covenants, obligations, and duties of Assignor under the Contract as of the Effective Date of Assignment.
3. Assignor and Assignee acknowledge that nothing in this Assignment waives or modifies any of the provisions of the Contract.
4. The provisions of this Assignment are binding on and inure to the benefit of the heirs, representatives, successors and assigns of the parties.
5. This Assignment shall be construed and enforced in accordance with the laws of the State of Texas. Venue for any action arising hereunder or connected herewith shall lie exclusively in Travis County, Texas.
6. All references in this Assignment to the Contract encompass the original Contract, No 07T00026RG, and modifications 1 through 2 thereto. Said modifications are hereby incorporated by reference herein for all purposes as if fully copied and set forth herein at length.

Enterprise Rent A Car

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title & Date: Vice president 1-12-10

Attest: \_\_\_\_\_

Date: \_\_\_\_\_

1-12-10

EAN Holdings, LLC

Enterprise Rent A Car

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title & Date: Vice president 1-12-10

Attest: \_\_\_\_\_

Date: \_\_\_\_\_

1-12-10

By its signature below, Travis County signifies its consent to and approval of this Assignment from Enterprise Rent A Car to EAN Holdings, LLC dba Enterprise Rent A Car.

TRAVIS COUNTY, TEXAS

By: \_\_\_\_\_

Samuel T. Biscoe  
Travis County Judge

Date: \_\_\_\_\_



## TRAVIS COUNTY PURCHASING OFFICE

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

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

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

*Cyd V. Grimes* 1/15/10 *mlb*

**Voting Session: Tuesday, January 26, 2010**

**REQUESTED ACTION:** APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 08AE0209LP, WELLS BRANCH AND THERMAL DRIVE SIDEWALK IMPROVEMENTS, KLOTZ & ASSOCIATES. (TNR)

---

**Points of Contact:**

**Purchasing:** J. Lee Perry

**Department:** TNR, Joseph P. Gieselman, Executive Manager,  
Steve Sun, Division Manager; Miguel Villarreal, Project Manager

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

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

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

**Other:**

- **Purchasing Recommendation and Comments:** Purchasing concurs with department and recommends approval of requested action. This procurement action met the compliance requirements as outlined by the statutes.
- TNR requests the approval of Change Order number one (1) for the above contract. This Change Order is for additional Construction Phase services including "field engineering" duties to supplement the construction inspection performed by County Staff. This will also comprise of time to review and provide a sketch for new curb ramps at Wells Branch Parkway and Summit Drive based on 35% plans of the intersection improvement project. This Change Order will increase the contract by \$35,920.00 from \$113,300.00 to \$149,220.00. The Court's approval is required due to the modification amount exceeding 25% of the original contract total.
- **Contract Expenditures:** Within the last 12 months \$84,332.04 has been spent against this contract.  
☐ Not applicable
- **Contract-Related Information:**
  - Award Amount: \$113,300.00
  - Contract Type: (Professional Services Agreement)
  - Contract Period: September 2, 2008 through completion

**Contract Modification Information:**

Modification Amount: \$35,920.00 (Firm Amount)

Modification Type: Professional Service Agreement

Modification Period: Through Completion

➤ **Solicitation-Related Information:**

Solicitations Sent: N/A

Responses Received: N/A

HUB Information: Not Applicable

% HUB Subcontractor: N/A

➤ **Special Contract Considerations:**

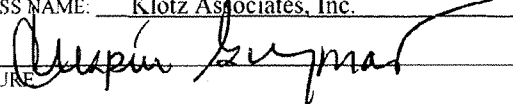
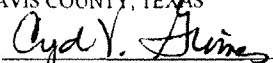
- ☐ Award has been protested; interested parties have been notified.
- ☐ Award is not to the lowest bidder; interested parties have been notified.
- ☒ Comments: N/A

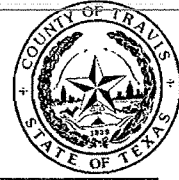
➤ **Funding Information:**

- ☒ Purchase Requisition in H.T.E.: 490426
- ☒ Funding Account(s): 485-4941-621-8165
- ☒ Total Project Budget: \$640,577.00
- ☒ Design Budget: \$113,300.00
- ☒ Construction Budget: \$527,277.00
- ☒ Miscellaneous Budget/ROW: N/A
- ☒ Contingency: N/A
- ☒ Comments: N/A

➤ **Statutory Verification of Funding:**

- ☐ Contract Verification Form: Funds Verified \_\_\_\_ Not Verified \_\_\_\_ by Auditor.
- ☒ Not Applicable

<b>MODIFICATION OF CONTRACT NUMBER: 08AE0209LP</b>		<b>PAGE 1 OF 1 PAGE</b>
<b>WELLS BRANCH AND THERMAL DRIVE SIDEWALK IMPROVEMENTS</b>		
<b>ISSUED BY:</b>  PURCHASING OFFICE 314 W. 11TH ST., RM 400 AUSTIN, TX 78701	<b>PURCHASING AGENT ASST:</b>  <b>J. Lee Perry</b> TEL. NO: (512) 854-9700 FAX NO: (512) 854-9185	<b>DATE PREPARED:</b>  January 11, 2009
<b>ISSUED TO:</b> <b>KLOTZ &amp; ASSOCIATES</b> <b>Attn: Crespin Guzman, P.E.</b> <b>901 South MoPac Expy.</b> <b>Bldg. V, Ste 220</b> <b>Austin, Texas 78746</b>	<b>MODIFICATION NO.:</b>  <div align="center"><b>1</b></div>	<b>EXCUTED DATE OF ORIGINAL CONTRACT:</b>  September 2, 2008
ORIGINAL CONTRACT TERM DATES: <u>September 2, 2008 – Through Competition</u>		CURRENT CONTRACT TERM DATES: <u>September 2, 2008 – Through Completion</u>
<b>FOR TRAVIS COUNTY INTERNAL USE ONLY:</b> Original Contract Amount: <u>\$113,300.00</u> <div align="right">Current Modified Amount <u>\$149,220.00</u></div>		
<b>DESCRIPTION OF CHANGES:</b> The above referenced contract is modified to reflect the changes as set forth below: <p>A. Reference Exhibit I, Section 1, Compensation for Basic Services. Paragraph 1.1, The Fixed Fee for the performance of the Basic Services amount is changed from NTE \$111,800.00 to \$147,720.00, an increase of \$35,920.00. Additionally, Paragraph 1.1.1 item (iv) Construction Phase is amended to read \$83,320.00.</p> <p>B. The Contract Scope of Services is modified to incorporate the performance by the ENGINEER of additional Construction Phase services including "field engineering" duties to supplement the construction inspection performed by County Staff. This will also comprise of time to review and provide a sketch for new curb ramps at Wells Branch Parkway and Summit Drive based on 35% plans of the intersection improvement project.</p> <p>C. Reference Exhibit 1, Section 5 – Total Professional Services Agreement Sum, is changed from an NTE amount of <b>\$113,300.00</b> (\$111,800.00 Basic Services and NTE \$1,500.00.00, Reimbursable Expenses) to an NTE amount of <b>\$149,220.00</b> (\$147,720.00 Basic Services, and NTE \$1,500.00 Reimbursable Expenses), an increase of <b>\$35,920.00</b>.</p> <p>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.</p>		
<b>Note to Vendor:</b> [XXX] Complete and execute (sign) your portion of the signature block section below for all copies and return all signed copies to Travis County. [ ] DO NOT execute and return to Travis County. Retain for your records.		
LEGAL BUSINESS NAME: <u>Klotz Associates, Inc.</u>  BY: <u></u> SIGNATURE  BY: <u>Crespin Guzman</u> PRINT NAME  TITLE: <u>Regional Manager</u> ITS DULY AUTHORIZED AGENT		<input type="checkbox"/> DBA <input checked="" type="checkbox"/> CORPORATION <input type="checkbox"/> OTHER  DATE: <u>1/12/2010</u>
TRAVIS COUNTY, TEXAS BY: <u></u> CYD V. GRIMES, C.P.M., TRAVIS COUNTY PURCHASING AGENT		DATE: <u>1/15/10</u>
TRAVIS COUNTY, TEXAS BY: _____ SAMUEL T. BISCOE, TRAVIS COUNTY JUDGE		DATE: _____



LEE  
1-5-10  
MB

**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

January 4, 2010

**MEMORANDUM**

**TO:** Marvin Brice, Assistant Purchasing Agent

**FROM:** Steve Manilla, P.E., TNR Public Works Director

**SUBJECT:** Modification to Klotz Associates, Inc. Professional Services Agreement for Wells Branch Parkway and Thermal Drive Sidewalk Improvements, Precinct 2  
CONTRACT NO. 08AE0209LP

I request that you modify an active contract with Klotz Associates, Inc. (contract number 08AE0209LP) to increase the contract amount by \$ 35,920. This amount will be used to compensate the Consultant for additional construction phase services needed for the Wells Branch Parkway and Thermal Drive Sidewalk Improvement project.

This modification is requested due to ongoing "engineering in the field" nature of the project, the current performance of the low bidder Ceda Tex Services, and additional services needed to accommodate the proposed turn lane on Wells Branch Parkway at Summit Drive, Contract 09AE0284LP, vendor BWR. TNR recommends using Klotz Associates instead of soliciting construction phase services from a new consultant because Klotz is the project design engineer. As such, Klotz Associates will be more efficient at resolving design related construction issues, responding to requests for design clarifications, and field engineering any design changes that may be needed during construction. These services will supplement the construction inspection performed by County staff.

TNR staff has reviewed the attached scope and fee proposal submitted by Klotz Associates for this modification and finds it acceptable. The fees are approximately 8.4% of the construction cost.

TNR Financial Services has verified fund source and availability for this modification.

Req #490426  
Comm/Sub-comm 968/102  
Account #485-4941-621-8165 M06485  
Amount \$35,920.00 - Construction Phase

cc: Steve Sun, P.E., TNR CIP Division Manager  
Miguel Villarreal, TNR Project Manager  
Cynthia McDonald, Donna Williams-Jones, Brunilda Cruz, TNR Financial Services

PO #407121

PI625I02

## TRAVIS COUNTY

1/14/10

## Purchase Requisition

09:45:32

Number . . . . . : 0000490426  
 Type . . . . . : 1 PURCHASE REQUISITION  
 Status . . . . . : READY FOR BUYER PROCESS  
 Reason . . . . . : 53934 SIDEWALKS-CIP MOD PO #407121 CONT 08AE0209LP  
 By . . . . . : BRUNILDA CRUZ 854-7679  
 Date . . . . . : 1/04/10  
 Vendor . . . . . : 45047 KLOTZ ASSOCIATES INC  
 Contract nbr . . . . . :  
 Ship to . . . . . : AI AS INDICATED BELOW  
 Deliver by date . . . . : 1/04/10  
 Buyer . . . . . : LP LEE PERRY  
 Fiscal year code . . . : C C=Current year, P=Previous year, F=Future year

Type options, press Enter.

5=Display 8=Item extended description

Opt Line# Quantity UOM Description

1	35920.00	DOL	CONSTRUCTION PHASE	
			MOD #1. FOR ADDITIONAL SERVICES FOR THE	
			CONSTRUCTION PHASE FOR THE WELLS BRANCH	+

Total: 35920.00

COMMENTS EXIST

F3=Exit F7=Alternate view

F9=Print

F10=Approval info F12=Cancel F20=Comments

GM200I13

## TRAVIS COUNTY

1/14/10

Fiscal Year 2010

## Account Balance Inquiry

09:48:03

Account number . . . : 485-4941-621.81-65  
 Fund . . . . . : 485 REGIONAL MOBILITY & TRANS  
 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 . . . . . : 81 CAPITAL OUTLAY  
 Object . . . . . : 65 PURCH SVC INFRASTRUCTR SW

Original budget . . . . .	:	0	
Revised budget . . . . .	:	2,264,370	10/28/2009
Actual expenditures - current . . .	:	35,719.68	
Actual expenditures - ytd . . . .	:	24,434.11	
Unposted expenditures . . . . .	:	.00	
Encumbered amount . . . . .	:	221,113.10	
Unposted encumbrances . . . . .	:	.00	
Pre-encumbrance amount . . . . .	:	35,920.00	
Total expenditures & encumbrances:	:	317,186.89	14.0%
Unencumbered balance . . . . .	:	1,947,183.11	86.0

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



## TRAVIS COUNTY PURCHASING OFFICE

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

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

8

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

*Cyd V. Grimes* 1/20/10 *MB*

**Voting Session: Tuesday, January 26, 2010**

**REQUESTED ACTION:** APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 7 ) TO INTERLOCAL CONTRACT NO. IL040149ML, LIMESTONE COUNTY, FOR INMATE HOUSING SERVICES.(SHERIFF)

---

***Points of Contact:***

**Purchasing:** Michael Long

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

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

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

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

**Other:**

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

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

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

Modification No. 7 will extend the Contract through March 7, 2011. The per diem rate will remain at 44.00.

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

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

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

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

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



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

**Contract Expenditures:** Within the last 12 months \$0.00 has been spent against this contract. Cost per inmate is \$44.00 per day.

☐ Not applicable

➤ **Contract-Related Information:**

Award Amount: as needed

Contract Type: (Professional Services Agreement)

Contract Period: March 8, 2005-March 7, 2006

➤ **Contract Modification Information:**

Modification Amount: No change

Modification Type: Amendment

Modification Period: March 8, 2010 - March 7, 2011

➤ **Solicitation-Related Information:**

Solicitations Sent: N/A

Responses Received: N/A

HUB Information: Not Applicable

% HUB Subcontractor: N/A

➤ **Special Contract Considerations:**

☐ Award has been protested; interested parties have been notified.

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

☐ Comments:

➤ **Funding Information:**

☐ Purchase Requisition in H.T.E.: N/A

☐ Funding Account(s)

☐ Comments: **Department will seek approval and verify funding before services are used under contract.**

➤ **Statutory Verification of Funding:**

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



JAMES N. SYLVESTER  
Chief Deputy

## GREG HAMILTON

TRAVIS COUNTY SHERIFF

P.O. Box 1748  
Austin, Texas 78767  
(512) 854-9770  
[www.tcsheriff.org](http://www.tcsheriff.org)

PHYLLIS CLAIR  
Major – Law Enforcement

DARREN LONG  
Major – Corrections

MARK SAWA  
Major - Administration & Support

Date: January 6, 2010

### MEMORANDUM

**To:** Mike Long, Purchasing  
**From:** Gloria Hoffman, Accountant Associate  
**Through:** Maria Wedhorn, TCSO Financial Analyst  
**Subject:** Contract IL040149ML – Limestone County

The Travis County Sheriff's Office would like to exercise the option to renew the Inmate Housing contract with Limestone County, vendor #57949, for one additional year.

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

If you have any additional questions, please contact me at 854-4474 or 854-5308.

**MODIFICATION OF CONTRACT NUMBER: JL040149ML-Inmate Housing****PAGE 1 OF 1 PAGES**

ISSUED BY: PURCHASING OFFICE 314 W. 11TH ST., RM 400 AUSTIN, TX 78701	PURCHASING AGENT ASST: Michael Long TEL NO: (512) 854-4850 FAX NO: (512) 854-9185	DATE PREPARED: <b>January 4, 2010</b>
ISSUED TO: Limestone County 200 West State Street Ste 101 Groesbeck, TX 76642	MODIFICATION NO.: <b>7</b>	EXECUTED DATE OF ORIGINAL CONTRACT: <b>March 8, 2004</b>
ORIGINAL CONTRACT TERM DATES: <u>3/8/04</u> - <u>3/7/05</u>		CURRENT CONTRACT TERM DATES: <u>3/8/10</u> - <u>3/7/11</u>

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

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

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

- As allowed in Article III section 3.02, the new contract period begins March 8, 2010 and extends through March 7, 2011. The per diem rate of \$44.00 per man per day remains unchanged.

**Note to Vendor:**

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

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

LEGAL BUSINESS NAME: <u>Limestone County</u>	<input type="checkbox"/> DBA
BY: <u>[Signature]</u> SIGNATURE	<input type="checkbox"/> CORPORATION
BY: <u>Daniel Burkeen</u> PRINT NAME	<input checked="" type="checkbox"/> OTHER
TITLE: <u>County Judge</u> ITS DULY AUTHORIZED AGENT	DATE: <u>1-11-10</u>
TRAVIS COUNTY, TEXAS	DATE:
BY: <u>[Signature]</u> CYD V. GRIMES, C.P.M., TRAVIS COUNTY PURCHASING AGENT	<u>1/20/10</u>
TRAVIS COUNTY, TEXAS	DATE:
BY: <u>SAMUEL T. BISCOE, TRAVIS COUNTY JUDGE</u>	

# 12

**Travis County Commissioners Court Agenda Request**

Voting Session : January 26, 2010  
(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:

Receive Update Regarding Assistance with Relief Efforts in Haiti.

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:

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**

**MEMORANDUM**

**DATE:** January 20, 2010

**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:** Information Regarding Assistance to those Affected by Haiti Earthquake

On January 12, 2010, Haiti experienced an earthquake registering 7.0 on the Richter Scale and subsequent seismic activity that caused extensive damage to property and infrastructure leaving the country and its residents in chaos with little potable water, food or shelter. According to information from the European Union, in addition to an estimated 200,000 deaths and 250,000 persons left injured, over 1.5 million people have been left homeless. Local hospitals and government services do not have the resources to meet the needs of the massive numbers of people presenting for assistance. The U.S. State Department Operations Center suggests that Americans seeking information about family members in Haiti should call 1-888-407-4747.

While there has been an unprecedented outpouring of pledged assistance from the International community targeted at addressing the country's needs, few organizations have the experience and capability to positively impact that community's quickly worsening conditions. The American Red Cross and other established aid organizations are uniquely situated to provide aid and disaster relief in the form of food, medicine and clothing.

Due to the cost of sorting, packing and transporting, these organizations are usually unable to accept individual in-kind donations or collections of clothing, food or cleaning supplies. The Red Cross has suggested that financial contributions to established aid organizations make the greatest impact.

To ensure that your contribution finds its way to the area in need in a timely manner, the FBI advises that you:

- Do not respond to any unsolicited (spam) incoming e-mails, including clicking links contained within those messages;
- Be skeptical of individuals representing themselves as surviving victims or officials asking for donations via e-mail or social networking sites;
- Be cautious of e-mails that claim to show pictures of the disaster areas in attached files because the files may contain viruses and could infect your computer. Only open attachments from known senders;
- Make contributions directly to known organizations rather than relying on others to make the donation on your behalf to ensure contributions are received and used for intended purposes;
- Do not give your personal or financial information to anyone who solicits contributions: Providing such information may compromise your identity and make you vulnerable to identity theft.

The FBI also requests that anyone receiving an e-mail that appears to be a scam should forward it to the following website: [www.ic3.gov](http://www.ic3.gov)

A list of charitable organizations operating in Haiti is attached and can be found at: [http://www.msnbc.msn.com/id/34835478/ns/world\\_news-haiti\\_earthquake](http://www.msnbc.msn.com/id/34835478/ns/world_news-haiti_earthquake)

**MSN List of Charitable Organizations Active in Haiti**

(updated 5:03 p.m. CT, Tues., Jan. 19, 2010)

Action Against Hunger, 877-777-1420  
Agape Flights, 941-584-8078  
Airline Ambassadors International, 866-264-3586  
American Red Cross, 800-733-2767  
American Refugee Committee, 800-875-7060  
American Jewish Joint Distribution Committee, 212-687-6200  
American Jewish World Service, 212-792-2900  
AmeriCares, 800-486-4357  
Beyond Borders, 866-424-8403  
B'nai B'rith International, 202-857-6600  
CARE, 800-521-2273  
CarmaFoundation  
Catholic Relief Services, 800-736-3467  
Childcare Worldwide, 800-553-2328  
Church World Services, 800-297-1516  
Clinton Foundation, 501-748-0471  
Text "HAITI" to 20222 to donate \$10 to Haiti relief  
Clinton Bush Haiti Fund  
Concern Worldwide, 212-557-8000  
Convoy of Hope, 417-823-8998  
Cross International, 800-391-8545  
CRUDEM Foundation, 413-642-0450  
CRWRC, 800-55-CRWRC  
Direct Relief International, 805-964-4767  
Doctors Without Borders, 888-392-0392  
Episcopal Relief and Development, 800-334-7626  
Feed My Starving Children, 763-504-2919  
Food for the Poor, 800-427-9104  
Friends of WFP, 866-929-1694  
Friends of the Orphans, 312-386-7499  
Habitat for Humanity, 1-800-422-4828  
Haiti Children, 877-424-8454  
Haiti Foundation Against Poverty  
Haiti Marycare, 203-675-4770  
Haitian Health Foundation, 860-886-4357  
Healing Hands for Haiti, 651-769-5846  
Hope for Haiti, 239-434-7183  
International Child Care, 800-722-4453  
International Medical Corps, 800-481-4462  
International Rescue Committee, 877-733-8433  
International Relief Teams, 619-284-7979  
Islamic Relief USA, 888-479-4968  
Lions Club International Foundation, 630-203-3836  
Lutheran World Relief, 800-597-5972

Medical Benevolence Foundation, 800-547-7627  
Medical Teams International, 800-959-4325  
Meds and Food for Kids, 314-420-1634  
Mennonite Central Committee, 888-563-4676  
Mercy Corps, 888-256-1900  
Mission of Hope Haiti, 816-246-7774  
Nazarene Compassionate Ministries, 800-306-9950  
New Life for Haiti, 815-436-7633  
Operation Blessing, 800-730-2537  
Operation USA, 800-678-7255  
Oxfam, 800-776-9326  
Partners in Health, 617-432-5298  
RHEMA International, 248-652-9894  
Rural Haiti Project, 347-405-5552  
The Salvation Army, 800-725-2769  
Samaritan's Purse, 828-262-1980  
Save the Children, 800-728-3843  
ShelterBox  
UN Central Emergency Response Fund  
UNICEF, 800-367-5437  
United Methodist Committee on Relief, 800-554-8583  
World Concern, 800-755-5022  
World Hope International, 888-466-4673  
World Relief, 800-535-5433  
World Vision, 888-511-6548  
Yele Haiti, 212-352-0552



13✓

**BUDGET AMENDMENTS AND TRANSFERS**

COUNTY BUDGETS OFFICE

**FY 2010**

10 JAN 19 PM 2: 01

**1/26/2010****TRANSFERS**

BA#	Project Code	FUND	DEPT/DIV	ACT	ELM/ OBI	Dept.	Line Item	Increase	Decrease	Pg #
T1		001	3402	569	0801	Cons. Pct. 4	Reg Salaries - Temp Empl		\$ 2,248	1
		001	3401	569	7511	Cons. Pct. 4	Investigation	\$ 2,248		

## Budget Adjustment: 20027

Fyr \_ Budget Type: 2010-Reg

Author: 34 - DE LA CRUZ, BERTHA

Created: 1/13/2010 1:28:05 PM

PBO Category: Transfer

Court Date: Tuesday, Jan 26 2010

Dept: CONSTABLE 4



Just: Negbal

From Account	Acct Desc	Project	Proj Desc	Amount
001-3402-569-0801	REG SALARIES-TEMP EMPL			2,248
				2,248
To Account		Project		Amount
001-3401-569-7511	INVESTIGATION			2,248
				2,248

Approvals	Dept	Approved By	Date Approved
Originator	34	BERTHA DE LA CRUZ	1/14/2010 2:04:26 PM
DepOffice	34	BERTHA DE LA CRUZ	1/14/2010 2:04:34 PM

For LexisNexis contract escalation.

Funding confirmed. PBO concurs.

 1/14/10  
 1/19/10

Amount	Dept Transferred Into	Date	Explanation
\$6,639,865			Beginning Balance
\$6,170	TNR	10/13/09	Canceled Purchase Orders
(\$2,132)	Cons. Pct. 1	10/7/09	Accruals
\$26,483	Various Dept	9/25/09	Canceled Purchase Orders
\$1,388	TNR	10/23/09	Canceled Purchase Orders
(\$2,578,800)	TNR	10/28/09	Reimbursement Resolution for Vehicles
(\$250,000)	TNR	11/17/09	Comprehensive Plan
(\$93,003)	Sheriff	11/24/09	SWAP
(\$516,000)	Juvenile Probation	12/1/09	Family Preservation Contract
(\$16,000)	Facilities	12/22/09	Real Estate
(\$325,000)	Facilities	12/22/09	Real Estate
<b>\$2,892,971 Current Balance</b>			

**Possible Future Expenses Against Allocated Reserve Previously Identified:**

Amount	Explanation
(\$25,000)	Grant Match MHPD
(\$26,185)	Grant Match Second Chance
(\$20,000)	Hazmat
(\$28,748)	Armored Car Service
(\$25,000)	Records Storage
(\$25,000)	Postage
(\$600,189)	Election Runoff
(\$60,000)	Deaf Services Temporary Interpreters
(\$158,855)	Family Drug Treatment Grant
(\$100,000)	Court Appointed Attorney Fees
(\$300,000)	Court Appointed Attorney Fees-Capital Cases
(\$150,000)	County Court-at-Law #8 Court Appointed Atty Fees
(\$184,266)	Drug Court Grant - Special Populations
(\$12,877)	Overtime for FACTS Training/Implementation
(\$8,268)	Overtime for FACTS Training/Implementation
(\$7,300)	Miscellaneous Recurring Expenses-Operating
<b>(\$1,731,688) Total Possible Future Expenses (Earmarks)</b>	

**\$1,161,283 Remaining Allocated Reserve Balance After Possible Future Expenditures**

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

<b>Amount</b>	<b>Dept Transferred Into</b>	<b>Date</b>	<b>Explanation</b>
\$454,223			Beginning Balance
(\$11,205)	Sheriff	11/24/09	SWAP
(\$2,215)	Facilities	12/22/09	Real Estate
(\$29,995)	TNR	12/22/09	Sidewalk Maintenance Program
(\$13,395)	TNR	1/8/10	Motorcycle Replacement
<b>\$397,413 Current Reserve Balance</b>			

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

<b>Amount</b>	<b>Explanation</b>
(\$95,500)	Failing Vehicles
<b>(\$95,500) Total Possible Future Expenses (Earmarks)</b>	

**\$301,913 Remaining CAR Balance After Possible Future Expenditures**

***Emergency Reserve Status (001-9800-981-9814)***

<b>Amount</b>	<b>Dept Transferred Into</b>	<b>Date</b>	<b>Explanation</b>
\$4,950,000			Beginning Balance
<b>\$4,950,000 Current Reserve Balance</b>			

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

<b>Amount</b>	<b>Dept Transferred Into</b>	<b>Date</b>	<b>Explanation</b>
\$1,000,000			Beginning Balance
<b>\$1,000,000 Current Reserve Balance</b>			

***Juvenile Justice TYC (001-9800-981-9829)***

<b>Amount</b>	<b>Dept Transferred Into</b>	<b>Date</b>	<b>Explanation</b>
\$250,000			Beginning Balance
<b>\$250,000 Current Reserve Balance</b>			

***Future Grant Requirements Reserve Status (001-9800-981-9837)***

<b>Amount</b>	<b>Dept Transferred Into</b>	<b>Date</b>	<b>Explanation</b>
\$500,000			Beginning Balance
<b>\$500,000 Current Reserve Balance</b>			

***Smart Bldg. Facility Maintenance Reserve Status (001-9800-981-9838)***

<b>Amount</b>	<b>Dept Transferred Into</b>	<b>Date</b>	<b>Explanation</b>
\$43,092			Beginning Balance
<b>\$43,092 Current Reserve Balance</b>			

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

<b>Amount</b>	<b>Dept Transferred Into</b>	<b>Date</b>	<b>Explanation</b>
\$43,812,685			Beginning Balance
(\$2,161,824)	ITS	12/15/09	Computer Equipment
(\$50,000)	Tax	12/15/09	Reimbursement Resolution
(\$2,264,000)	Facilities	12/15/09	Reimbursement Resolution
<b>\$39,336,861 Current Reserve Balance</b>			

**TRAVIS COUNTY COMMISSIONERS COURT AGENDA REQUEST**

RECEIVED  
COUNTY JUDGE'S OFFICE

10 JAN 19 AM 10:27

14

Please consider the following item for:

01-26-10

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) Annual application for an existing grant program with the Office of the Governor's Criminal Justice Division for resources for the Juvenile Assessment Center in the Juvenile Probation Department.

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

1/26/2010

GRANT APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE  
FY 2010

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

Dept	Grant Title	Grant Period	Grant Award	County Match	In-Kind	Program Total	PBO FTEs	Notes	Auditor's Assessment	Page #	ARRA
<b>Applications</b>											
45	JABG (Local) Juvenile Assessment Center	9/1/2010 - 8/31/2011	\$110,115	\$12,235	\$0	\$122,350	1.37	R	MC	10	

**PBO Notes:**

R - PBO recommends approval.  
 NR - PBO does not recommend approval  
 D - PBO recommends item be discussed.

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

S - Simple  
 MC - Moderately Complex  
 C - Complex  
 EC - Extremely Complex

\* Request is not a traditional permission to continue. Budget and expenditures will remain in the department's General Fund Budget until the contract is in place and reclassifications against the grant are processed.



## FY 2010 Grants Summary Report

### Outstanding Grant Applications

*The following is a list of grants for which application has been submitted since October 1, 2009, and the notification of award has not yet been received.*

*American Recovery and Reinvestment Act (ARRA) and Large Multi-year Grants are bold and italicized. Additional details for these grants are summarized on a separate page in the document.*

Dept	Name of Grant	Grant Term	Grant Award	County Match	In-Kind	Program Total	FTEs	Cm. Ct. Approval Date
49	CAPCOG FY10 Solid Waste Enforcement Grant	12/15/2009 - 08/31/2010	\$8,517			\$8,517		10/6/2009
24	Formula Grant - Indigent Defense Grants Program	10/1/2009 - 9/30/2010	\$430,945			\$430,945		10/6/2009
14	<b><i>American Recovery and Reinvestment Act (ARRA) Competitive Grant for Distributable Renewable Energy Power Generation</i></b>	<b><i>12/4/2009-4/30/2011</i></b>	<b><i>\$2,000,000</i></b>	<b><i>\$360,000</i></b>	<b><i>\$40,000</i></b>	<b><i>\$2,400,000</i></b>		<b><i>10/27/2009</i></b>
58	RSVP	10/1/2009 - 9/30/2010	\$61,281	\$6,128		\$67,409		11/24/2009
12	BJA Federal SAVNS - Courts Only	11/30/2009 - 3/31/2011	\$22,972			\$22,972		12/8/2009
49	Transportation Enhancement Program	FY 2011 - FY 2014	\$3,419,066	\$854,766		\$4,273,832		12/8/2009
37	<b><i>Recovery Act - STOP Violence Against Women Act (ARRA)</i></b>	<b><i>4/1/2010 - 3/31/2011</i></b>	<b><i>\$10,080</i></b>			<b><i>\$10,080</i></b>		<b><i>12/15/2009</i></b>
37	<b><i>Recovery Act - STOP Violence Against Women Act (ARRA) Amended 12/15/09 application</i></b>	<b><i>4/1/2010 - 3/31/2011</i></b>	<b><i>\$64,599</i></b>			<b><i>\$64,559</i></b>	<b><i>1</i></b>	<b><i>12/22/2009</i></b>
47	Emergency Management Performance Grant	10/1/2009 - 9/30/2010	\$67,200	\$67,200		\$134,400		12/29/2009

58 AmeriCorps

8/1/2010 -  
7/31/2011

\$295,290

\$164,583

\$104,598

\$564,471

1/19/2010

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\$6,379,950

\$1,452,677

\$144,598

\$7,977,185

1

## FY 2010 Grants Approved by Commissioners Court

*The following is a list of grants that have been received by Travis County since October 1, 2009*

*American Recovery and Reinvestment Act (ARRA) and Large Multi-year Grants are bold and italicized. Additional details for these grants are summarized on a separate page in the document.*

Dept	Name of Grant	Grant Term	Grant Award	County Match	In-Kind	Program Total	FTEs	Cm. Ct. Approval Date
14	Energy Efficiency and Conservation Block Grants - Recovery (ARRA)	10/2009 - 04/2011	\$2,207,900			\$2,207,900		10/6/2009
49	TX DoT Advanced Funding Agreement - Howard Lane @ SH130	7/28/2009	\$6,000,000	\$1,575,000		\$7,575,000		10/6/2009
58	2009 Phase 27 ARRA Emergency Food and Shelter Program	04/01/2009 - 12/31/2009	\$41,666			\$41,666		10/6/2009
19	Underage Drinking Prevention Program	10/01/2008 - 9/30/2011	\$193,750	\$35,715	\$119,504	\$348,969	3	10/6/2009
47	Emergency Management Performance Grant	10/01/08 - 9/30/09	\$67,200	\$67,200		\$134,400		10/13/2009
58	Comprehensive Energy Assistance Program (CEAP) Amendment 1	1/1/2009 - 12/31/2009	\$3,198,032			\$3,198,032		10/13/2009
58	Title IV-E Child Welfare Services	10/1/2009 - 9/30/2010	\$57,360	\$0	\$0	\$57,360	1	10/20/2009
59	Travis County STAR Flight Equipment Enhancement	10/1/2009 - 11/30/2011	\$75,000	\$0	\$0	\$75,000		10/27/2009
39	Travis County Adult Probation DWI Court	9/1/2009 - 8/31/2010	\$210,315	\$0	\$0	\$210,315	1	11/3/2009
22	Family Drug Treatment Court	9/1/2009 - 8/31/2010	\$108,350	\$0	\$0	\$108,350	1	11/3/2009
45	Drug Court/In-Home Family Services Grant	9/1/2009 - 8/31/2010	\$157,500	\$17,500				11/10/2009
45	Residential Substance Abuse Treatment Program	10/1/2009 - 9/30/2010	\$102,888	\$34,296		\$137,184	1.58	11/10/2009
37	2009 Byrne Justice Assistance Grant - Non ARRA	9/17/2009 - 9/30/2012	\$100,000			\$100,000		11/17/2009
37	2009 Byrne Justice Assistance Grant	3/1/2009 - 2/28/2013	\$495,000			\$495,000		11/17/2009

23	Texas Commission on Environmental Quality Intergovernmental Cooperative Reimbursement Agreement with Travis County	11/09 - 8/31/2012	\$590,797		\$590,797	1.75	11/17/2009
49	Onion Creek Greenway, Phase 1 - Urban Outdoor Recreation Grant	8/21/2008 - 8/20/2011	\$1,000,000	\$1,000,000	\$2,000,000		11/17/2009
58	RSVP - Texas Department of Aging and Disability Services (TDADS)	9/1/2009 - 8/31/2010	\$23,800	\$23,800	\$47,600		11/17/2009
58	Veterans' Employment and Training Service (Stand Down Grant)	10/24/2009 - 10/25/2009	\$7,000		\$7,000		11/17/2009
37	2007 Homeland Security Grant Program - LETPP	10/12/2007 - 2/28/2010	\$106,905		\$106,905		11/24/2009
49	Flood Mitigation Assistance - Planning Grant	8/28/2009 - 8/31/2011	\$30,000	\$10,000	\$40,000		12/1/2009
37	State Criminal Alien Assistance Program - SCAAP 09	7/1/2007 - 6/30/2008	\$988,279		\$988,279		12/15/2009
37	Human Trafficking Law Enforcement Task Force	12/1/2009 - 9/30/2010	\$20,000		\$20,000		12/15/2009
23	Project Safe Neighborhoods	12/1/2009 - 12/31/2010	\$29,410		\$29,410	1	1/5/2010
			\$15,811,152	\$2,763,511	\$119,504	\$18,519,167	10.33

## FY 2010 Grants Summary Report

## Permission to Continue

Dept	Name of Grant	Personnel Cost	Operating Transfer	Estimated Total	Filled FTEs	Cm. Ct. Approval Date for Continuation	Cm. Ct. Contract Approval Date	Has the General Fund been Reimbursed?
22	Drug Court (State) Program	\$5,084	\$5,084	\$10,168	1	8/18/2009	11/3/2009	Yes
45	Residential Substance Abuse Treatment	\$8,994	\$8,994	\$17,988	1	9/22/2009	11/10/2009	Yes
22	Drug Court (State) Program	\$5,084	\$5,084	\$10,168	1	10/6/2009	11/3/2009	Yes
58	Casey Family Programs Community and Family Reintegration Project	\$9,726	\$9,726	\$19,452	1	12/22/2009	1/1/2010 - 12/31/2010	Pending
58	*Comprehensive Energy Assistance Grant Program			\$430,000		1/19/2010		Awaiting contract
Totals		\$28,888	\$28,888	\$487,776	4			

\* Request is not a traditional permission to continue. Budget and expenditures will remain in the department's General Fund Budget until the contract is in place and reclassifications against the grant are processed.

Future year amounts are estimated if not known and impact amounts may be reduced if additional Non-County funding is identified. Amounts shown in a particular year may not represent the actual grant term allocation since terms may overlap the County's Fiscal Year.

[illegible]

Health and Human Services	2009 Phase 27 ARRA Emergency Food and Shelter Program. The grant is a one-year one-time grant for emergency utility assistance that does not require a County match or program to continue after termination.	\$ 41,666	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Health and Human Services	Americorps. Grant match is handled internally within the existing budget of the Texas AgriLife Extension Service. Assumes grant will continue each year.	\$ 288,139	\$ -	\$ 298,297	\$ -	\$ 298,297	\$ -	\$ 298,297	\$ -	\$ 298,297	\$ -	\$ 281,297	\$ -
Health and Human Services	Parenting in Recovery. FY 09 is Year Two of a Potential Five Year Grant. The full impact will occur in FY 13 when grant funding is no longer available.	\$ 500,000	\$ 77,726	\$ 500,000	\$ 80,000	\$ 500,000	\$ 80,000	\$ 500,000	\$ 80,000	\$ -	\$ 580,000	\$ -	\$ 580,000
Health and Human Services	Community Development Block Grant ARRA (CDBG-R) Funds to be used for approx 39 water connections for Plainview Estates.	\$ 90,000	\$ -	\$ 136,300	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Health and Human Services	Community Development Block Grant (CDBG). Impact amounts are based on the amounts added for staff added in HHS and County Auditor's Office to support the grant. The Auditor's staff person also supports other large federal grants, but is only listed here for simplification. Actual amounts may vary by year. Assumes grant will continue each year.	\$ 833,133	\$ 223,908	\$ 866,380	\$ 223,908	\$ 866,380	\$ 223,908	\$ 866,380	\$ 223,908	\$ 866,380	\$ 223,908	\$ 866,390	\$ 223,908
<b>Totals</b>		<b>\$ 3,070,731</b>	<b>\$ 1,161,189</b>	<b>\$ 5,756,217</b>	<b>\$ 2,175,626</b>	<b>\$ 2,541,220</b>	<b>\$ 1,108,627</b>	<b>\$ 2,172,470</b>	<b>\$ 1,233,627</b>	<b>\$ 1,507,470</b>	<b>\$ 1,733,627</b>	<b>\$ 1,490,480</b>	<b>\$ 1,733,627</b>

County Impact includes the grant match amount that is not internally funded or costs that required a budget increase and the amount that may be required by the County upon termination of the grant. This amount does not include all costs related to the administration of the grant that are incurred by the County. Existing grants with approved contracts for the current year with pending applications for the following year are shown only on the contracts sheet to avoid duplication.

## SUMMARY OF APPROVED CONTRACTS AND APPLICATIONS

Combined Totals (Approved Applications Pending Notification + Approved Contracts)	FY 09		FY 10		FY 11		FY 12		FY 13		FY 14	
	Grant Amount	Add. County Impact	Grant Amount	Add. County Impact	Grant Amount	Add. County Impact	Grant Amount	Add. County Impact	Grant Amount	Add. County Impact	Grant Amount	Add. County Impact
Approved Applications Pending Notification (Potential Impact)	\$ -	\$ -	\$ 5,663,322	\$ 360,000	\$ 2,649,737	\$ 101,432	\$ 330,116	\$ 176,432	\$ 246,907	\$ 223,880	\$ -	\$ 506,752
Approved Contracts	\$ 3,070,731	\$ 1,161,189	\$ 5,756,217	\$ 2,175,626	\$ 2,541,220	\$ 1,108,627	\$ 2,172,470	\$ 1,233,627	\$ 1,507,470	\$ 1,733,627	\$ 1,490,480	\$ 1,733,627
<b>Combined Totals</b>	<b>\$ 3,070,731</b>	<b>\$ 1,161,189</b>	<b>\$ 11,419,539</b>	<b>\$ 2,535,626</b>	<b>\$ 5,190,957</b>	<b>\$ 1,210,059</b>	<b>\$ 2,502,586</b>	<b>\$ 1,410,059</b>	<b>\$ 1,754,377</b>	<b>\$ 1,957,507</b>	<b>\$ 1,490,480</b>	<b>\$ 2,240,379</b>

# TRAVIS COUNTY FY 09 - FY 14 PLANNING TOOL FOR AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) AND LARGE MULTI-YEAR GRANT APPLICATIONS

The potential impact in future years to the County is shown for planning purposes only. County funding determinations will be made annually by the Commissioners Court based on the availability funding and progress of the program. ARRA Grants are highlighted in bold.

Future year amounts are estimated if not known and impact amounts may be reduced if additional Non-County funding is identified. Amounts shown in a particular year may not represent the actual grant term allocation since terms may overlap the County's Fiscal Year.

## Outstanding Grant Applications

Dept	Grant Title	FY 09		FY 10		FY 11		FY 12		FY 13		FY 14	
		Grant Award	Add. County Impact	Grant Award	Add. County Impact	Grant Award	Add. County Impact	Grant Award	Add. County Impact	Grant Award	Add. County Impact	Grant Award	Add. County Impact
Criminal Justice Planning	Travis County Information Management Strategy for Criminal Justice (ARRA). <i>Includes technology funding for (Constables, Records Management, Adult Probation, Juvenile Probation, Court Administration and Manor Police Department).</i>	\$ -	\$ -	\$ 877,234	\$ -	\$ -	\$ 26,432	\$ -	\$ 26,432	\$ -	\$ 26,432		\$ 26,432
Criminal Justice Planning	National Initiatives: Adjudication Program (ARRA) <i>This grant is for 18 months of funding for an attorney and caseworker in the Mental Health Public Defender's Office. Travis County would be expected to continue this program after grant funding has ended.</i>	\$ -	\$ -	\$ 150,000	\$ -	\$ 75,000	\$ 75,000	\$ -	\$ 150,000	\$ -	\$ 150,000	\$ -	\$ 150,000
Health and Human Services	ARRA Texas Weatherization Assistance Program. Provide weatherization services to low income households		\$ -	\$ 2,249,447	TBD	\$2,249,447	TBD		\$ -		\$ -		\$ -
Travis County Sheriff's Office/County Attorney's Office	Recovery Act - STOP Violence Against Women Act. <i>One-time ARRA funding for lap tops for TCSO and one-time funding for a Victim Counselor, lap top computer, and operating expenses for the County Attorney's Office. Grant ends March 2011, but for simplification purposes the award is shown fully in 2010. No County match or commitment after grant ends.</i>	\$ -	\$ -	\$ 64,599	\$ -		\$ -		\$ -		\$ -		\$ -
Juvenile Probation	Juvenile Treatment Drug Court Enhancement Grant from OJJDP. <i>Includes 2 Grant FTE and may require a \$82,865 County contribution in FY 13 and the full impact of \$130,350 in FY 14. Dept has stated they would seek alternative funding sources and would only request General Fund dollars if other funding was unavailable.</i>	\$ -	\$ -	\$ 122,222	\$ -	\$ 125,470	\$ -	\$ 130,350	\$ -	\$ 46,937	\$ 47,448	\$ -	\$ 130,350
Juvenile Probation	Juvenile Treatment Drug Court Enhancement Grant from CSAT. <i>Application must be submitted each year. Resources for treatment services and staff training. Full impact potential in FY 14. Dept has stated they would seek alternative funding sources and would only request General Fund dollars if other funding was unavailable.</i>	\$ -	\$ -	\$ 199,820	\$ -	\$ 199,820	\$ -	\$ 199,766	\$ -	\$ 199,970	\$ -	\$ -	\$ 199,970
Facilities Management	American Recovery and Reinvestment Act (ARRA) Competitive Grant for Distributable Renewable Energy Power Generation. <i>Grant is for one-time capital purchases to install solar panels at the Expo Center. Grant ends in 2011, but amounts shown assume full expenditures in FY 10. Expenditures for FY 11 will be updated based on progress of the program.</i>	\$ -	\$ -	\$ 2,000,000	\$ 360,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -
Totals		\$0	\$0	\$5,663,322	\$360,000	\$2,649,737	\$101,432	\$330,116	\$176,432	\$246,907	\$223,880	\$0	\$506,752



## 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
Contact Person/Title:	Ruthanne Shockley, Grant Coordinator
Phone Number:	854-7110

Grant Title:	JABG (Local) Juvenile Assessment Center		
Grant Period:	From: 9/1/2010	To: 8/31/2011	
Grantor:	Office of the Governor, Criminal Justice Division		
American Recovery and Reinvestment Act (ARRA) Grant	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>	

Check One:	New: <input type="checkbox"/>	Continuation: <input checked="" 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:	54,109	0	0	12,235		66,344
Operating:	53,847	0	0	0		53,847
Capital Equipment:		0	0	0		0
Indirect Costs:	2,159	0	0	0		2,159
Total:	\$110,115	0	\$0	12,235	\$0	122,350
FTEs:	1			.37		1.37

Department	Review	Staff Initials	Comments
County Auditor	<input checked="" type="checkbox"/>	MN	Moderate Complexity Rating (MC)
County Attorney	<input checked="" type="checkbox"/>	JC	

Performance Measures	Projected FY 10 Measure	Progress To Date:				Projected FY 11 Measure
		12/31/09	3/31/10	6/31/10	9/30/10	
Applicable Depart. Measures						
Total substance abuse assessments (Comprehensive Assessment Severity Inventories-CASIs) administered	1100	1050	n/a	n/a	n/a	1100
Number and percent of assessed youth needing substance abuse treatment and/ or prevention	924 (84%)	719	n/a	n/a	n/a	924 (84%)
Number and percent of juveniles referred and/ or participating in substance abuse treatment/education	742 (67%)	625	n/a	n/a	n/a	832 (76%)
Measures For Grant						

Successful Completion	550	462	n/a	n/a	n/a	550
Outcome Impact Description	Number of youth completeing Program Requirements					
Full Assessments Given	1100	1050	n/a	n/a	n/a	1100
Outcome Impact Description	Number of Program Youth fully assessed using risk and needs assessments.					
Recidivism	180	164	n/a	n/a	n/a	180
Outcome Impact Description	Number of Program youth who reoffend					
Services Received	800	719	n/a	n/a	n/a	800
Outcome Impact Description	Number of times services identified through youth assessment are actually received by the assessed youth					

**PBO Recommendation:**

Juvenile Probation is requesting Commissioners Court approval of the annual grant application to the Office of the Governor, Criminal Justice Division for the existing Juvenile Assessment Center Grant Program. The supplemental funding supports the program, which provides juveniles with a comprehensive Adolescent Severity Inventory (substance abuse), a mental status examination and screening for developmental disabilities at the front end of the referral process to the department so they can be directed to the appropriate services.

This is the continuation of an existing grant that was first approved in FY 99. The required grant match is met through the department existing budget and no additional resources are needed. In addition, the grant does not require the service level be continued after termination of the grant cycle. PBO recommends approval of this request.

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

The Juvenile Accountability Block Grant (JABG) Program's purpose is to develop programs that promote greater accountability in the juvenile justice system. Screening and assessing all youth at the front end of the referral process to TCJPD ensures proper service delivery and case management for youth with substance abuse issues, mental health disorders, and/or developmental delays. Proper screening and further assessments where indicated affords juveniles a greater opportunity to change their life-course when given proper supports at onset of activity in the juvenile justice system. The goal of this program is to screen and assess all youth who are referred to TCJPD in a timely fashion and direct them to appropriate services that may be needed to due substance abuse, mental health issues, and/or developmental delays in order to divert them from a path of serious, violent and chronic delinquency.

The grant will pay for one FTE Counselor and/or Therapist (licensed) at 100%). TCJPD will use existing general funds for the 10% required match through a portion of current staff salary, (Counselor and/or Therapist-non-licensed). This staff member works 100% of time on this grant. The total salary is \$32,686. To meet the match requirement, \$12,235 (or 37%) has been calculated which represents the total salary and fringe benefits for this one staff person.

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

N/A. There are no long term County commitments.

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

The Juvenile Accountability Block Grant program requires a grantee match of at least 10%, which is calculated on the total project costs, not on the amount requested from CJD. The match of \$12,235 requested for the existing .37 staff person represents the 10% match requirement and is being used for personnel and fringe. This cash match will be met through the TCJPD's existing budget; no new funds are being requested for this match.

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

A 2% indirect cost rate has been calculated at \$2,159.

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.

The Department intends to request subsequent year continuation funding for the Juvenile Assessment Center through proposals submitted to the Federal and State government, as well as private foundations. As previously presented to the Court, the County will have the opportunity to consider investment in the assessment center as well as other areas of Substance Abuse Services only after all other sources of funding have been exhausted.

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

N/A. This is not a new program.

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

The Juvenile Assessment Center will continue to improve systems of screenings and assessments which result in more appropriate treatment placement.

## 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: FY 2011 CJD JABG Local Juvenile Assessment Center 2297301

DATE: December 29, 2009

Mr. Gatlin,

Travis County Juvenile Probation Department (TCJPD) is applying for \$110,115 through the Governor's Criminal Justice Division (CJD), Juvenile Accountability Block Grant (JABG) and will be used to underwrite the Juvenile Assessment Center (JAC). The goal of this program is to screen and assess all youth at the front end of the referral process to TCJPD. This ensures timely service delivery and case management for youth with substance-abuse issues, mental-health disorders, and/or developmental delays in order to divert them from a path of serious, violent and chronic delinquency. The grant will pay for one FTE Counselor and/or Therapist (licensed) at 100% and will match at 10% a Counselor and/or Therapist (non-licensed).

Attached are the requisite Grant Summary Form, the grant application, and Resolution for Judge Biscoe to sign (which will be included in the hard copy). In accordance with FY10 PBO regulations, **three originals and two copies** of the signed documents are en route to the Planning and Budget Office. **One copy** of all attached documents is being delivered to the County Attorney's Office for review; and **one copy** is being delivered to the County Auditor's Office.

Please review this item and place it on the **January 26<sup>th</sup> 2010** Commissioner's Court agenda for their consideration and signature. You may contact Ms. Shockley at 854-7110 for further information.

Thank you in advance for your attention to this request.

CC: Jim Connolly, Assistant County Attorney  
Nisha Sharma, Financial Analyst, County Auditor  
Britt Canary, Deputy Chief  
Andrea Storey, Division Director  
Sylvia Mendoza, Division Director, Financial Services  
Mike Williams, Financial Analyst  
Grant File



**Agency Name:** Travis County

**Grant/App:** 2297301 **Start Date:** 9/1/2010 **End Date:** 8/31/2011

**Project Title:** JABG Local Juvenile Assessment Center

**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

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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:12/8/2009 3:09:01 PM 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.

In addition, you have a 2-hour time limit for each tab where you will need to complete the information correctly and then click the **Save and Continue** button. There is a timestamp in the upper-right hand corner of the page that notes when you first clicked on the tab. From that point, you have 2 hours to complete the information on that tab correctly. If you do not complete the information correctly (for the required fields) and then you click on the **Save and Continue** button, you will be redirected to the eGrants Home Page. If this happens, your data will not be saved in the system. You may also choose to compose a message on this page for CJD to review. This can be done by typing in the **Notes By Grantee / CJD** message box.


## 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.

•  = 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.

**Applicant Agency Name:** Travis County  
**Project Title:** JABG Local Juvenile Assessment Center  
**Division or Unit to Administer the Project:** Juvenile Probation Department

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**Address Line 1:** 2515 South Congress Avenue

**Address Line 2:**

**City/State/Zip:** Austin Texas 78704

**Payment Address Line 1:** P.O. Box 1748

**Payment Address Line 2:**

**Payment City/State/Zip:** Austin Texas 78767-1748

**Start Date:** 9/1/2010

**End Date:** 8/31/2011

**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:**

**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.


In addition, you have a 2-hour time limit for each tab where you will need to complete the information correctly and then click the **Save and Continue** button. There is a timestamp in the upper-right hand corner of the page that notes when you first clicked on the tab. From that point, you have 2 hours to complete the information on that tab correctly. If you do not complete the information correctly (for the required fields) and then you click on the **Save and Continue** button, you will be redirected to the eGrants Home Page. If this happens, your data will not be saved in the system. You may also choose to compose a message on this page for CJD to review. This can be done by typing in the **Notes By Grantee / CJD** message box.

## 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:** P.O. Box 1748

**Payment Address Line 2:**

**Payment City/State/Zip:** Austin Texas 78767-1748

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

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## Primary Mission and Purpose

The Juvenile Accountability Block Grant (JABG) Program's purpose is to develop programs that promote greater accountability in the juvenile justice system.

## Funding Levels

The anticipated funding levels for the Juvenile Accountability Block Grant (JABG) program are as follows:

- Minimum Award - \$10,000
- Maximum Award - None
- The Juvenile Accountability Block Grant program requires a grantee match of at least 10%, which is calculated on the total project costs, not on the amount requested from CJD. The match requirement may be met through cash contributions only.

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.

**Local Advisory Board** – Each unit of local government is required to establish an advisory board consisting of individuals representing police departments, sheriffs' offices, prosecutors, probation officers, juvenile courts, schools, businesses, and faith-based, fraternal, nonprofit, or social service organizations involved in juvenile crime and delinquency. The local advisory board is responsible for the development of a coordinated enforcement plan for the use of grant funds based on an analysis of the local juvenile justice system. The analysis determines the most effective use of grant funds within the sixteen program purpose areas that apply to those grant funds. The plan serves as the project narrative and summary and should follow the general format of a project narrative and summary as outlined in this solicitation. In the space provided, enter the number of individuals representing each of the groups listed below.

**Note:** Although the **Local Advisory Board** section is not applicable to discretionary applicants, you must enter a numeric value in each box. Discretionary applicants should enter a zero ('0') in the boxes below.

Enter the number of advisory group members representing **Police Departments**:

0

Enter the number of advisory group members representing **Sheriff Offices**:

0

Enter the number of advisory group members representing **Prosecutors**:

0

Enter the number of advisory group members representing **Juvenile Courts**:

0

Enter the number of advisory group members representing **Schools**:

0

Enter the number of advisory group members representing **Businesses**:

0

Enter the number of advisory group members representing **Social Service Agencies** (e.g., faith-based, fraternal, non-profit, etc.):

0

**Local Advisory Board Resolution** – A Local Advisory Board Resolution form has been signed by members of the local juvenile justice advisory board and is on file with the application agency.

**Note:** The **Local Advisory Board Resolution** section is not applicable to discretionary applicants.

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**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 by 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.

**Waiver of Funds** - Any entity receiving a local allocation may waive the ability to apply for funds and choose instead to waive the allocation to a larger or neighboring city, county or Native American tribe that will still benefit the waiving area's jurisdiction. The applicant agency is responsible for obtaining a completed JABG Waiver of Funds Form from each agency that chooses to waive its allocation to the applicant. CJD will not award any additional waived funds to the applicant organization until a completed JABG Waiver of Funds Form is signed and fax to CJD at (512) 475-2440 by the application submission deadline. The JABG Waiver of Funds Form is available [here](https://cjdonline.governor.state.tx.us/updates.aspx) or can be downloaded from CJD's website at <https://cjdonline.governor.state.tx.us/updates.aspx>. In the space provided below, enter the name of the agency waiving funds, amount of funds waived, and the name of the waiving agency's authorized official.

**Note:** Although the **Waiver of Funds** section is not applicable to discretionary applicants, you must select a value in the box. Discretionary applicants should select not applicable ('N/A') in the box below.

Does this application include funds waived from another jurisdiction?

Select the appropriate response:

☐ Yes

☐ No

☒ N/A

If you selected **Yes** above, enter the name of the waiving agency and amount of waived funds (e.g., Anywhere County - \$25,000). If multiple jurisdictions are waiving funds to your agency, include the names and amounts for each agency.

Enter the name(s) and amount(s) for waived funds:

## Drug Court Program Requirements

Drug Court programs that provide court-supervised substance abuse treatment as an alternative to traditional criminal sanctions, as defined in Chapter 469 of the Texas Health and Safety Code must incorporate the following ten (10) essential characteristics of drug courts noted below and codified in Texas Health and Safety Code §469.001 to be eligible for funding:

### Ten Essential Characteristics

**Integration of Services** - The integration between alcohol and other drug treatment services in the processing of cases in the judicial system.

**Non-Adversarial Approach** - The use of a non-adversarial approach involving prosecutors and defense attorneys to promote public safety and to protect the due process rights of program participants.

**Prompt Placement** - Early identification and prompt placement of eligible participants in the program.

Access – Access to a continuum of alcohol, drug, and other related treatment and rehabilitative services.

Abstinence Monitoring – Monitoring of abstinence through weekly alcohol and other drug testing.

Compliance Strategy – A coordinated strategy to govern program responses to participants' compliance.

Judicial Interaction – Ongoing judicial interaction with program participants.

Evaluation – Monitoring and evaluation of program goals and effectiveness.

Education – Continuing interdisciplinary education to promote effective program planning, implementation, and operations.

Partnerships – Development of partnerships with public agencies and community organizations.

### General Approaches

- Pre-adjudication - The defendant is diverted to the treatment program in lieu of prosecution before charges are filed or before final case.
- Post-adjudication - The drug offender begins the drug court program after entering a plea of guilty or nolo contendere or having been found guilty, often as a condition of probation.
- Reentry - Offenders completing sentences of incarceration or lengthy terms of residential treatment are ordered into the treatment program to facilitate their transition and reintegration into society.
- Civil - Participants enter the drug court program in relation to suits affecting the parent-child relationship, child welfare / CPS cases, child support cases, or other civil matters.

Select the **general approach(es)** this drug court will follow below.

Select all that apply:

- ☐ Pre-adjudication
- ☐ Post-adjudication
- ☐ Reentry
- ☐ Civil
- ☒ N/A

**Observation** – The drug court team (judge, prosecutor, defense counsel, treatment provider, supervision officer, court coordinator, etc.) of a new program must observe at least one drug court staffing session and hearing, in Texas, prior to program implementation.

**Policies and Procedures** – The drug court will develop and maintain written policies and procedures for the operation of the program.

**Information Sharing** – The applicant will submit a copy of any project evaluations, evaluation plans, recidivism studies, or related reports that are completed during the grant period to CJD.

**Jurisdiction** - Provide the name of the court administering the Drug Court program (*e.g., 999th Judicial District Court, Somewhere County Criminal Court, or City of Somewhere Municipal Court*). If this has not been decided enter 'To Be Determined', or enter 'N/A' if this item does not apply.

n/a

**Drug Court Date** - If the Drug Court has commenced operations, provide the date that this Drug Court was established.

### Drug Court Type

- Adult - Programs serving adults (either pre-adjudication, post-adjudication, or reentry).
- Family - Programs serving parents who enter the drug court in relation to suits affecting the parent-child relationship, including child welfare / CPS cases, child support cases, or other civil matters.
- Juvenile - Programs serving juveniles (either pre-adjudication, post-adjudication, or reentry).

Select the type of drug court that will be operated:

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- ☐ Adult
- ☐ Family
- ☐ Juvenile
- ☒ N/A

Will the drug court accept **DWI offenders**?

Select the appropriate response:

- ☐ Yes
- ☐ No
- ☒ N/A

**Presiding Judge** - The presiding judge of a drug court funded with Drug Court funds must be an active judge holding elective office or a master. Persons eligible for appointment may not be a former or retired judicial officer. Is the presiding judge of the drug court an active judge holding elective office or a master?

Select the appropriate response:

- ☐ Yes
- ☐ No
- ☒ N/A

Enter the name of the **Presiding Judge** for the Drug Court. If this has not been decided enter 'To Be Determined', or enter 'N/A' if this item does not apply.

Enter the name of the **Drug Court Coordinator**. If this has not been decided enter 'To Be Determined', or enter 'N/A' if this item does not apply.

**Note:** The Drug Court Coordinator usually monitors the operation of the Drug Court, supervises Drug Court staff, participates in Drug Court judicial staff meetings, prepares and oversees Drug Court contracts with service providers, maintains data on Drug Court operations, and communicates with legal staff, government officials, social service agencies, and the public regarding matters of the Drug Court.

Has the drug court ever applied for **federal funding**?

Select the appropriate response:

- ☐ Yes
- ☐ No
- ☒ N/A

Has the drug court ever received **federal funding**?

Select the appropriate response:

- ☐ Yes
- ☐ No
- ☒ N/A

If you selected **Yes** above, provide the federal award amount, grant period [mm/dd/yyyy to mm/dd/yyyy], and explain how CJD funds will be used to support or expand the project and not replace existing funds.

Enter the federal funding description:

### 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:

Dana Hess, Employment Specialist

Enter the Address for the Civil Rights Liaison:

Travis County Human Services 1010 Lavaca St., Second Floor Austin, Texas 78701

Enter the Phone Number for the Civil Rights Liaison:

5128549165

### Certification

Each applicant agency will certify to the specific criteria detailed above under **Program Requirements** to be eligible for funding under either the Juvenile Accountability Block Grant (JABG) Local or Discretionary Solicitations.

☒ **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:

In Travis County, juvenile offenders with unidentified challenges (mental health issues, substance abuse, and developmental delays, to name a few) have lower success rates of compliance with societal rules in general and more stringent rules of probation in particular. If these challenges remain unidentified, these same youth return to Court as a result of non-compliance or subsequent offenses.

### 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:

Juveniles referred to TCJPD receive assessments to screen for mental health and substance abuse issues through the Juvenile Assessment Center (JAC) prior to adjudication. By accurately assessing youth early in the process, juvenile offenders are directed to the most appropriate treatment services to receive the proper support needed in order to reduce the likelihood of re-offending. The JAC rapidly screens and assesses referred youth; increases efficiency, and reduces the number of supervision violations by identifying challenges at the front-end of the juvenile-justice process, challenges underlying substance abuse, mental health, educational, and developmental obstacles. In FY 08, 35% (608/1,745) juveniles indicated a need for further mental health assessments. Furthermore, 46% (615/1,327) indicated a need for further substance abuse screening. Those whose mental health assessment identified a mental health need had a lower rate of recidivism (13%) than those in the general population who did not (21%). Conversely, those identified as having a substance abuse treatment need had a higher recidivism rate (22%) than those in the general population who did not (14%).

### 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:

The Travis County 2009-10 Community Plan JJDP Funding Priority #3 addresses Mental Health Services to at-risk youth who are chemically dependent. According to CAPCOG, the FY 2010-11 Community Planning process will begin Spring 2011. TCJPD participates every year in this process.

### Goal Statement:

Provide a brief description of the overall goals and objectives for this project.

Enter a description for the overall goals and objectives:

To identify at the front-end of the juvenile-justice system challenges pertaining to substance abuse, mental health, and educational needs of youth referred Travis County Juvenile Probation Department then expedite linkage to identified services and provide recommendations to the Court.

### 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 for 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

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## 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:

Youth with unidentified special needs have a low success rate of compliance with their rules of probation. Often problems are identified after adjudication or disposition, many times resulting as an issue of non-compliance or even subsequent offenses. In FY08, there were 5,789 youth referred to the Travis County Juvenile Probation Department for a criminal offense/violation of probation. All Juveniles referred to Travis County Juvenile Probation Department (TCJPD) receive a Substance Use Survey (SUS) Screening Inventory. When indicated by the SUS, a Comprehensive Assessment Severity Inventory (CASI) is completed by a qualified credential counselor. The assessment will then undergo a multi-disciplinary staffing that will identify the needed services and any additional assessments. The recommendations include service type, service level, provider, and the initial appointment time. The goal of this project is to rapidly identify substance abuse, mental health, and educational needs of youth between the ages of 10 through 16 years old, referred to the Travis County Juvenile Probation Department then expedite linkage to identified services and provide the recommendation to the Court. In meeting its objectives through this program, it was determined that 799 (76%) youth from the 1057 screenings completed had some substance use involvement. A comprehensive assessment was administered to 817 youth with 712 being linked to treatment and 105 being linked to education/prevention services.

## 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.

In addition, you have a 2-hour time limit for each tab where you will need to complete the information correctly and then click the **Save and Continue** button. There is a timestamp in the upper-right hand corner of the page that notes when you first clicked on the tab. From that point, you have 2 hours to complete the information on that tab correctly. If you do not complete the information correctly (for the required fields) and then you click on the **Save and Continue** button, you will be redirected to the eGrants Home Page. If this happens, your data will not be saved in the system. You may also choose to compose a message on this page for CJD to review. This can be done by typing in the **Notes By Grantee / CJD** message box.

### 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.
-  = 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.

### 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

### Drug Courts

Does your project have a Steering Committee that helps direct and enhance your court's operations?

☐ Yes  
☐ No  
☒ N/A

List the members of your drug court team and describe their role in supporting the participants.

Provide the average caseload size for a full-time case manager/probation officer assigned to this project.

Provide your project's policy on drug testing participants.

Describe the process you will use to determine your project's effectiveness.

Provide the total cost for operating your project during the previous fiscal year. (This should include all salaries, travel, counseling, treatment services, office supplies, etc.)

0

List the sources and amounts of non-CJD funding used to support this project during the previous fiscal year. (This may include local or state funds and any other charges to participants.)

List the treatment resources used for this project (e.g., ATR, TAIP, in-house, etc.).

Fees collected by your County in accordance with Chapter 102.0178, Code of Criminal Procedure, for offenses found in Chapter 49, Penal Code (DWI) and Chapter 481, Health and Safety Code (controlled substances):

Provide the total collected in the previous fiscal year by your county. (The party responsible for collecting court assessed fees in your county may be the treasurer, county clerk, or district clerk.)

0

Of the fees collected in your county, provide the amount that was directed to your project?

0

Describe how your project used those fees?

#### **Selected Project Activities:**

<b>ACTIVITY</b>	<b>PERCENTAGE:</b>	<b>DESCRIPTION</b>
Risk and Needs Assessment	100.00	Youth physically referred to the Travis County Juvenile Probation Department will receive a Substance Use Survey (SUS) Screening Inventory. When indicated by the SUS, a comprehensive Assessment Severity Inventory (CASI) is completed by a qualified counselor. The assessment will then undergo a multi-disciplinary staffing that will identify the needed services and any additional assessments. The recommendations include service type, service level provider, and the initial appointment time.

#### **Geographic Area:**

The geographic area is Travis County, Texas

#### **Target Audience:**

All youth presented to the Travis County Juvenile Probation Department Intake Unit.

#### **Gender:**

Male and Female

**Ages:**

Youth between the ages of 10 through 16.

**Special Characteristics:**

Youth are screened and if indicated, the target group will receive a comprehensive assessment related to substance abuse or mental health problems.

**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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**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 eligible program youth served using Graduated Sanctions approaches.	1050	1100

## 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.	462	550

25



Number of program youth fully assessed using risk and needs assessments.	1050	1100
Number of program youth who reoffend.	164	180
Number of times services identified through youth assessment are actually received by the assessed youth.	719	800

## Custom Objective Outcome Measures

CUSTOM OUTCOME MEASURE	CURRENT DATA	TARGET LEVEL
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## 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.

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## 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:

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]:

10/1/2010

Enter the End Date [mm/dd/yyyy]:

9/30/2011

## 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:

10974394

Enter the amount (\$) of State Grant Funds:

5573581

## 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:  
9/30/2009

### **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:

- 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

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## 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 unenumerated 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.

In addition, you have a 2-hour time limit for each tab where you will need to complete the information correctly and then click the **Save and Continue** button. There is a timestamp in the upper-right hand corner of the page that notes when you first clicked on the tab. From that point, you have 2 hours to complete the information on that tab correctly. If you do not complete the information correctly (for the required fields) and then you click on the **Save and Continue** button, you will be redirected to the eGrants Home Page. If this happens, your data will not be saved in the system. You may also choose to compose a message on this page for CJD to review. This can be done by typing in the **Notes By Grantee / CJD** message box.

### 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:

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## 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.






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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/%
Indirect Costs	Approved Rate - 2% or Less	Indirect costs: 2% of the CJD-funded direct costs.	\$2,159.00	\$0.00	\$0.00	\$0.00	\$2,159.00	0
Personnel	Counselor and/or Therapist (licensed)	Personnel: Chemical Dependency Counselor- Administers comprehensive assessments and provides related group or individual substance abuse services to include crisis intervention.	\$54,109.00	\$0.00	\$0.00	\$0.00	\$54,109.00	100
Personnel	Counselor and/or Therapist (non-licensed)	Part Time Chemical Dependency Counselor: Administers comprehensive assessments and provides related group or individual substance abuse services to include crisis intervention.	\$0.00	\$12,235.00	\$0.00	\$0.00	\$12,235.00	37
Contractual and Professional Services	Mental Health Assessment Services	Contractual and Professional Services: For psychiatric/psychological evaluations, mental health and substance abuse assessments, and counseling.	\$53,225.00	\$0.00	\$0.00	\$0.00	\$53,225.00	0
Supplies and Direct Operating Expenses	Project Supplies (e.g., binocular, battery, flexicuff, drug testing kit)	Supplies will be used for day-to-day operations which may include assessment materials, office supplies, and project supplies.	\$622.00	\$0.00	\$0.00	\$0.00	\$622.00	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

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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

On this tab you will notice certain icons that are displayed.

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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
Travis County Juvenile Probation General Fund	Cash Match	\$12,235.00

### Summary Source of Match/GPI:

Total Report	Cash Match	In Kind	GPI Federal Share	GPI State Share
\$12,235.00	\$12,235.00	\$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	\$53,225.00	\$0.00	\$0.00	\$0.00	\$53,225.00
Indirect Costs	\$2,159.00	\$0.00	\$0.00	\$0.00	\$2,159.00
Personnel	\$54,109.00	\$12,235.00	\$0.00	\$0.00	\$66,344.00
Supplies and Direct Operating Expenses	\$622.00	\$0.00	\$0.00	\$0.00	\$622.00

### Budget Grand Total Information:

CJD	CASH MATCH	IN-KIND MATCH	GPI	TOTAL
\$110,115.00	\$12,235.00	\$0.00	\$0.00	\$122,350.00

## Condition Of Fundings Information

DESCRIPTION	CREATED	MET	HOLD FUND
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## **RESOLUTION**

**WHEREAS**, the Commissioners of Travis County find it in the best interest of the citizens of Travis County that the Juvenile Assessment Center 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: \_\_\_\_\_

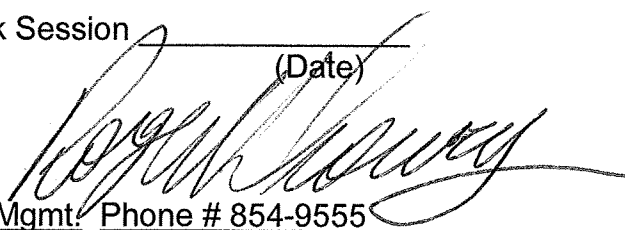
SAMUEL T. BISCOE, County Judge

Passed and Approved this 26<sup>th</sup> Day of January, 2010

Grant Application Number: **2297301**

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**Travis County Commissioners Court Agenda Request**Voting Session January 26, 2010  
(Date)Work Session \_\_\_\_\_  
(Date)**I. Request made by:**

  
Roger A. El-Khoury, M.S., P.E., Director, Facilities Mgmt. Phone # 854-9555  
 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 \$421,088.38, for the period of January 8, 2010 to January 14, 2010.

Approved by: \_\_\_\_\_  
 Signature of Commissioner or County Judge

**II. Additional Information:**

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

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)

RECEIVED  
 COUNTY CLERK'S OFFICE  
 10 JAN 19 PM 5:31

TRAVIS COUNTY  
RECOMMENDATION FOR TRANSFER OF FUNDS

DATE: January 26, 2010

TO: Members of the Travis County Commissioners Court

FROM: Dan Mansour, Risk Manager

COUNTY DEPT. Human Resources Management Department (HRMD)

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

PERIOD OF PAYMENTS MADE: January 8, 2010 to January 14, 2010

REIMBURSEMENT REQUESTED  
FOR THIS PERIOD: \$421,088.38

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 \$421,088.38.

Please see the attached reports for supporting detail information.

TRAVIS COUNTY  
HOSPITAL AND INSURANCE FUND  
SUPPORTING DETAIL FOR THE  
WEEKLY REIMBURSEMENT REQUEST TO  
COMMISSIONERS COURT  
FOR THE PAYMENT PERIOD  
JANUARY 8, 2010 TO JANUARY 14, 2010

-

- 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  
RECOMMENDATION FOR TRANSFER OF FUNDS

DATE: January 26, 2010  
 TO: Susan Spataro, County Auditor  
 FROM: Dan Mansour, Risk Manager  
 COUNTY DEPT.: Human Resources Management Department (HRMD)

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

PERIOD OF PAYMENTS PAID:  
 FROM: January 8, 2010  
 TO: January 14, 2010

**REIMBURSEMENT REQUESTED: \$ 421,088.38**

**SUPPORTING DETAIL FOR REIMBURSEMENT REQUESTED:**

NOTIFICATION OF AMOUNT OF REQUEST FROM UHC*:	\$ 1,255,777.48
bank withdrawal correction	\$ (2,850.00)
LESS: REIMBURSEMENTS PREVIOUSLY APPROVED BY COMMISSIONERS COURT: January 19, 2010	\$ (831,839.27)
Adjust to balance per UHC	\$ 0.17
TOTAL REIMBURSEMENT REQUESTED BY UHC FOR THIS WEEK**:	\$ 421,088.38
PAYMENTS DEEMED NOT REIMBURSABLE	\$ -
TRANSFER OF FUNDS REQUESTED:	\$ 421,088.38

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


All claims over \$25,000 (0 this week totaling \$0.00) have been audited for data entry accuracy and the following information is correct for each claim audited: date of service, eligibility, nature of service, name of and amount billed by provider, amount billed by date and amount paid by UHC.

Fifteen percent (15%) of all claims under \$25,000 (\$65,957.27) have been audited for data entry accuracy and the following information is correct for each claim identified for this random review: date of service, eligibility, nature of service, name of and amount billed by provider, date and amount paid by UHC. Claims in this random audit met the above requirements but may qualify for more detailed analysis through other resources.

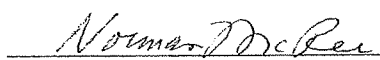
All claims have been reviewed to determine if they have exceeded the \$175,000 stop loss limit. For claims that have exceeded the limit, it has been verified that UHC has complied with the contract. This week credits for stop loss and other reimbursements totaled \$30,280.86.

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.

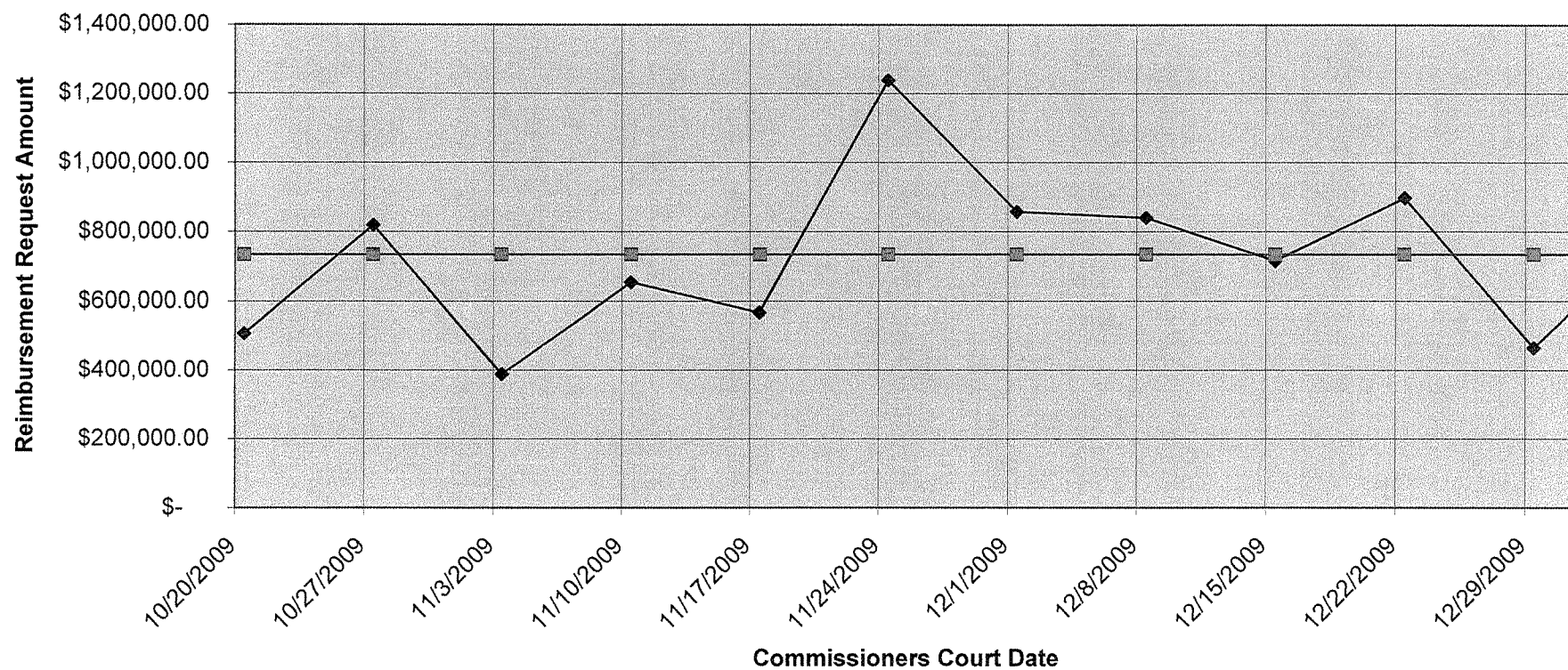
 1-19-10  
 Dan Mansour, Risk Manager Date

 1-15-10  
 Cindy Purinton, Benefit Contract Administrator Date

 1/15/10  
 Norman McRee, Financial Analyst Date

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

**TRAVIS COUNTY BENEFIT PLAN**  
**FY10 PAID CLAIMS vs WEEKLY CLAIMS BUDGET OF \$734,980.88**



**TRAVIS COUNTY EMPLOYEE BENEFIT PLAN**  
**FY10 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
10/2/09-10/08/09	10/20/2009	\$ 506,983.79	\$ 734,980.88	2	\$ 84,160.90
10/9/09-10/15/09	10/27/2009	\$ 819,076.31	\$ 734,980.88	2	\$ 66,527.80
10/16/09-10/22/09	11/3/2009	\$ 388,581.81	\$ 734,960.88	2	\$ 81,663.47
10/23/09-10/29/09	11/10/2009	\$ 653,822.83	\$ 734,960.88	2	\$ 58,028.60
10/30/09-11/5/09	11/17/2009	\$ 567,206.00	\$ 734,960.88	0	\$ -
11/6/09-11/12/09	11/24/2009	\$ 1,238,417.14	\$ 734,960.88	3	\$ 185,593.04
11/13/09-11/19/09	12/1/2009	\$ 857,273.45	\$ 734,960.88	3	\$ 185,891.08
11/20/09-11/26/09	12/8/2009	\$ 839,621.97	\$ 734,960.88	2	\$ 55,007.00
11/27/09-12/03/09	12/15/2009	\$ 715,804.02	\$ 734,960.88	4	\$ 148,691.08
12/04/09-12/10/09	12/22/2009	\$ 897,384.47	\$ 734,960.88	4	\$ 202,013.76
12/11/09-12/17/09	12/29/2009	\$ 464,771.71	\$ 734,960.88	0	\$ -
12/18/09-12/24/09	1/5/2010	\$ 829,110.94	\$ 734,960.88	1	\$ 28,410.00
1/1/10-1/7/10	1/19/2010	\$ 831,839.27	\$ 734,960.88	1	\$ 74,273.56
1/08/10-1/14/10	1/26/2010	\$ 421,088.38	\$ 734,960.88	0	\$ -
	Paid and Budgeted Claims - to date	\$ 10,030,982.09	\$ 10,289,492.32		
	Amount Under Budget		\$ (258,510.23)		
		Not predictive of impact on reserve, intended to show relationship of weekly budget to weekly claims cost.			

CUSTOMERS WHO NORMALLY FUND ON MONDAY WILL BE ASKED TO DO SO ON FRIDAY  
 BASED ON THE MARTIN LUTHER KING JR. HOLIDAY ACCELERATED SYSTEM FEED SCHEDULE.

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: 2010-01-15

REQUEST AMOUNT: \$1,255,777.48

CUSTOMER ID: 00000701254

CONTRACT NUMBER: 00701254 00709445

BANK ACCOUNT NUMBER: 0475012038

ABA NUMBER: 021000021

FUNDING

ADVICE FREQUENCY: DAILY

FREQUENCY: FRIDAY

INITIATOR: CUST

METHOD: ACH

BASIS: BALANCE

CALCULATION OF REQUEST AMOUNT

+ ENDING BANK ACCOUNT BALANCE FROM: 2010-01-14	\$706,072.94
- REQUIRED BALANCE TO BE MAINTAINED:	\$1,938,718.00
+ PRIOR DAY REQUEST:	\$00.00
<hr/>	
= UNDER DEPOSIT:	\$1,232,645.06
+ CURRENT DAY NET CHARGE:	\$23,132.42
+ FUNDING ADJUSTMENTS:	\$00.00
<hr/>	

REQUEST AMOUNT: \$1,255,777.48

ACTIVITY FOR WORK DAY: 2010-01-08

CUST PLAN	CLAIM	NON CLAIM	NET CHARGE
0632	\$20,106.46	\$00.00	\$20,106.46
5972	\$38.97	\$00.00	\$38.97
TOTAL:	\$20,145.43	\$00.00	\$20,145.43

ACTIVITY FOR WORK DAY: 2010-01-11

CUST PLAN	CLAIM	NON CLAIM	NET CHARGE
0632	\$198,667.89	\$00.00	\$198,667.89

Page: 1 of 2



## UNITED HEALTHCARE CHECK REGISTER FOR TRAVIS COUNTY SUBMITTED 2010\_01\_14

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	1.77	RG	21769951	A	11	1/11/2010	100	1/13/2010	1/14/2010
701254	632	1.75	RG	21090871	A	10	1/8/2010	100	1/12/2010	1/14/2010
701254	632	1.75	RG	21071891	AI	3	1/8/2010	100	1/12/2010	1/14/2010
701254	632	1.7	RG	23131582	AH	9	1/11/2010	100	1/13/2010	1/14/2010
701254	632	1.57	RG	23076371	AH	7	1/11/2010	100	1/13/2010	1/14/2010
701254	632	1.41	RG	23131533	AH	8	1/11/2010	100	1/13/2010	1/14/2010
709445	5972	1.41	RG	23131783	AE	1	1/11/2010	100	1/13/2010	1/14/2010
701254	632	0.38	RG	26699852	A	3	1/13/2010	100	1/15/2010	1/14/2010
701254	632	0.01	RG	23131558	AH	1	1/11/2010	100	1/13/2010	1/14/2010
701254	632	0.01	RG	23131541	AH	7	1/11/2010	100	1/13/2010	1/14/2010
701254	632	0.01	UY	82252354	AH	1	1/4/2010	20	1/14/2010	1/14/2010
701254	632	-124.74	RF	2103931	AA	1	1/9/2010	50	1/15/2010	1/14/2010
701254	632	-132.85	NN	SSN0000C	AL	0	1/11/2010	600	1/15/2010	1/14/2010
701254	632	-197.25	UY	40939892	AA	7	10/30/2009	50	1/12/2010	1/14/2010
701254	632	-1644.3	UX	91567865	AH	1	1/6/2010	50	1/12/2010	1/14/2010
701254	632	-1698.21	UX	91567731	AH	1	1/6/2010	50	1/12/2010	1/14/2010
701254	632	-2689.59	UX	73563018	AH	1	1/8/2010	50	1/14/2010	1/14/2010
701254	632	-6363.15	RE	32974766	AH	8	9/21/2009	50	1/11/2010	1/14/2010
701254	632	-17430.77	NN	SSN0000C	AL	0	1/11/2010	600	1/15/2010	1/14/2010

421,088.38

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

For the payment week ending: 01/14/2010

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


**Total:** \$0.00

# Travis County - Hospital and Self Insurance Fund (526)

## Journal Entry for the Reimbursement to United Health Care

For the payment week ending: 1/14/2010

TYPE	MEMBER TYPE	TRANS_AMT
<b>CEPO</b>		
	EE	
	526-1145-522.45-28	92,525.26
	RR	
	526-1145-522.45-29	3,735.40
Total CEPO		\$96,260.66
<b>EPO</b>		
	EE	
	526-1145-522.45-20	89,495.66
	RR	
	526-1145-522.45-21	3,056.86
Total EPO		\$92,552.52
<b>PPO</b>		
	EE	
	526-1145-522.45-25	204,293.48
	RR	
	526-1145-522.45-26	27,981.72
Total PPO		\$232,275.20
Grand Total		\$421,088.38

# 17**Travis County Commissioners Court Agenda Request**Voting Session 1/26/10  
(Date)Work Session \_\_\_\_\_  
(Date)**I. Request made by:**  
**Roger A. El Khoury, M.S., P.E., Director, Facilities Management** Phone # 854-4579  
Signature of Elected Official/Appointed Official/Executive Manager/County Attorney

A. Routine Personnel Actions

B. Request from Juvenile Probation for Voluntary Job Change according to Travis  
County Code § 10.03009Approved by: \_\_\_\_\_  
Signature of Commissioner(s) or County Judge**II. Additional Information**

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

**III. Required Authorizations:** Please check if applicable:

\_\_\_\_\_ Planning and Budget Office (854-9106)

\_\_\_\_\_ Human Resources Management Department (854-9165)

\_\_\_\_\_ Purchasing Office (854-9700)

\_\_\_\_\_ County Attorney's Office (854-9415)

\_\_\_\_\_ County Auditor's Office (854-9125)



# HRMD

*Human Resources Management Department*

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

• P.O. Box 1748

• Austin, Texas 78767

• (512) 854-9165 / FAX(512) 854-4203

**January 26, 2010**

**ITEM # :**

**DATE:** January 15, 2010

**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:** Roger A. El Khoury, M.S., P.E., Director, Facilities Management

**FROM:** Todd L. Osburn, Compensation Manager, HRMD *TLO*

**SUBJECT:** Weekly Personnel Amendments

Attached are Personnel Amendments for Commissioners Court approval.

**A. Routine Personnel Actions – Pages 2 – 4.**

**B. Non-Routine Personnel Action – Pages 5 - 7.**

**Juvenile Probation** requests approval for a voluntary job change which is above midpoint with a pay increase - Travis County Code § 10.03009, from Attorney VI, PG 28 to Juvenile Probation Dir, PG 27. HRMD has reviewed supporting documentation and concurs with the request. PBO has confirmed sufficient funds.

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

RAE/TLO/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
Constable Pct 4	6	Deputy Constable	61 / Step 1 / \$43,210.75	61 / Step 1 / \$43,210.75
County Atty	117	Office Specialist	10 / Level 2 / \$25,521.60	10 / Level 2 / \$25,521.60
Juvenile Probation	371	Juvenile Probation Ofcr III	16 / Level 4 / \$40,456.00	16 / Level 4 / \$40,456.00

\* Temporary to Regular

\*\* Actual vs Authorized

**TEMPORARY APPOINTMENTS**

Dept.	Slot	Position Title	Dept. Requests Grade/Salary	HRMD Recommends Grade/Salary	**Temporary Status Type Code
Constable Pct 2	20007	Office Asst	8 / \$11.00	8 / \$11.00	02
County Clerk	20428	Elec Clk – Operations Clk II	10 / \$12.00	10 / \$12.00	02
Tax Collector	20109 (2 <sup>nd</sup> Job)	Accounting Clerk	11 / \$14.00	11 / \$14.00	02
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	307	Corrections Officer* / Grd 81	Corrections Officer Sr / Grd 83	\$38,737.92	\$42,107.10	Career Ladder. Peace Officer Pay Scale (POPS).

\* Actual vs Authorized

**CAREER LADDERS – NON-POPS**

Dept.	Slot	Current Position Title/Grade	New Position Title/Grade	Current Annual Salary	Proposed Annual Salary	Comments Current HRMD Practice
Pretrial Services	25	Pretrial Officer II* / Grd 16	Pretrial Officer III / Grd 17	\$39,942.38	\$42,738.35	Career Ladder. Pay is between min and midpoint of pay grade.

\* Actual vs Authorized

<b>PROMOTIONS / SALARY ADJUSTMENTS / LATERAL TRANSFERS / VOLUNTARY REASSIGNMENTS / TEMPORARY ASSIGNMENTS</b>				
<b>Dept. (From)</b>	<b>Slot – Position Title – Grade – Salary</b>	<b>Dept. (To)</b>	<b>Slot – Position Title – Grade – Salary</b>	<b>Comments</b>
<b>County Clerk</b>	Slot 49 / Court Clerk Asst / Grd 11 / \$28,870.40	<b>County Clerk</b>	Slot 133 / Court Clerk I / Grd 13 / \$32,156.80	Promotion. Pay is between min and midpoint of pay grade.
<b>District Atty</b>	Slot 9 / Attorney VI* / Grd 28 / \$81,389.78	<b>District Atty</b>	Slot 163 / Attorney VI* / Grd 28 / \$81,389.78	Lateral transfer. Employee transferred to different slot, same position, same department, same pay grade, retains current pay.
<b>District Atty</b>	Slot 163 / Attorney VI* / Grd 28 / \$93,991.22	<b>District Atty</b>	Slot 227 / Attorney VI* / Grd 28 / \$93,991.22	Lateral transfer. Employee transferred to different slot, same position, same department, same pay grade, retains current pay.
<b>Fac Mgmt</b>	Slot 118 / Building Ops Worker / Grd 10 / \$34,917.38	<b>Fac Mgmt</b>	Slot 121 / Building Maint Worker Sr / Grd 11 / \$34,917.38	Promotion. Pay is between midpoint and max of pay grade.
<b>Juvenile Probation</b>	Slot 192 / Juvenile Probation Ofcr III / Grd 16 / \$47,500.55	<b>Juvenile Probation</b>	Slot 259 / Juvenile Probation Ofcr III / Grd 16 / \$47,500.55	Lateral transfer. Employee transferred to different slot, same position, same department, same pay grade, retains current pay.
<b>Juvenile Probation</b>	Slot 391 / Juvenile Probation Ofcr III / Grd 16 / \$40,398.60	<b>Juvenile Probation</b>	Slot 192 / Juvenile Probation Ofcr III / Grd 16 / \$40,398.60	Lateral transfer. Employee transferred to different slot, same position, same department, same pay grade, retains current pay.
<b>Juvenile Probation</b>	Slot 192 / Juvenile Probation Ofcr III / Grd 16 / \$40,398.60	<b>Juvenile Probation</b>	Slot 391 / Juvenile Probation Ofcr III / Grd 16 / \$40,398.60	Lateral transfer. Employee transferred to different slot, same position, same department, same pay grade, retains current pay.
<b>Juvenile Probation</b>	Slot 355 / Juvenile Detention Ofcr II* / Grd 13 / \$30,186.27	<b>Juvenile Probation</b>	Slot 547 / Juvenile Probation Ofcr Asst / Grd 12 / \$28,676.96	Voluntary job change. Pay is between min and midpoint of pay grade.
<b>Juvenile Probation</b>	Slot 540 / Juvenile Probation Ofcr Asst / Grd 12 / \$33,137.02	<b>Juvenile Probation</b>	Slot 495 / Juvenile Probation Ofcr Asst / Grd 12 / \$33,137.02	Lateral transfer. Employee transferred to different slot, same position, same department, same pay grade, retains current pay.
<b>* Actual vs Authorized</b>				

**PROMOTIONS / SALARY ADJUSTMENTS / LATERAL TRANSFERS / VOLUNTARY REASSIGNMENTS / TEMPORARY ASSIGNMENTS**

Dept. (From)	Slot – Position Title – Grade – Salary	Dept. (To)	Slot – Position Title – Grade – Salary	Comments
<b>Pretrial Services</b>	Slot 19 / Office Specialist / Grd 10 / Full-time \$27,058.38	<b>Pretrial Services</b>	Slot 23 / Office Specialist / Grd 10 / Part-time \$13,529.19	Lateral transfer. Employee transferred to different slot, same position, same department, same pay grade. Status change from full-time to part-time (40 hrs to 20 hrs). Pay is between min and midpoint of pay grade.
<b>Sheriff</b>	Slot 299 / Corrections Officer* / Grd 81 / \$38,737.92	<b>Sheriff</b>	Slot 1113 / Deputy Sheriff Law Enforcement* / Grd 72 / \$45,485.02	Voluntary job change. Peace Officer Pay Scale (POPS).
<b>Tax Collector</b>	Slot 129 / Tax Specialist I / Grd 12 / \$30,193.20	<b>Tax Collector</b>	Slot 108 / Tax Specialist II / Grd 14 / \$33,446.40	Promotion. Pay is between min and midpoint of pay grade.
<b>* Actual vs Authorized</b>				

**FY 10 TEMPORARY SLOT STATUS CODE CONVERSION FROM TEMPORARY EMPLOYEES "02" TO PROJECT WORKERS "05"**

Dept.	Slot	Actual Position Title
<b>Comm Pct 4</b>	50002	Office Specialist Sr

**AD HOC CLASSIFICATION CHANGE**

		Current			HRMD Recommends		
Dept.	Slot #	Auth Position Title / Position #	FLSA	Pay Grade	Position Title / Position #	FLSA	Pay Grade
<b>Probate Court</b>	5	Administrative Assoc / 14506	NE	14	Court Operations Officer / 16755	NE	16

Department requests in order to meet departmental needs. PBO has confirmed funding available.



**SECTION B. NON-ROUTINE PERSONNEL ACTION****NON-ROUTINE – Voluntary Job Change**

<b>Dept. (From)</b>	<b>Slot – Position Title – Grade – Salary</b>	<b>Dept. (To)</b>	<b>Slot – Position Title – Grade – Salary</b>	<b>Comments</b>
<b>Juvenile Probation</b>	Slot 8 / Attorney VI / Grd 28 / \$95,653.17	<b>Juvenile Probation</b>	Slot 3 / Juvenile Probation Dir / Grd 27 / \$103,305.42	Voluntary job change. 8% increase, pay is between midpoint and max of pay grade. Travis County Code § 10.03009.

**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**



## Human Resources Management Department

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

• P.O. Box 1748

• Austin, Texas 78767

• (512) 854-9165 / FAX(512) 854-4203

**DATE:** January 15, 2010  
**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:** Roger A. El Khoury, M.S., P.E., Director of Facilities Management *Roger El Khoury*  
**FROM:** Todd L. Osburn, Compensation Manager, HRMD  
**SUBJECT:** Juvenile Probation Department, Non-Routine Voluntary Reassignment

### JUVENILE PROBATION DEPARTMENT'S REQUEST

Juvenile Probation is requesting the following action.

• From: Slot 8	Attorney VI	PG 28	\$95,653.17
• To: Slot 3	Juvenile Probation Dir	PG 27	\$103,305.42

### REASON FOR NON-ROUTINE ACTION

The Juvenile Probation Department needs to fill a vacancy created by the retirement of Juvenile Probation Director at the Domestic Relations Office. The Department wants to internally promote an employee with the title of Attorney VI and provide the employee with an eight (8) percent pay increase. However, due to fact that the Attorney VI job classification is currently in a higher pay grade (28) than the job classification of Juvenile Probation Dir (27), the requested action cannot be processed as a promotion. According to Travis County Code § 10.03008, a promotion can only occur "when an employee accepts the offer of a job assigned to a higher pay grade".

As a result, the personnel action must be processed under County Code §10.03009 (Voluntary Job Change). According to this section of the Code,

- (b) The Elected and Appointed Officials and Department Heads have flexibility in determining the amount of pay adjustment. The pay adjustment may be any of the following:
- (1) If the employee returns to a job from which he or she was promoted within the last 12 months, the decrease is equivalent to the amount of the promotional increase, or
  - (2) If not returning to a former position, the adjustment is from minimum up to midpoint, (may use Pay Determination Guide) or;
  - (3) If not returning to a former position, there is a decrease of 5% for each pay grade that the position is lower than the former position.

Under the conditions specified under this section of the Code, a non-routine action is required to process this personnel action with the requested salary increase.

## **Issues**

Under current policy, a salary increase cannot accompany a voluntary job change. The proposed salary increase would place the employee above midpoint in pay grade 27, which contradicts (b)(2) above. Additionally, since the employee is not returning to a former position, (b)(3) above would indicate a 5% decrease is another potential outcome.

## **Analysis**

Juvenile Probation's request indicates that the Department views the action as a functional promotion due to the increased supervisory and administrative requirements inherent in the Director job. However, the employee resides in a higher pay grade due to the fact that the Attorney VI job classification is an advanced professional job, to which the market has attached greater value.

HRMD views this situation as an anomaly situation brought about primarily by the fact that the market sometimes places higher value on advanced professional jobs than it does on managerial jobs. In this case, the Department's perspective is reasonable, and there is little question that this action constitutes a functional promotion within the Department's operational environment. It would be processed as such except for the fact that the current policy defines promotions solely by the pay grade occupied by the incumbent. The increased supervisory and administrative responsibilities that the incumbent will assume warrant the requested salary increase that would typically accompany a promotion. The proposed eight percent increase is consistent with the Court's promotion policy and the internal equity situation with other similarly situated positions within the Department. It should also be noted that the incumbent will still be using the skill set consistent with a practicing attorney in the conduct of official duties. Under these conditions, HRMD agrees with Juvenile Probation's proposed course of action as a reasonable proposal under the current constraints of the County Code.

## **HRMD Recommendation**

HRMD strongly supports the request made by Juvenile Probation. Per PBO, funding is available for the request.

Refer to page 8 for Juvenile Probation Department's request memorandum.

Thank you for your consideration in this matter. Should you have any questions, please call Todd Osburn at 854-2744.



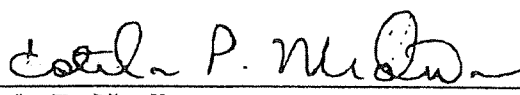
# TRAVIS COUNTY JUVENILE PROBATION DEPARTMENT

**ESTELA P. MEDINA**  
Chief Juvenile Probation Officer

ADMINISTRATIVE SERVICES  
COURT SERVICES  
DETENTION SERVICES  
PROBATION SERVICES  
RESIDENTIAL SERVICES  
SUBSTANCE ABUSE SERVICES  
DOMESTIC RELATIONS OFFICE

## MEMORANDUM

**TO:** Todd Osburn, Compensation Manager, HRMD  
Carlotta Leavy, Human Resources Analyst Specialist, HRMD

**FROM:**   
Estela P. Medina  
Chief Juvenile Probation Officer

**SUBJECT:** Personnel Action Form

**DATE:** January 4, 2010

Thank you for your assistance and guidance regarding the salary for the Director position for the Domestic Relations Office. The position is currently vacant as the incumbent retired on December 31, 2009.

The candidate considered for this position is currently an employee of the Domestic Relations Office (DRO), thus it would be a promotion for the employee.

As discussed with you, the department would like to submit an 8% increase in salary with this promotion. The pay grade will be at PG 27 as is currently situated with the county job classification and pay grade schedules. The employee obtained his Doctorate of Jurisprudence in 1993 and has been with the Domestic Relations Office since 1999 serving as the department's Managing Attorney. The employee's previous work experience included four years with the state Office of the Attorney General in areas specifically related to child support matters and cases.

I have enclosed a Personnel Action Form for your review with a requested effective date of January 1, 2010.

Please let me know of any questions that you may have. Thank you again for all of your assistance.

8

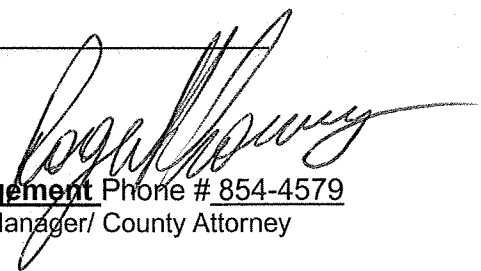
## Travis County Commissioners Court Agenda Request

#

18 ✓

Voting Session: January 26, 2010  
(Date)Work Session \_\_\_\_\_  
(Date)

## I. Request made by:

  
**Roger A. El Khoury, M.S., P.E., Director, Facilities Management** Phone # 854-4579  
Signature of Elected Official/Appointed Official/Executive Manager/ County Attorney

Requested text:

- A. Review and approve tuition refunds for employees who have completed classes in accordance with Tuition Reimbursement Policy §10.021
- B. Approve request and authorize the County Auditor and Treasurer's Office to reimburse employees as listed.

Approved by: \_\_\_\_\_  
Signature of Commissioner or County Judge

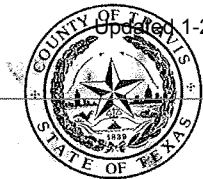
## II. Additional Information

- A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request (original and eight copies of request and backup).
- 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:

- X   Planning and Budget Office (854-9106)
- X   Human Resources Management Department (854-9165)
- \_\_\_\_\_ Purchasing Office (854-9700)
- \_\_\_\_\_ County Attorney's Office (854-9415)
- X   County Auditor's Office (854-9125)
- X   County Treasurer's Office (854-9365)

RECEIVED  
COUNTY JUDGE'S OFFICE  
10 JAN 19 PM 1:27



## Human Resources Management Department

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

• P.O. Box 1748

• Austin, Texas 78767

• (512) 854-9165 / FAX (512) 854-4203

### BACKUP MEMORANDUM

DATE: January 15, 2010

TO: Members of the Commissioners Court

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

FROM: Kris Nilsen, Interim Staffing, Training, and Employee Relations (STER) Manager *KN*

SUBJECT: Tuition Refund Program Reimbursements

#### Proposed Motion:

- a) Review and approve tuition refunds for employees who have completed classes in accordance with the Tuition Reimbursement Policy §10.021.
- b) Approve request and authorize the County Auditor and Treasurer's Office to reimburse employees as listed.

#### Summary and Staff Recommendation:

A total of sixty (60) requests for Fall 2009 semester are listed on the attached spreadsheet. HRMD recommends approval.

The Tuition Refund Program is an employee benefit approved by the Commissioners Court. The Human Resources Management Department has confirmed that employees listed have met the established criteria for reimbursement. Each employee's file consists of:

- the tuition reimbursement form
- a course description
- fee receipt
- official grade

#### Budgetary and Fiscal Impact:

A total of \$42,440.00 was budgeted in line item 001-1130-522.6402 for Fiscal Year 2010 Tuition Reimbursement. The total refund amount requested for your approval is \$15,765.12.

## FA 2009 Req

	Semester Code	Last Name	First Name	Dept.	Job Title	Vendor #	1st Course	2nd Course	Amt to Refund
1	FA-001	Abrego	Ernest	Juv Prob	Officer III	64094	Professional Success		300.00
2	FA-002	Alexander	Ebony	Dist Clk	Records Analyst	71854	Human Capital Management		300.00
3	FA-003	Alvarez	James	HRMD	Rick Spec Assist	74589	Critical Thinking		300.00
4	FA-004	Bethel	Clinton	TCSO	Cert Peace Ofcr, Sr	75189	Logic and Design		300.00
5	FA-005	Biagas	Monica	TCSO	Cert Nursing Asst	75190	Advanced Nursing Skills	Pharmacology	300.00
6	FA-006	Bolden	Yvonne	Tax Office	Tax Specialist II	67238	Juvenile Justice	Research in Criminal Justice	300.00
7	FA-007	Brown	Tamera	TCSO	Corrections officer	74361	Sociology / Criminology	Juvenile Justice System	259.20
8	FA-008	Capetillo	Marili	Dist Clk	Court Clerk I	NEW	Management: Theory, Practice, & Application		300.00
9	FA-009	Choate	Olaf	TCSO	Corrections Officer	72839	Basic Peace Offices IV		275.52
10	FA-010	Churchill	Christina	TCSO	Mental Hlt Deputy	51342	Negotiation / Conflict Resolution		300.00
11	FA-011	Cisneroz, Jr.	Ralph	TCSO	Deputy Sher Sr	53229	Group Comm & Team Bldg		300.00
12	FA-012	Coles	Adele	TCCES	Counselor	NEW	Contemp Bus Communication	Information Age	300.00
13	FA-013	Curtis	Terence	TCSO	Corrections officer	NEW	Ethics in Criminal Justice	Legal Aspects of Law Enforce.	259.20
14	FA-014	Fehr	Stefan	HHS	Social Worker	NEW	Spanish II		240.00
15	FA-015	Garnett	Zetta	HRMD	Benefit Assist	63567	First Yr Wrtnng Seminar II		300.00
16	FA-016	Gomez	Amanda	CA Criminal	Office Specialist	73335	Business & Professional Comm	College Algebra	259.20
17	FA-017	Gonzalez	Yanet	HHS	Case Worker	70235	Child Growth & Development		129.60
18	FA-018	Greene	Pamela	HHS	Admin Associate	75193	Business Information Systems		300.00
19	FA-019	Gilkes	Yonnette	JP4	Court Clerk II, Sr	53231	Organizational Behavior	Technical and Bus Writing	259.20
20	FA-020	Guzman	Andrew	CSCD	Adult Prob Officer	62305	Advanced Legal Research		300.00
21	FA-021	Hill	Tracy C.	TCSO	Correction Ofcr Sr	69390	Technical Writing		300.00
22	FA-022	Hollyfield	Tyson	TNR	Road Maint Workr	NEW	Spanish I		129.60
23	FA-023	Hurt	Timothy	TCSO	Correction Ofcr Sr	64364	Mid Level Management Of CJ	Criminology	300.00
24	FA-024	Johnson	Angela	Tax Office	Tax Supervisor	50221	Labor Relations		300.00
25	FA-025	Jones	Jessica	TCSO	Cadet	NEW	Fundamentals of Criminal Law	Correctional System & Practice	280.80
26	FA-026	Kehl	Huey	TCSO	Corrections Ofcr	73336	Ethics in Criminal Justice	Math Bus. & Economics	187.20
27	FA-027	Koenig	Casey	Juv Prob	Officer III	61248	Leadership Dev Ingroup Relations	Human Services	300.00
28	FA-028	Krantz	Jennifer	Tax Office	Officer Lead	72476	Accounting Theory & Research		300.00
29	FA-029	LeBlanc	Tracy	Auditor	Assoc Auditor II	66266	Advanced Accounting	Special Topics in Taxation	259.20
30	FA-030	Lee	Dirk	TCSO	Correc Officer Sr	74366	Texas Peace Officer Law	Texas Peace Officer Capstone	300.00
31	FA-031	Levisay	Jacklyn	CSCD	Probation Officer	70693	Problems in Quantitive Analysis	Public Management and Ethics	300.00
32	FA-032	Lewis	Ava	Crim Cts	Counselor, Sr.	66371	Industrial/Organizational Psych		300.00

## FA 2009 Req

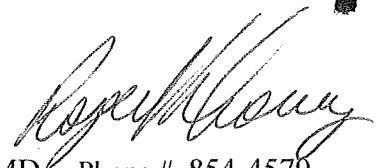
	Semester Code	Last Name	First Name	Dept.	Job Title	Vendor #	1st Course	2nd Course	Amt to Refund
33	FA-033	Littleton	Danielle	Dst Clrk	Court Clerk I	73337	Advanced Research & Writing	Administrative Law	300.00
34	FA-034	Loa	Talisha	Const 2	Court Clerk I	NEW	College Mathmatics		300.00
35	FA-035	McKay	Gregory	TCSO	Cadet	75196	Intro to Criminal Justice	Fundamentals of Crim Law	240.00
36	FA-036	Martinez	Adolfo	TCSO	Cert Peace Ofcr, Sr	67242	Physical Geology		256.80
37	FA-037	Martinez	Edith	County Clk	Recording Spec I	NEW	Business Ethics		93.60
38	FA-038	Newton	Brandon	TCSO	Correction Ofcr II	69394	Texas Peace Officer Capston	Intro to Humanities	300.00
39	FA-039	Paz	Pamela	37/35	Corrections officer	74370	American Literature		93.60
40	FA-040	Pierce	Christa	TCSO	Supervisor	66269	Ethics in Criminal Justice	Probation and Parole	300.00
41	FA-041	Rendon	Layla	TCSO	Correction Ofcr Sr	73342	Principles of Accounting		300.00
42	FA-042	Riojas	Mary	CSCD	Prob Officer II	37211	Accounting Information Systems	Individual Taxation	300.00
43	FA-043	Rivas	Ann	TCSO	Law Enforce Spec	61373	Contemp Bus Communication	Information Age	300.00
							Principles Of Accounting II		
44	FA-044	Ross	Andrea	Auditor	Business Analyst III	74372	Managerial		93.60
45	FA-045	Shepard	Jennifer	Residential	RTO III	70907	Social Psychology		300.00
46	FA-046	Smith	Chalor	TCSO	Correction Officer	74375	Ethics in Criminal Justice	Police Systems and Practices	259.20
47	FA-047	Solis	Melissa	Dist Clk	Accounting Assoc	62366	Intro to Speech Communication		93.60
48	FA-048	Subervi	Julia	HHS	Program Coord	63886	Child Growth and Development		93.60
49	FA-049	Teague	Dawn	TCSO	Security Coord	70911	Organized Crime	Crime Theory/Victimization	300.00
50	FA-050	Tso	Philip	CA Criminal	Investigator	73343	Criminal Justice Capston		300.00
51	FA-051	Valdez	Cynthia	Tax Office	Tax Compliance	72486	Moral Issues in Society		300.00
52	FA-052	Vargas	Pete	Sher	Correction Ofcr, Sr	70914	Texas Peace Officer Law	Texas Peace Officer Capstone	249.60
53	FA-053	Versastegui	Blanca	Dist Clk	Judicial Aide Spec	22973	Introduction To Psychology		300.00
54	FA-054	Villarreal	Sonya	TCSO	Victim Counselor Sr	70915	Policing Theory & Practice		300.00
55	FA-055	Viruette, Jr.	Andy	TCSO	Deputy Sher Sr	NEW	Intro to Criminal Justice Sys		300.00
56	FA-056	Walter	Eva	TCSO	Sr Office Specialist	NEW	American Sign Language		93.60
57	FA-057	Wilson	James	Juv Prob	Detention Serv Sup	68375	Applied Research Project		300.00
		Carry-overs							
58	FA-058	Vilaire	Corris	TNR	Worker, Sr.	73246	Essentials of College Writing		300.00
59	FA-059	Villarreal	Sonya	TCSO	Victim Counselor Sr	70915	Criminology		300.00
60	FA-060	Curtis	Terence	TCSO	Corrections officer	NEW	Criminal Investigation	Court Systems and Practices	259.20
							<b>Amount to Pay</b>		<b>\$15,765.12</b>



# TRAVIS COUNTY COMMISSIONERS COURT

## AGENDA REQUEST

19



Voting Session: January 26, 2010

I. A. Request made by: Roger A. El Khoury, M.S., P.E., Director, FMD Phone # 854-4579  
(Elected Official/Appointed Official/Executive Manager/County Attorney)

B. Requested text:

Consider and take appropriate action regarding approval of a Unified Development Agreement requested by the City of Austin for the New Precinct One Office Building Project.

C. Approved by: \_\_\_\_\_  
Signature of Commissioner or Judge

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

John Hille, Director of Transaction, County Attorney, (4-9642)  
Tenley Aldredge, Assistant County Attorney, (4-9450)

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

RECEIVED  
COUNTY JUDGES OFFICE  
10 JAN 21 PM 2:04



## 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:** PCT1-06-09B-1N

**FILE:** 101

**TO:** Members of the Commissioners Court

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

**DATE:** January 10, 2010

**SUBJECT:** New Precinct One Office Building Project  
Unified Development Agreement – City of Austin

A handwritten signature of Roger A. El Khoury is written over the "FROM" line of the memorandum.

### Proposed Motion:

Consider and take appropriate action regarding approval of a Unified Development Agreement requested by the City of Austin for the New Precinct One Office Building Project.

### Summary and Staff Recommendation:

The City of Austin site plan reviewer requested that the County provide a unified development agreement for the New Precinct One Office Building Project so that the County can secure the permit for the construction of the project. The City Reviewer's comment is as follow:

*"This site covers two tracts. For the proposed site plan, please provide an approved and recorded Unified Development Agreement that clearly ties these lots together for the construction, use, and maintenance of the proposed Detention facility. Please submit this document to this reviewer. This reviewer will coordinate with the Legal Department for review and approval. For any legal document questions please contact Annette Bogusch - WPDRD Legal Liaison (974-6483). Please be aware this process takes some time..."*

Facilities Management Department (FMD) zoned the two tracts, plus the vacated ROW that divided them so that it is all one site - at least according to the Zoning Department. Watershed Protection and Development Review Department sees two tracts where there were three tracts and now is one tract.

Facilities Management Department recommends approval of the attached Unified Development Agreement which was reviewed by Tenley Aldredge, Travis County Assistant Attorney so that the City of Austin can grant the County the needed permit to start the construction of the New Precinct One Office Building.

## **Budgetary and Fiscal Impact:**

---

None.

## **Background:**

The design of the New Precinct One Office Building is 100% complete, and will be submitted to Purchasing for the bidding process in January 2010. Concurrently with the design process, FMD has been working with the COA on the necessary permitting for the site and new facility.

## **Required Authorizations:**

County Attorney: John Hille, Director of Transaction  
Tenley Aldredge, Assistant County Attorney  
Planning and Budget: N/A  
Purchasing: N/A

## **Exhibit:**

Unified Development Agreement

**DECLARATION OF EASEMENTS AND RESTRICTIVE COVENANT**  
**REGARDING UNIFIED DEVELOPMENT**  
**AND MAINTENANCE OF DRAINAGE FACILITIES**

This Declaration of Easements and Restrictive Covenant Regarding Unified Development and Maintenance of Drainage Facilities for New Precinct One Office Building, (this "Declaration"), is executed this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_, by Travis County, ("Declarant") and is as follows:

**RECITALS**

- A. Declarant owns land particularly described as out of and a part of the Jesse C. Tannehill League, Abstract No. 22 in Travis County, Texas, same being the Tracts conveyed to Travis County, Texas by the following instruments;
1. All of the 1.797 acres of land conveyed by deed executed on September 15, 1951, filed for record on September 17, 1951 recorded in Volume 1200, Page 421 of the deed records of Travis County, Texas; (Tract One).
  2. All of the 0.373 of one acre of land conveyed by Quitclaim deed executed on August 18, 2009 recorded in Document 2009139972 of the official public records of Travis County, Texas; (Vacated Right -of-Way).
  3. All of the 2.153 acres of land conveyed by special warranty deed executed on December 26, 2002, filed for record on December 27, 2002 recorded in Document 2002250681 of the official public records of Travis County, Texas. (Tract Two).

Tract One, Tract Two and the Vacated Right -of-Way are collectively referenced as the "Property", and are described on **EXHIBIT A**, attached hereto and incorporated by reference.

B. Definitions:

Owners. The term "Owner" means, individually, and the term "Owners" means, collectively, Declarant and all future owners of the fee interest or any portion of the Property (whether such fee interest is obtained through a purchase from Declarant or through a purchase at a foreclosure sale or trustee's sale or through a deed in lieu of foreclosure) and their successors and assigns.

Facilities. The term "Facilities" means those drainage facilities that convey and receive stormwater runoff from the Property and that are described on **EXHIBIT B**, attached hereto and incorporated by reference.

- C. Declarant has agreed to impose upon the Property these covenants and conditions for the benefit of the Property.

NOW, THEREFORE, Declarant declares that the Property is subject to the following covenants, conditions and restrictions, which run with the Property and bind all parties having right, title, or interest in or to such portion of the Property or any part, their respective heirs, successors, and assigns, and which inure to the benefit of each Owner. Each contract, deed or conveyance of any kind conveying all or a portion of the Property will conclusively be held to have been executed, delivered, and accepted subject to the following covenants, conditions and restrictions, regardless of whether or not they are set out in full or by reference in said contract, deed or conveyance.

## SPECIFIC AGREEMENTS AND RESTRICTIONS:

1. Recitals Incorporated. The above Recitals and all terms defined therein are incorporated into this Restrictive Covenant for all purposes.
2. Unified Development. For purposes of site plan review, modification, or approval by the City of Austin, the Property will be constructed as a unified development/single site. Any proposed modifications to Tract One, Tract Two, or the vacated Right-of-Way or any portion of either Tract or the vacated Right-of-Way will be construed as a modification to a single site, requiring review of Tract One, Tract Two, and the vacated Right-of-Way in accordance with the provisions of the Land Development Code of the City of Austin. This section applies to, but is not limited to, the extent of impervious coverage, parking, and landscaping of the Property.
3. Easement to the Owners. Declarant hereby grants and conveys and by these presents does GRANT AND CONVEY unto the Owners, a non-exclusive easement for the inspection, monitoring, operation, maintenance, replacement, upgrade and repair, as applicable, of the Facilities in, upon and across portions of the Property as more particularly described in **EXHIBIT C** attached hereto and incorporated by reference (the "Easement Tract").

TO HAVE AND TO HOLD the same perpetually to the Owners and its successors and assigns, together with the privilege at any and all times to enter the Easement Tract for the purpose of operating, inspecting, monitoring, maintaining, replacing, upgrading and repairing, as applicable, the Facilities. This easement is made and accepted subject to all easements, covenants, restrictions, liens, and other encumbrances of record in Travis County, Texas affecting the Easement Tract.

4. Easement to the City of Austin. Declarant hereby grants and conveys and by these presents does GRANT AND CONVEY unto the City of Austin, whose address is Post Office Box 1088, Austin, Texas 78767-1088, Attn: Planning and Development Review Department, a non-exclusive easement for the inspection, monitoring, operation, maintenance, replacement, upgrade and repair, as applicable, of the Facilities in, upon and across the Easement Tract.

TO HAVE AND TO HOLD the same perpetually to the City of Austin and its successors and assigns, together with the privilege at any and all times to enter the Easement Tract for the purpose of operating, inspecting, monitoring, maintaining, replacing, upgrading and repairing, as applicable, the Facilities. This easement is made and accepted subject to all easements, covenants, restrictions, liens, and other encumbrances of record in Travis County, Texas affecting the Easement.

5. Maintenance. The Owners shall continuously maintain the Facilities in accordance with the requirements of the City and in a good and functioning condition. The portion of the Property on which the Facilities are located may not be used for any purpose inconsistent with or detrimental to the proper operation of the Facilities. Each Owner is jointly and severally liable for the maintenance of the Facilities.
6. Notice of City Entry. The City shall give the Owners thirty (30) days' prior written notice of the City's intent to enter all or part of the Easement Tract for the purpose of operating, maintaining, replacing, upgrading, or repairing, as applicable, the Facilities; provided, however, that in the event of an emergency, the City shall be required to give prior notice within a reasonable period of time. Reasonableness shall be determined in accordance with the nature of circumstances of the emergency. The City shall have the right to enter the Easement Tract without prior written notification for the purpose of monitoring and inspection only.
7. Joint Access. Joint access must be provided between Tract One, Tract Two, and the vacated Right-of-Way on Site Plan No. SPC-2009-0283C, over an area more particularly described in **EXHIBIT D**, attached and incorporated by reference. The joint access must allow pedestrian and/or vehicular traffic to move freely to the adjacent public right-of-way, or between Tract One, Tract Two, and the vacated Right-of-Way, or both. Any change of any aspect of Tract One, Tract Two, or the vacated Right-of-Way may not interfere with this joint access. Each Owner is responsible and liable for maintaining the Owner's property contained within the access area described in **EXHIBIT D** in such a manner as to provide the required joint access.
8. Parking. All parking for developments within Site Plan No. SPC-2009-0283C must be reciprocal. In this Declaration, "reciprocal parking" means that the parking within Site Plan No. SPC-2009-0283C must serve Tract One, Tract Two, and the vacated Right-of-Way. Any change of any aspect of Tract One, Tract Two, or the vacated Right-of-Way may not interfere with the reciprocal parking agreement between the Tracts and the vacated Right-of-Way. Each Owner is responsible and liable for maintaining the Owner's property to allow the required reciprocal parking.
9. Breach Does Not Permit Termination. Notwithstanding anything to the contrary contained herein, no breach of this Declaration entitles the Owners to cancel, rescind or otherwise terminate this Declaration, but such limitations do not affect in any manner any other rights or remedies which the Owners may have hereunder by reason of any breach of this Declaration.

10. Excusable Delays. Whenever performance is required of the Owners, the Owners shall use all due diligence to perform and take all reasonable and necessary measures in good faith to perform within a reasonable time; provided, however, that if completion of performance is delayed at any time by reasons of acts of God, war, civil commotion, riots, strikes, picketing, or other labor disputes, unavailability of labor or material, damage to work in progress by reason of fire or other casualty, or any other cause beyond the reasonable control of the Owner (financial inability, imprudent management or negligence excepted), then the time for performance as herein specified will be extended by the amount of delay actually so caused.
11. Conveyance. Intentionally Deleted.
12. General Provisions.
  - A. Inurement. This Declaration and the restrictions created hereby inure to the benefit of and bind Owners, and their successors and assigns. When an Owner conveys all or any portion of the Property, that former Owner will thereupon be released and discharged from any and all further obligations, if any, under this Declaration that it had in connection with the Property conveyed by it from and after the date of recording of such conveyance, but no such sale releases that former Owner from any liabilities, if any, actual or contingent, existing as of the time of such conveyance.
  - B. Duration. Unless modified, amended, or terminated in accordance with Paragraph 12(K), this Declaration remains in effect in perpetuity.
  - C. Non-Merger. This Declaration will not be subject to the doctrine of merger, even though the underlying fee ownership of the Property, or any parts thereof, is vested in one party or entity.
  - D. Severability. The provisions of this Declaration must be deemed to be independent and severable, and the invalidity or partial invalidity of any provision or portion hereof does not affect the validity or enforceability of any other provision.
  - E. Entire Agreement. This Declaration, and the exhibits attached hereto contain all the representations and the entire agreement between the parties to this Restrictive Covenant with respect to the subject matter hereof. Any prior correspondence, memoranda or agreements are superseded in total by this Declaration and the exhibits attached hereto. The provisions of this Declaration will be construed as a whole according to their common meaning and not strictly for or against any Owner.

- F. Captions. The captions preceding the text of each section and subsection hereof are included only for convenience of reference and will be disregarded in the construction and interpretation of this Declaration.
- G. Governing Law; Place of Performance. This Declaration and all rights and obligations created hereby will be governed by the laws of the State of Texas. This Declaration is performable only in the county in Texas where the Property is located.
- H. Notices. Any Notice to the Owners or the City must be in writing and given by delivering the same to such party in person, by expedited, private carrier services (such as Federal Express) or by sending the same by certified mail, return receipt requested, with postage prepaid to the intended recipient's last known mailing address. All notices under this Declaration will be deemed given, received, made or communicated on the date personal delivery is effected or, if mailed, on the delivery date or attempted delivery date shown on the return receipt.
- I. Negation of Partnership. None of the terms or provisions of this Declaration will be deemed to create a partnership between or among the Declarant, any Owner, or the City of Austin in their respective businesses or otherwise; nor will it cause them to be considered joint ventures or members of any joint enterprise.
- J. Enforcement. If any person, persons, corporation, or entity of any other character, violates or attempts to violate this Declaration, it will be lawful for the City of Austin, its successors and assigns, to prosecute proceedings at law, or in equity, against the person or entity violating or attempting to violate this Declaration and to prevent said person or entity from violating or attempting to violate such covenant. The failure at any time to enforce this Declaration by the City of Austin, its successors and assigns, whether any violations hereof are known or not, does not constitute a waiver or estoppel of the right to do so.
- K. Modification and Amendment. This Declaration may only be modified, amended or terminated upon the filing of a written modification, amendment or termination document in the Official Records of Travis County, Texas, executed, acknowledged and approved by (a) the Director of the Planning and Development Review Department of the City of Austin or successor department; and (b) all of the Owners of the Property at the time of the modification, amendment, or termination.



Executed to be effective on \_\_\_\_\_, 20\_\_.

**DECLARANT:**

\_\_\_\_\_

By: **Honorable Samuel T. Biscoe**  
**Travis County Judge**

STATE OF TEXAS           §

COUNTY OF TRAVIS       §

This instrument was acknowledged before me on \_\_\_\_\_, 2010, by Samuel T. Biscoe, County Judge of **TRAVIS COUNTY, TEXAS**, a Texas county, on behalf of said county.

Given under my hand and seal of office on \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_

ACCEPTED: PLANNING AND  
DEVELOPMENT REVIEW DEPARTMENT

CITY OF AUSTIN

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Assistant City Attorney

AFTER RECORDING, RETURN TO:

---

City of Austin  
Planning and Development Review Department  
P.O. Box 1088  
Austin, Texas 78767  
Project Name: New Precinct One Office Building  
Attn: Donna Galati [Case Manager]  
Case No. SPC-2009-0283C

# **EXHIBIT A**

EXHIBIT " A "

Travis County  
Precinct 1

Field Notes

BEING 4.326 ACRES OF LAND, MORE OR LESS, OUT OF AND A PART OF THE JESSE C. TANNEHILL LEAGUE, ABSTRACT No. 22 IN TRAVIS COUNTY TEXAS, SAME BEING THE TRACTS CONVEYED TO TRAVIS COUNTY, TEXAS BY THE FOLLOWING INSTRUMENTS;

1. ALL OF THE 1.797 ACRES OF LAND CONVEYED BY DEED EXECUTED ON SEPTEMBER 15, 1951, FILED FOR RECORD ON SEPTEMBER 17, 1951 RECORDED IN VOLUME 1200, PAGE 421 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS

2. ALL OF THE 0.373 OF ONE ACRE OF LAND CONVEYED BY QUITCLAIM DEED EXECUTED ON AUGUST 18, 2009, FILED FOR RECORD ON AUGUST 18, 2009, RECORDED IN DOCUMENT 2009139972 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS

3. ALL OF THE 2.153 ACRES OF LAND CONVEYED BY SPECIAL WARRANTY DEED EXECUTED ON DECEMBER 26, 2002, FILED FOR RECORD ON DECEMBER 27, 2002 RECORDED IN DOCUMENT 2002250681 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS

SAID 4.326 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

BEGINNING at a 1/2 inch iron pipe found at the most southerly corner of said 2.153 acre Travis County Tract, same being in a northeasterly line of Lot 6, Block A, Oak Lawn Section One, recorded in Book, 9, Page 166 of the Plat Records of Travis County, Texas, same also being the most westerly corner of the Murray Owens Subdivision, recorded in Book 29, Page 37 of the Plat Records of Travis County, Texas, for the most southerly corner of the herein described tract of land having Texas State Plane (Central Zone, NAD 83(93) HARN, US Feet, Combined Scale Factor of 1.00006) values of N=10077113.21, E=3133499.94;

1) THENCE, North 62°13'51" West, a distance of 299.49 feet, with a southwesterly line of said 2.153 acre Travis County tract and a northeasterly line of Block A of said Oak Lawn Section One, to a 1/2 inch iron pipe found for a corner, same being a northeasterly corner of the right-of-way dedication adjoining Block A, of said Oak Lawn Section One, same being the most northerly corner of Lot 1, Block A of said Oak Lawn Section One;

2) THENCE, North 60°28'16" West, a distance of 5.00 feet, with a northeasterly line of said Oak Lawn Section One right-of-way dedication and a southwesterly line of said 2.153 acres Travis County tract, to a 1/8 inch iron rod in concrete found in a southeasterly line of said 0.373 of one acre Travis County tract, same being the northwesterly corner of said Oak Lawn Section One right-of-way dedication and the most westerly corner of said 2.153 acre Travis County tract, for an interior ell corner;

3) THENCE, South 27°51'54" West, a distance of 101.35 feet, with a southeasterly line of said 0.373 of one acre Travis County tract and a northwesterly line of said Oak Lawn Section One right-of-way dedication to 5/8 inch iron rod with aluminum cap stamped "MWM" set at the most southerly corner of said 0.373 of one acre Travis County tract, same being in a northwesterly line of said Oak Lawn Section One right-of-way dedication, same

also being the most easterly corner of the remainder of a 0.63 of one acre tract conveyed to Travis County, Texas by Right-of-Way Deed recorded in Volume 1200, Page 419 of the Deed Records of Travis County, Texas, from which a 1/2 inch iron rod found in the northeasterly line of Oak Cliff Drive (ROW varies) at the most southerly corner of Lot 1, of said Block A, bears along a curve to the left of 208.23 feet radius, at an arc distance of 5.24 having an angle of intersection of 01°26'35" (the chord bears South 42°08'22" East, a distance of 5.24 feet) passing a 1/2 inch iron pipe found, in all an arc distance of 75.66, having an angle of intersection of 20°49'02" (the long chord of said curve bears South 51°49'35" East, a distance of 75.24 feet, for the most southerly corner of the herein described tract of land;

4) THENCE, along a curve to the right of 208.23 feet radius, an arc length of 12.30 feet, having an angle of intersection of 03°23'07" (the long chord of said curve bears North 39°43'31" West, a distance of 12.30 feet), leaving the northwesterly line of said Oak Lawn, Section One right-of-way dedication, with the southwesterly line of said 0.373 of one acre Travis County tract and a northeasterly line of the remainder of said 0.63 of one acre Travis County right-of-way tract, to a 5/8 inch iron rod with aluminum cap stamped "MWM" set at the point of curvature of a non-tangent circular curve to the left, from which a 1/2 inch iron rod found in the southwesterly line of Oak Cliff Drive and in the northeasterly line of Lot 4, Block B of said Oak Lawn Section One bears South 51°57'58" West, a distance of 50.00 feet;

5) THENCE, along said curve to the left of 258.23 feet radius, an arc distance of 109.01 feet, having an angle of intersection of 24°11'11" (the long chord of said curve bears North 50°05'34" West, a distance of 108.20 feet) to a 5/8 inch iron rod with aluminum cap stamped "MWM" set for an endpoint of said curve, same being the most westerly corner of said 0.373 of one acre Travis County tract, same also being in a northwesterly line of said 0.63 of one acre Travis County right-of-way tract and the southwesterly line of said 1.797 acre Travis County tract, from which a 60D nail found in the southwesterly line of Oak Cliff Drive and in the northeasterly line of Lot 2, Block B of said Oak Lawn Section One bears South 27°54'04" East, a distance of 50.00 feet;

6) THENCE North 62°05'56" West, a distance of 132.06 feet, with a southwesterly line of said 1.797 acre Travis County, Tract and a northerly line of said 0.63 of one acre Travis County right-of-way tract, 50 feet from and parallel to the northeasterly line of Block B of said Oak Lawn Section One, to a cotton gin spindle set in the southeasterly line of Springdale Road (ROW varies), same being the most westerly corner of said 1.797 acre Travis County, tract and a southwesterly corner of said 0.63 of one acre Travis County right-of-way tract, for the most westerly corner of the herein described tract of land;

7) THENCE, North 27°51'54" East, a distance of 341.59 feet, with the southeasterly right-of-way line of said Springdale Road, and a northwesterly line of said 1.797 acre Travis County tract, to a mag nail set in a southerly line of FM 969 (known locally as Martin Luther King, Boulevard East) (ROW Varies) and in a northerly line of said 1.797 acre Travis County tract, for the most westerly north corner of the herein described tract of land;

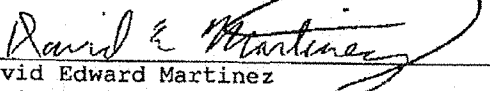
8) THENCE, North 79°15'33" East, a distance of 57.45 feet, with the southerly right-of-way line of FM 969 and a northerly line of said 1.797 acre Travis County tract, to a 5/8 inch iron rod with aluminum cap stamped "MWM" set in a southwesterly line of Heflin Lane (ROW Varies) at the most easterly north corner of said 1.797 acre Travis County tract, for the most easterly north corner of the herein described tract of land;

9) THENCE, South 62°47'32" East, at a distance of 164.36 feet passing a calculated point at the most easterly corner of said 1.797 acre Travis County Tract and the most northerly corner of said 0.373 of one acre Travis County tract, from which a 1/2 inch iron rod found bears South 79°44'39" West, a distance of 0.54 feet, in all a distance of 204.36 feet, with the southwesterly right-of-way line of Heflin Lane, a northeasterly line of said 1.797 acre Travis County tract and a northeasterly line of said 0.373 of one acre Travis County tract, to a 5/8 inch iron rod with aluminum cap stamped "MWM" set for a corner (to replace a 3/8 inch iron pipe found by MWM DesignGroup on October 20, 2004) at the most easterly corner of said 0.373 of one acre Travis County tract and the most northerly corner of said 2.153 acre Travis County tract;

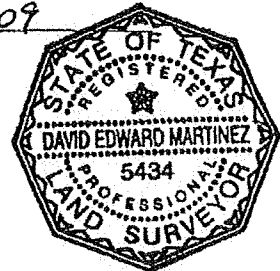
10) THENCE, South 62°56'00" East, a distance of 305.24 feet, with a southwesterly right-of-way of Heflin Lane and a northeasterly line of said 2.153 acre Travis County tract, to a 1/2 inch iron rod found at the most easterly corner of said 2.153 acre Travis County tract and the most northerly corner of said Murray Owens Subdivision, for the most easterly corner of the herein described tract of land;

11) THENCE, South 28°00'01" West, a distance of 309.68 feet, with the southeasterly line of said 2.153 acre Travis County tract and the northwesterly line of said Murray Owens Subdivision to the Point of Beginning and containing an area of 4.326 acres of land, more or less.

I hereby declare that this survey was made on the ground, under my supervision, and that it substantially complies with the current Texas Society of Professional Surveyors standards.

  
David Edward Martinez  
Registered Professional Land Surveyor 5434

08/24/09  
Date



MWM DesignGroup  
Chevy Chase One  
7700 Chevy Chase Drive, Suite 100  
Austin, Texas, 78752  
(512) 453-0767

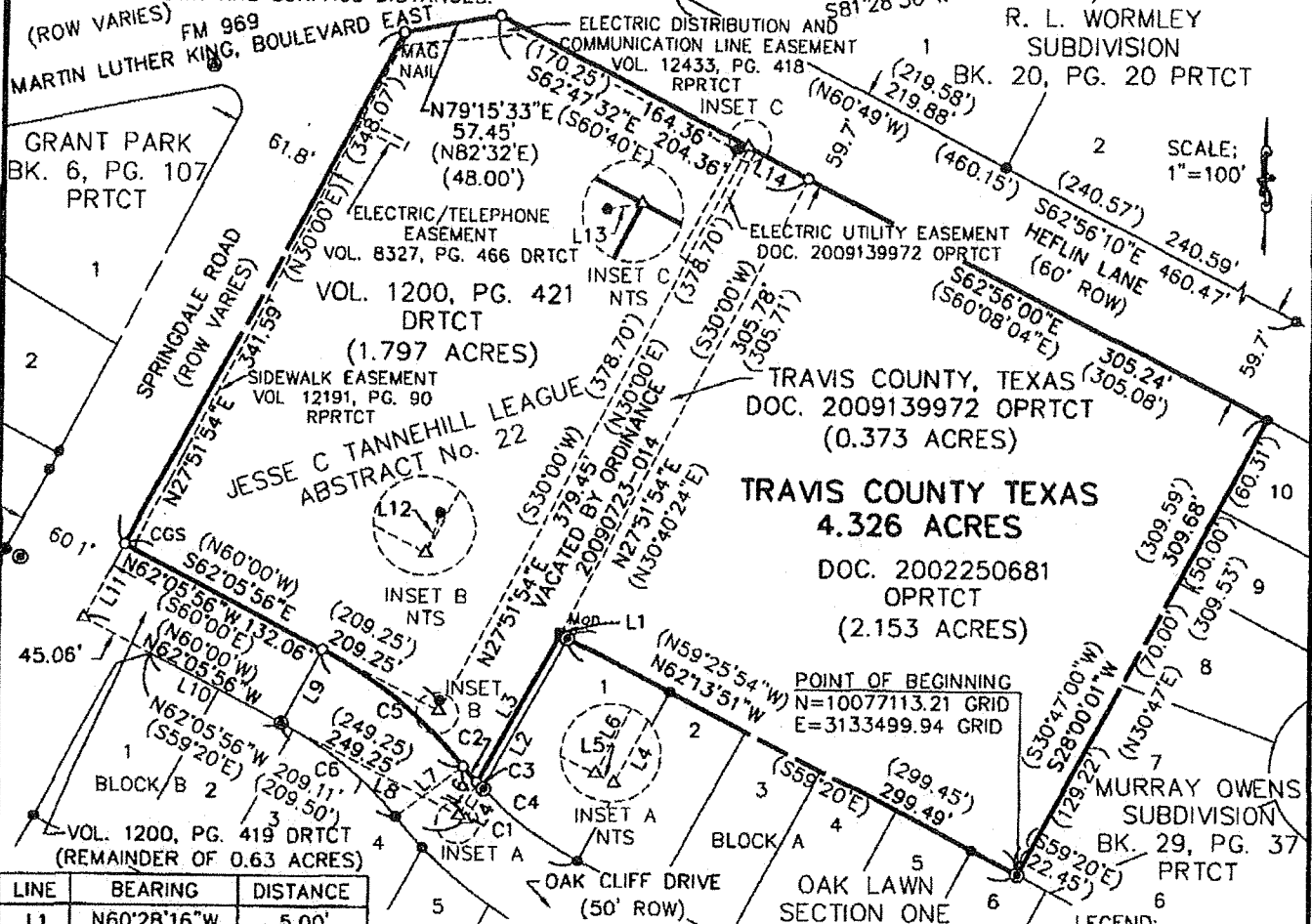
Bearing Basis: Texas State Plane Central Zone NAD 83(93)HARN-For surface coordinates multiply grid coordinates by a combined scale factor of 1.00006. All distances shown are surface distances.

TCAD No.: 0212210401, 0212210517  
CITY GRID No.: M23, M24

THE GRID COORDINATES SHOWN HEREON ARE TEXAS STATE PLANE, CENTRAL ZONE, NAD 83(93) HARN COORDINATES. FOR SURFACE COORDINATES DIVIDE THE GRID COORDINATES BY A COMBINED SCALE FACTOR OF 1.00006. ALL DISTANCES SHOWN ARE SURFACE DISTANCES.

(ROW VARIES) FM 969  
MARTIN LUTHER KING, BOULEVARD EAST

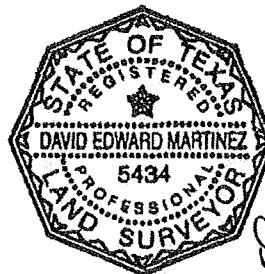
GRANT PARK  
BK. 6, PG. 107  
PRCT



LINE	BEARING	DISTANCE
L1	N60°28'16"W (N57°47'00"W)	5.00' (5.00')
L2	S27°54'04"W (N30°40'E)	103.00' (103.23')
L3	S27°51'54"W	101.35' (20.76')
L4	S27°54'04"W (N30°40'E)	21.02' (20.76')
L5	N62°05'56"W	4.92'
L6	S27°51'54"W	22.81'
L7	S51°57'58"W	50.00' (50')
L8	N62°5'56"W	122.14'

LINE	BEARING	DISTANCE
L9	S27°54'04"W	50.00' (50')
L10	S62°05'56"E (S59°20'E)	86.97' (87.34')
L11	S27°51'54"W (N30°00'E)	50.00' (50.00')
L12	N26°11'03"E	0.39'
L13	S79°44'39"W	0.54'
L14	S62°47'32"E (S60°40'E)	40.00' (40.00')

CURVE	DELTA	RADIUS	LENGTH	BEARING	CHORD
C1	24°12'08" (24°12')	208.23' (208.23')	87.96' (87.95')	N50°08'02"W	87.31' (87.30')
C2	03°23'07"	208.23'	12.30'	N39°43'31"W	12.30'
C3	01°26'35"	208.23'	5.24'	S42°08'22"E	5.24'
C4	19°22'27"	208.23' (208.23')	70.41' (70.35')	S52°32'53"E (N49°39'W)	70.08' (70.04')
C5	24°11'11"	258.23'	109.01'	N50°05'34"W	108.20'
C6	24°12'56" (24°12')	208.23' (208.23')	88.01' (87.95')	N50°5'49"W	87.35' (87.30')



LEGEND:

- 60 D NAIL FOUND
- 5/8" IRON ROD WITH ALUMINUM CAP STAMPED "MWM" SET (UNLESS OTHERWISE SPECIFIED)
- ⊙ IRON PIPE FOUND 1/2" (UNLESS OTHERWISE SPECIFIED)
- IRON ROD FOUND 1/2" (UNLESS OTHERWISE SPECIFIED)
- Mon MONUMENT FOUND
- CGS COTTON GIN SPINDLE
- PRCT PLAT RECORDS OF TRAVIS COUNTY, TEXAS
- DRCT DEED RECORDS OF TRAVIS COUNTY, TEXAS
- RPRCT REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS
- OPRTCT OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- ( ) INDICATES RECORD DATA



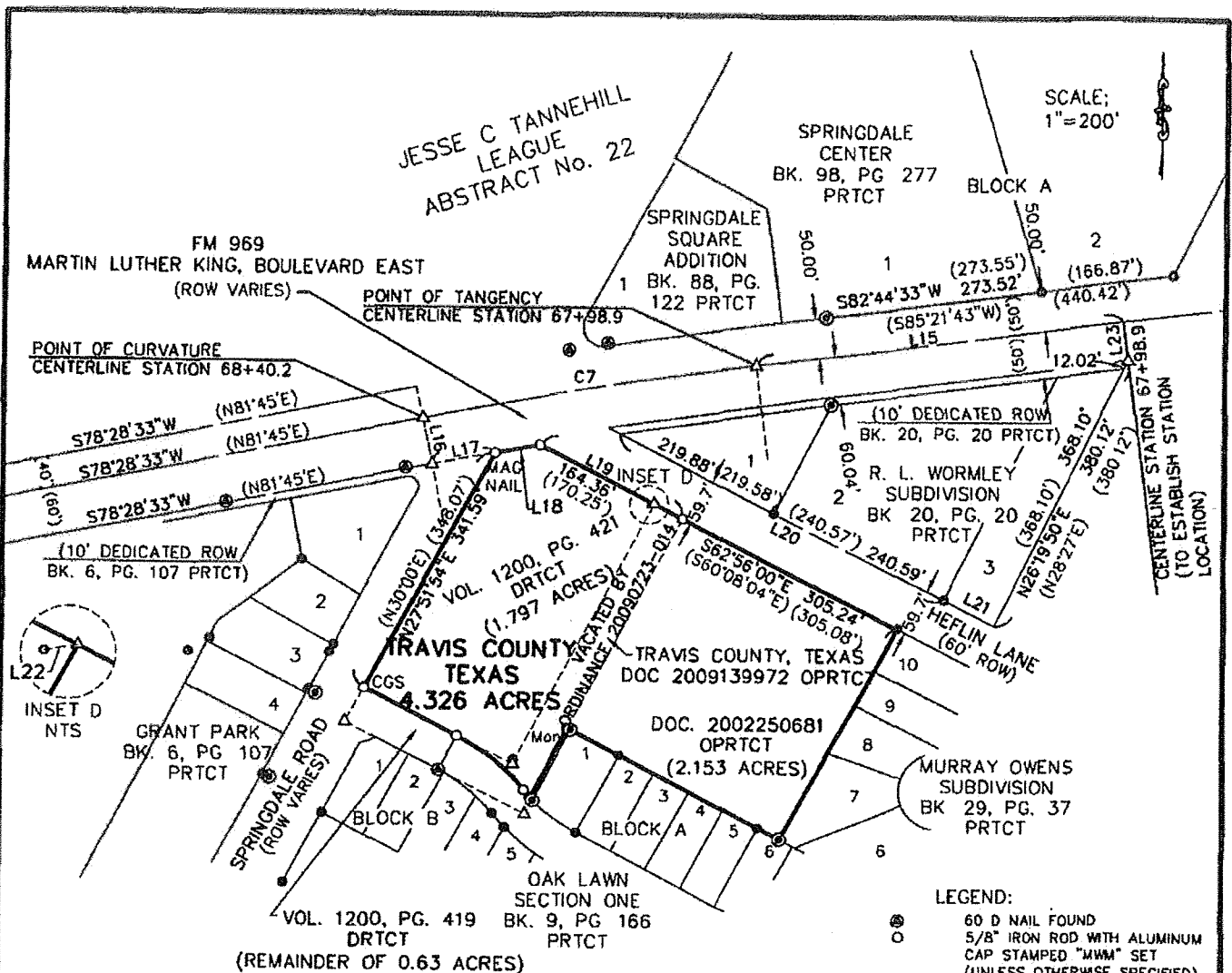
Chase Park One  
7700 Chevy Chase Dr  
Suite 100  
Austin, Texas 78752  
p 512.453.0767  
f 512.453.1734

SKETCH TO ACCOMPANY  
FIELD NOTES

TRAVIS COUNTY, TEXAS

DATE AUG 24, 2009  
JOB NO 127140  
FILE 4 326PRP

4  
4 OF 5

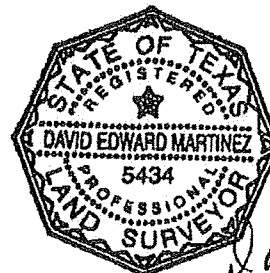


LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L15	S82°44'33"W (S84°45'W)	468.00' (468.0')	L19	S62°47'32"E (S60°40'E)	204.36'
L16	S11°31'27"E (S08°15'E)	60.00' (60')	L20	S62°56'10"E (N60°49'W)	460.47' (460.15')
L17	N79°15'33"E (N82°32'E)	79.62'	L21	S62°56'10"E (N60°49'W)	71.98' (72.00')
L18	N79°15'33"E (N82°32'E)	57.45' (48.00')	L22	S79°44'39"W	0.54'
			L23	S07°15'27"E	49.56' (50')

CURVE	DELTA	RADIUS	LENGTH	TANGENT	BEARING	CHORD
C7	04°16'00" (04°16')	5729.58' (5729.58')	426.67' (426.7')	213.43' (213.4')	S80°36'33"W	426.57'

THE GRID COORDINATES SHOWN HEREON ARE TEXAS STATE PLANE, CENTRAL ZONE, NAD 83(93) HARN COORDINATES. FOR SURFACE COORDINATES DIVIDE THE GRID COORDINATES BY A COMBINED SCALE FACTOR OF 1.00006. ALL DISTANCES SHOWN ARE SURFACE DISTANCES.

- LEGEND:
- 60 D NAIL FOUND
  - 5/8" IRON ROD WITH ALUMINUM CAP STAMPED "MWM" SET (UNLESS OTHERWISE SPECIFIED)
  - ⊙ IRON PIPE FOUND 1/2" (UNLESS OTHERWISE SPECIFIED)
  - ⦿ IRON ROD FOUND 1/2" (UNLESS OTHERWISE SPECIFIED)
  - Mon CGS PRCT
  - DRCT DEED RECORDS OF TRAVIS COUNTY, TEXAS
  - RPRTCT REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS
  - OPRTCT OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
  - ( ) INDICATES RECORD DATA



*David E. Martinez*  
08/24/09



Chase Park One  
7700 Chevy Chase Dr.  
Suite 100  
Austin, Texas 78752  
p. 512 453 0767  
f. 512 453 1734

### SKETCH TO ACCOMPANY FIELD NOTES

TRAVIS COUNTY, TEXAS

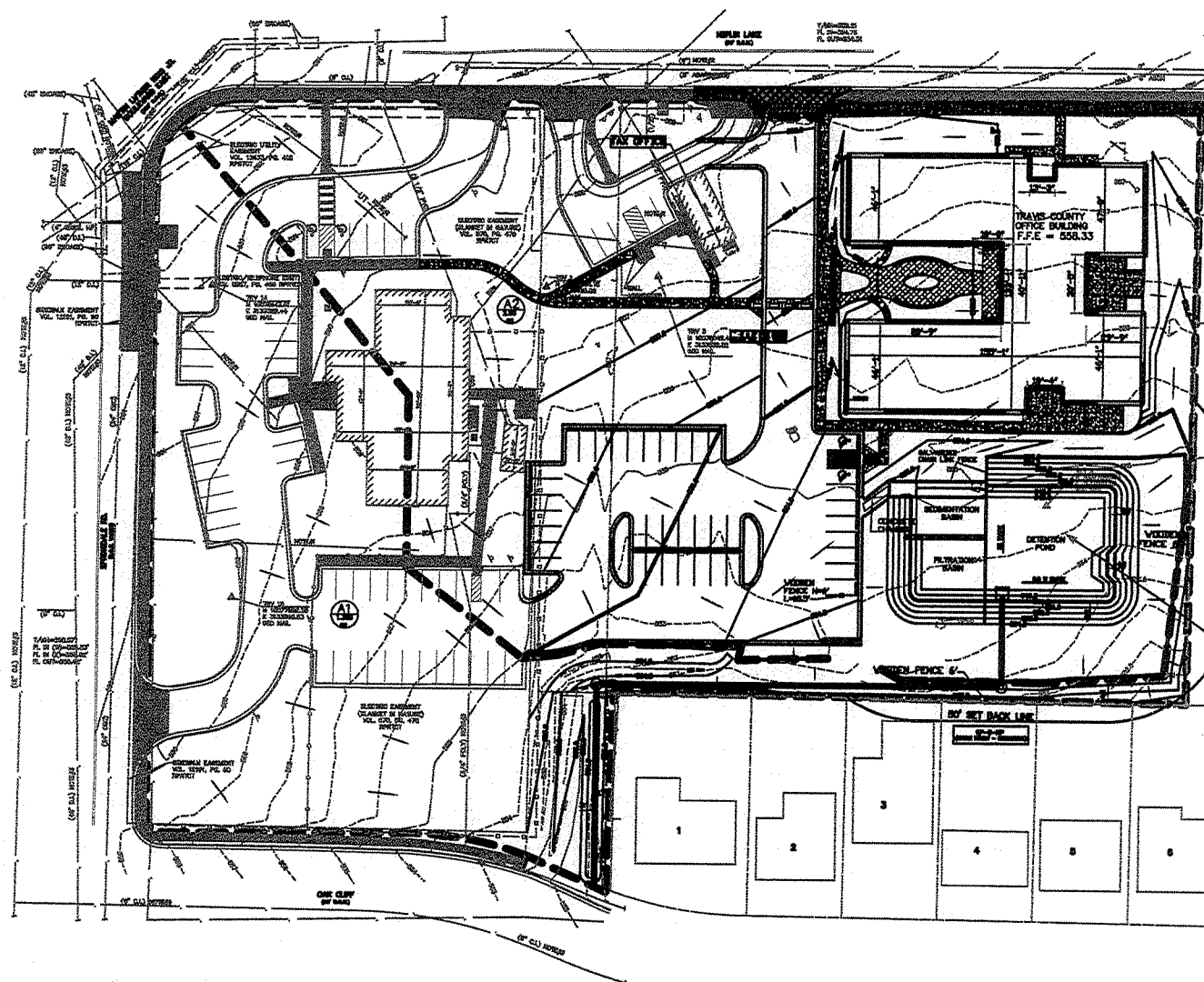
DATE AUG 24, 2009  
JOB NO 12714D  
FILE 4.320PRCTRL

5

5 OF 5



# **EXHIBIT B**



WATER QUALITY  
& DETENTION FACILITY  
AREA = 0.233 ACRE

**PRECINCT ONE**  
**NEW OFFICE BUILDING**  
4717 HEPLIN LANE  
AUSTIN, TEXAS 78721  
TRAVIS COUNTY, TEXAS

**PRECINCT ONE**  
**NEW OFFICE BUILDING**  
**4717 HEFLIN LANE**  
**AUSTIN, TEXAS 78721**  
**TRAVIS COUNTY, TEXAS**

# **EXHIBIT C**

## Field Notes

BEING 0.468 OF ONE ACRE OF LAND, MORE OR LESS, OUT OF AND A PART OF THE JESSE C. TANNEHILL LEAGUE, ABSTRACT No. 22 IN TRAVIS COUNTY TEXAS, SAME BEING A PORTION OF THE 2.153 ACRES OF LAND CONVEYED TO TRAVIS COUNTY, TEXAS BY SPECIAL WARRANTY DEED EXECUTED ON DECEMBER 26, 2002, FILED FOR RECORD ON DECEMBER 27, 2002, RECORDED IN DOCUMENT 2002250681 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.468 OF ONE ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

BEGINNING at a calculated point in the southwesterly right-of-way line of Heflin Lane (60' right-of-way) and in the northeasterly line of said 2.153 acre Travis County tract, for the Point of Beginning having coordinate (Texas State Plane Central Zone, NAD 83(93) HARN, US Feet, Combined Scale Factor of 1.00006) values of N=10077490.20, E=3133442.62, from which a 5/8 inch iron rod with aluminum cap stamped "MWM" found at the most northerly corner of said 2.153 acre Travis County tract and the most easterly corner of the remainder of a 0.63 acre right-of-way tract (vacated by City of Austin Ordinance 20090723-014) recorded in Document 2009139971 of the Official Public Records of Travis County, Texas, conveyed to Travis County by Right-of-Way Deed recorded in Volume 1200, page 419 of the Deed Records of Travis County, Texas bears North 62°56'00" West, a distance of 77.60 feet;

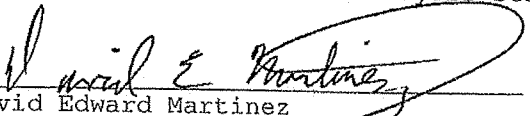
- 1) THENCE, South 62°56'00" East, a distance of 25.00 feet, with the southwesterly right-of-way line of Heflin Lane and the northeasterly line of said 2.153 acre Travis County tract, to a calculated point, from which a 1/2 inch iron rod found at the most easterly corner of said 2.153 acre Travis County tract and the most northerly corner of Lot 10, Murray Owens Subdivision recorded in Book 29, Page 37 of the Plat Records of Travis County, Texas bears South 62°56'00" East, a distance of 202.64 feet;
- 2) THENCE, South 27°04'00" West, a distance of 267.94 feet, leaving the southwesterly right-of-way line of Heflin Lane and the northeasterly line of said 2.153 acre Travis County tract and crossing said 2.153 acre Travis County tract, to a calculated point for a corner;
- 3) THENCE, South 62°55'26" East, a distance of 40.67 feet, to a calculated point for a corner;
- 4) THENCE, North 27°04'34" East, a distance of 75.21 feet, to a calculated point for a corner;
- 5) THENCE, South 62°56'00" East, a distance of 50.99 feet, to a calculated point for a corner;
- 6) THENCE, North 27°04'00" East, a distance of 9.50 feet, to a calculated point for a corner;
- 7) THENCE, South 62°56'00" East, a distance of 80.32 feet, to a calculated point for the most easterly corner of the herein described tract of land;
- 8) THENCE, South 27°04'00" West, a distance of 38.50 feet, to a calculated point for a corner;
- 9) THENCE, South 62°56'00" East, a distance of 12.00 feet, to a calculated point for a corner;

10) THENCE, South 27°04'00" West, a distance of 58.20 feet, to a calculated point for the most southerly corner of the herein described tract of land;

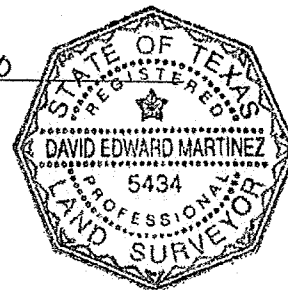
11) THENCE, North 62°56'00" West, a distance of 208.99 feet, to a calculated point for the most westerly corner of the herein described tract of land;

12) THENCE, North 27°04'00" East, a distance of 279.94 feet, to the Point of Beginning and containing an area of 0.468 of one acre of land, more or less.

I hereby declare that this survey was made on the ground, under my supervision, and that it substantially complies with the current Texas Society of Professional Surveyors standards.

  
David Edward Martinez  
Registered Professional Land Surveyor 5434

01/18/10  
Date



MWM DesignGroup  
305 East Huntland Drive, Suite 200  
Austin, Texas, 78752  
(512) 453-0767

Bearing Basis: Texas State Plane, Central Zone, NAD 83(93)HARN

TCAD No.: 0212210517  
CITY GRID No.: M23, M24

TRAVIS COUNTY, TEXAS  
VOL. 1200, PG. 419 DRTCT  
DOC. 2009139972 OPRCTCT  
(0.373 ACRES)

VACATED BY ORDINANCE  
20090723-014  
DOC. 2009139971 OPRCTCT

## LEGEND:

- △ CALCULATED POINT
- IRCF 5/8" IRON ROD WITH ALUMINUM CAP STAMPED "MWM" FOUND (UNLESS OTHERWISE SPECIFIED)
- ⊙ IRON PIPE FOUND 1/2" (UNLESS OTHERWISE SPECIFIED)
- IRON ROD FOUND 1/2" (UNLESS OTHERWISE SPECIFIED)
- Mon MONUMENT FOUND
- CGS COTTON GIN SPINDLE
- PRCTCT PLAT RECORDS OF TRAVIS COUNTY, TEXAS
- DRTCT DEED RECORDS OF TRAVIS COUNTY, TEXAS
- OPRCTCT OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- ( ) INDICATES RECORD DATA

SCALE:  
1"=60'

TRAVIS COUNTY, TEXAS  
DOC. 2002250681  
OPRCTCT  
(2.153 ACRES)

DRAINAGE EASEMENT  
0.468 ACRES

OAK LAWN  
SECTION ONE  
BK. 9, PG. 166  
PRCTCT

MURRAY OWENS  
SUBDIVISION  
BK. 29, PG. 37 PRCTCT

BLOCK A

OAK CLIFF DRIVE  
(50' ROW)

LINE	BEARING	DISTANCE
L1	S62°56'00"E	25.00'
L2	S62°55'26"E	40.67'
L3	S27°04'00"W	38.50'
L4	S62°56'00"E	12.00'
L5	S27°04'00"W	58.20'

THE GRID COORDINATES SHOWN HEREON ARE TEXAS STATE PLANE, CENTRAL ZONE, NAD 83(93) HARN COORDINATES. FOR SURFACE COORDINATES DIVIDE THE GRID COORDINATES BY A COMBINED SCALE FACTOR OF 1.00006. ALL DISTANCES SHOWN ARE SURFACE DISTANCES.



SKETCH TO ACCOMPANY  
FIELD NOTES

TRAVIS COUNTY, TEXAS

DATE: JAN 18, 2010  
JOB NO: 12714D14  
FILE: 12714D\_DE

3

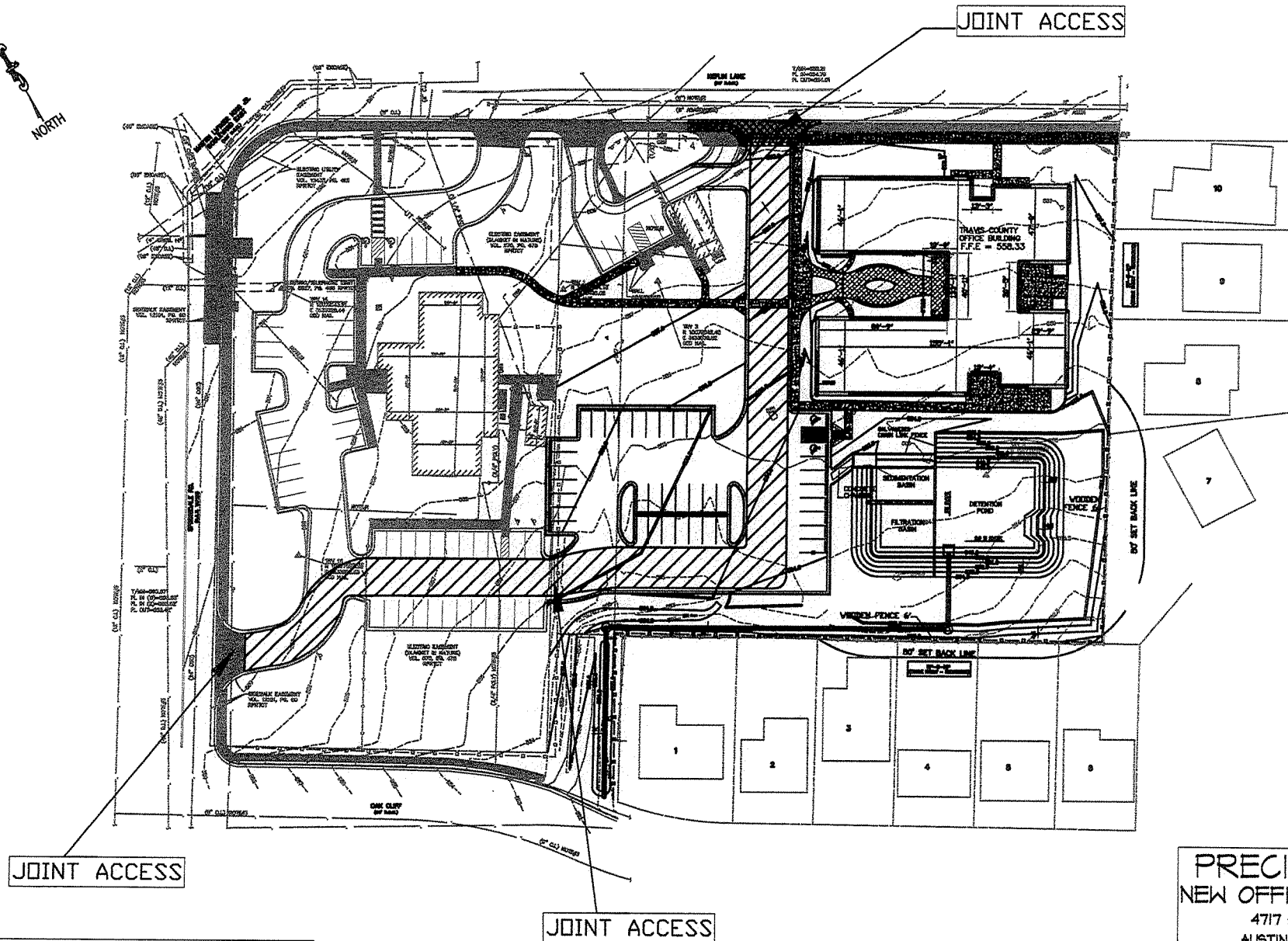
3 OF 3

**mwm**  
Design Group

305 East Huntland Drive  
Suite 200  
Austin, Texas 78752  
p: 512.453.0767  
f: 512.453.1734

# **EXHIBIT D**





PRECINCT ONE  
NEW OFFICE BUILDING  
4717 HEFLIN LANE  
AUSTIN, TEXAS 78721  
TRAVIS COUNTY, TEXAS

# TRAVIS COUNTY COMMISSIONERS COURT AGENDA REQUEST

20

Voting Session: JANUARY 19, 2010

- 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 STAR FLIGHT DISPATCH MATRIX REGARDING DISPATCH PROTOCOLS FOR STAR FLIGHT HELICOPTERS.
- 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.

10 JUN 20 PM 1:24  
RECEIVED  
COUNTY JUDGE'S OFFICE



Travis County  
**STAR Flight**

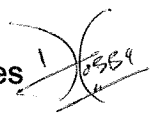


7800 Old Manor Road  
Austin, TX 78724  
[www.starflightrescue.org](http://www.starflightrescue.org)

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

**MEMORANDUM**

**To:** Travis County Commissioners Court

**Through:** Danny Hobby, Executive Manager, Emergency Services 

**From:** Casey Ping, Program Manager, **STAR Flight**

**Date:** January 12, 2010

**Subject:** **STAR Flight** Dispatch Matrix

In March 2009 the Commissioners Court approved changes to the **STAR Flight** Dispatch Matrix. Once those changes were being implemented in the Computer Aided Dispatch (CAD) system, priority conflicts between mission types were identified. The attached dispatch matrix provides recommended changes that will remove those conflicts.

In addition, the new dispatch matrix clarifies Austin based hospitals. This designation was originally applied to hospitals in the core of Travis County. Just as Travis County continues to grow and population densities change, so does our community's medical centers. This dispatch matrix expands what are considered Austin based hospitals and allows the residents of Travis County and Central Texas to select the hospital that meets their personal and healthcare needs.

The recommended changes are highlighted in red for easy identification and review.

The service area and approval processes previously approved by the Commissioners Court remain unchanged.

Please let me know if I can provide additional information or assistance.

cc. Willy Culberson, Director of Aviation  
James Kempema. Medical Director

## STAR FLIGHT Dispatch Matrix

---

**STAR Flight** is a specialized emergency medical/public safety resource tasked with six (6) \*primary and six (6) secondary response missions. Rapidly prioritizing multiple **STAR Flight** requests can be difficult. This matrix defines dispatch protocols for **STAR Flight** helicopters and assists in managing competing requests for service. All calls should be triaged using the Austin/Travis County **STAR Flight** Triage Cards or Medical Priority Dispatch (for in system medicine/trauma)

Response areas have been broken into three categories In System (Austin/Travis County), Out of System (Nineteen County Primary Service Area exclusive of Travis County), and Out of Area (Requests in a County not in the Out of Systems Primary Service area)

Response types have been broken into five Categories (Scene, Hospital, Rescue, Search, Law and Fire). Each Category may also have sub-sections that may require additional call screening or approval processes. The typing for each mission type allows for additional risk/benefit assessment and appropriateness review. The mission type has been assigned a priority, which is shown in the top of the matrix cell for each response area. These priorities are to be used similar to Medical Priority Dispatch priorities for comparing one call to another.

**\*Scene – Medical:** The priority is first response in Travis County and the rapid transport of time sensitive and critical medicine patients.

- **First Response** (Travis County only)-**STAR Flight's** priority is the rapid delivery of ALS personnel/equipment and stabilization of medicine patients. Initial unit recommendations on MPD Priority 1 and 2 medical calls, Communications will use the CAD response time estimation of the closest ALS resource (>20 minutes) to determine if a **STAR Flight** response is warranted.
- **Secondary Response**- On scene requests for **STAR Flight** assistance for medical patients should normally be made by ON SCENE system credentialed personnel. The majority of medicine patients seen and treated by ALS resources can be stabilized in the field and do not require aero medical transport. Exceptions may include STROKE or STEMI ALERT patients with transport times greater than the notification, response, scene and transport times of **STAR Flight**. **STAR Flight** may be requested for clinical capability beyond the on scene resources (PAI, Blood Administration)

**\*Scene – Trauma:** The priority is the rapid transport of TRAUMA ALERT and when appropriate TRAUMA TRANSPORT patients.

- **First Response** (Travis County) - The inclusion of **STAR Flight** in the initial unit response should be based on several factors, which include severity/number of patients, response time of the closest ALS transport units and transport time to University Medical Center at Brackenridge (adult patients) or Dell Children's Hospital (pediatric).

**Secondary Response**- (Travis County)- On scene requests for **STAR Flight** for trauma patients can be requested by ON SCENE system credentialed personnel. This should take into account the notification, response, estimated scene and transport times of **STAR Flight**. Under normal circumstances there should be some time savings to justify the increased expense and risk associated with aero medical transport. The ATCEMS System has currently identified 5 minutes as that patient benefit time. This does not include pin-in, entrapment or multi-patient situations. **STAR Flight** may be requested for clinical capability beyond the on scene resources (PAI, Blood Administration)

(Outside Travis County)- At the request of EMS, Fire or Law Enforcement personnel with credible information

**\*Hospital – Medical:** Tertiary hospitals may not be equipped to provide definitive care to critical or time sensitive medicine patients. These requests should be treated the same as scene medicine patients, based on the tertiary hospitals report of whether the patient is stable or not and the time sensitivity of their illness.

**\*Hospital – Trauma:** Tertiary hospitals are typically not equipped to provide definitive care to TRAUMA ALERT and some TRAUMA TRANSPORT patients. These requests should be handled the same as any other trauma patient that requires rapid transport to a Trauma or Specialized Care Center.

**\*Rescue – Life Threat:** Any situation that poses a known and verified threat to the safety of the victim/patient. It is not dependent upon injury at the time of request. Examples include person trapped on the roof of their car, house or in a tree surrounded by water, victims of falls from cliffs or patients with significant medical illnesses/traumatic injuries in inaccessible or delayed transport environments.

**Rescue – Non-Life/Non-Verified Threat:** Any situation where there is NO verified threat to the safety of the victim/patient. Examples include boats taking on water, patients in inaccessible environments with minor medical conditions or injuries (lacerations, sprains etc)

**\*Search – Life Threat:** Any situation that poses a known and verified threat to the safety of the victim/patient. A confirmed missing person is considered an emergency. It is not dependent upon injury at the time of request. Examples include confirmed missing persons with known last points seen, especially the young/elderly or those with diminished mental capacity or pre-existing medical conditions. (Autistic, Alzheimer's, Downs Syndrome etc).

**Search – Non-Life/Non-Verifies Threat:** Any situation where there is NO verified threat or point last seen. Examples include missing/overdue hikers/bikers, rafters/tubers and boaters in large undefined search areas.

**Law – Life or Public Safety Threat:** Requests for assistance from Law Enforcement agencies for aviation support that is a direct threat to law enforcement officers or general public safety. Examples include officer needs assistance in difficult access areas, vehicle pursuits or suspects with direct, verifiable threat to law enforcement personnel or the general public

**Law – Non-Life/Non-Verified Threat:** Requests for assistance from Law Enforcement agencies for surveillance, searches for fleeing suspects with no direct threat to law enforcement officers or the general public. Examples include suspects that fled from traffic stops, unarmed robbery or minor assaults or thefts.

**Fire – Life or Residential Structure Threat:** Requests for assistance from Fire agencies for aviation support that is a direct, verified threat to life or residential structures. Examples include fires threatening residential structures. Sub-divisions, general public or fire fighter safety.

**Fire – Non-Life/Non-Residential Structure Threat:** Requests for assistance from Fire agencies for aviation support. Examples include surveillance only or suppression in difficult to reach areas with ground resources or limited ground resources with no threat to general public, fire fighters or residential structures.

<b>Location</b>	<b>*(Scene) Medical</b>	<b>*(Scene) Trauma</b>	<b>*(Hospital) Medical</b>	<b>*(Hospital) Trauma</b>
<b>In System</b> (Austin/ Travis County)	(Priority 1) <u>1.MPD Priority 1 or 2 Medical call w/ Medic Unit &gt;20 minutes response time</u> <u>2. Dispatch</u>  <u>Other --</u> <u>Only on request of on-scene system-credentialed personnel</u>	(Priority 1) <u>1. MPD Priority 1 or 2 Trauma call or Trauma ALERT criteria with appropriate patient benefit. Does not include pin-in, entrapment or multi-patient events</u> <u>2. Dispatch</u>  <u>Other – Air Communications Specialist or Communications Supervisor discretion based on anticipated EMS Transport unit response and/or transport time to appropriate Trauma or Specialized Center, pt count, etc.</u>	(Priority 2) <u>1. Travis County based Hospital</u> <u>2. Dispatch</u> <u>3. Consideration should be given for time sensitive medical conditions beyond the scope of the transferring facility (STROKE/STEMI Alerts, Post Resuscitation)</u>	(Priority 1) <u>1. Travis County based Hospital</u> <u>2. Dispatch</u>
<b>Out of System</b> Bastrop, Bell, Blanco, Burnet, Burleson, Caldwell, Comal, Fayette, Gillespie, Gonzales, Guadalupe, Hays, Kendall, Lampasas, Lee, Llano, Milam, San Saba, Williamson	(Priority 1) <u>1. Dispatch</u>	(Priority 1) <u>1. Dispatch</u>	(Priority 1) <u>1. Travis County based Hospital</u> <u>2. Requires Accepting Hospital Approval</u> <u>3. Dispatch</u>	(Priority 1) <u>1. Travis County based Hospital</u> <u>2. Dispatch</u>
<b>Out of Region</b> Counties not listed above	(Priority 3) <u>1. Requires STAR Flight Command Approval</u> <u>2. Notify "STAR Flight Command page"</u>	(Priority 3) <u>1. Requires STAR Flight Command Approval</u> <u>2. Notify "STAR Flight Command page"</u>	(Priority 3) <u>1. Requires STAR Flight Command Approval</u> <u>2. Notify "STAR Flight Command page"</u>	(Priority 3) <u>1. Requires STAR Flight Command Approval</u> <u>2. Notify "STAR Flight Command page"</u>

Location	*(Rescue) Life Threat	(Rescue) Non-Life Threat	*(Search) Life Threat	(Search) Non-Life Threat
<b>In System</b> (Austin/ Travis County)	(Priority 1 or 2) <b>1. Dispatch</b> 2. Notify " <b><u>STAR Flight</u></b> Command page"	(Priority 3) <b>1. Requires <u>STAR Flight Command</u> Approval</b> 2. Notify " <b><u>STAR Flight</u></b> Command page"	(Priority 3) <b>1. Dispatch</b> 2. Notify " <b><u>STAR Flight</u></b> Command page"	(Priority 4) <b>1. Requires <u>STAR Flight Command</u> Approval</b> 2. Notify " <b><u>STAR Flight</u></b> Command page"
<b>Out of System</b> Bastrop      Guadalupe Bell          Hays Blanco      Kendal Burnet      Lampasas Burleson    Lee Caldwell    Llano Comal      Milam Fayette     San Saba Gillespie   Williamson Gonzales	(Priority 1 or 2) <b>1. Dispatch</b> 2. Notify " <b><u>STAR Flight</u></b> Command page"	(Priority 3) <b>1. Requires <u>STAR Flight Command</u> Approval</b> 2. Notify " <b><u>STAR Flight</u></b> Command page"	(Priority 1) <b>1. Requires <u>STAR Flight Command</u> Approval</b> 2. Notify " <b><u>STAR Flight</u></b> Command page"	(Priority 3) <b>1. Requires <u>STAR Flight Command</u> Approval</b> 2. Notify " <b><u>STAR Flight</u></b> Command page"
<b>Out of Region</b> Counties not listed above	(Priority 3) <b>1. Requires <u>STAR Flight Command</u> Approval</b> 2. Notify " <b><u>STAR Flight</u></b> Command page"	(Priority 4) <b>1. Requires <u>STAR Flight Command</u> Approval</b> 2. Notify " <b><u>STAR Flight</u></b> Command page"	(Priority 3) <b>1. Requires <u>STAR Flight Command</u> Approval</b> 2. Notify " <b><u>STAR Flight</u></b> Command page"	(Priority 4) <b>1. Requires <u>STAR Flight Command</u> Approval</b> 2. Notify " <b><u>STAR Flight</u></b> Command page"

Location	Law - Life Threat	Law-Non-Life Threat	Fire- Life/Residential Structure Threat	Fire- Non-Life/Non-Residential Structure Threat
<b>In System</b> (Austin/ Travis County)	(Priority 3) <b>1. Dispatch</b> 2. Notify " <b><u>STAR Flight</u></b> Command page"	(Priority 4) <b>1. Requires <u>STAR Flight Command</u> Approval</b> 2. Notify " <b><u>STAR Flight</u></b> Command page"	(Priority 3) <b>1. Dispatch</b> Within Travis County these request should come from the County Resource Coordinator (CRC) 2. Notify " <b><u>STAR Flight</u></b> Command page"	(Priority 4) <b>1. Requires <u>STAR Flight Command</u> Approval</b> Within Travis County these request should come from the County Resource Coordinator (CRC) 2. Notify " <b><u>STAR Flight</u></b> Command page"
<b>Out of System</b> Bastrop      Guadalupe Bell          Hays Blanco      Kendal Burnet      Lampasas Burleson    Lee Caldwell    Llano Comal      Milam Fayette     San Saba Gillespie   Williamson Gonzales	(Priority 4) <b>1. Requires <u>STAR Flight Command</u> Approval</b> 2. Notify " <b><u>STAR Flight</u></b> Command page"	(Priority 4) <b>1. Requires <u>STAR Flight Command</u> Approval</b> 2. Notify " <b><u>STAR Flight</u></b> Command page"	(Priority 4) <b>1. Requires <u>STAR Flight Command</u> Approval</b> 2. At the request from In-System agency- <b><u>Dispatch</u></b> 3. Notify " <b><u>STAR Flight</u></b> Command page"	(Priority 4) <b>1. Requires <u>STAR Flight Command</u> Approval</b> 3. Notify " <b><u>STAR Flight</u></b> Command page"
<b>Out of Region</b> Counties not listed above	(Priority 4) <b>1. Requires <u>STAR Flight Command</u> Approval</b> 2. Notify " <b><u>STAR Flight</u></b> Command page"	(Priority 4) <b>1. Requires <u>STAR Flight Command</u> Approval</b> 2. Notify " <b><u>STAR Flight</u></b> Command page"	(Priority 4) <b>1. Requires <u>STAR Flight Command</u> Approval</b> 2. Notify " <b><u>STAR Flight</u></b> Command page"	(Priority 4) <b>1. Requires <u>STAR Flight Command</u> Approval</b> 2. Notify " <b><u>STAR Flight</u></b> Command page"

## **Dispatch Guidelines:**

### **Travis County based Hospitals**

These are hospitals that are located in or very near Travis County and have approved heli-pads to receive **STAR Flight** transports.

- University Medical Center at Brackenridge
  - Seton Medical Center Austin
  - Dell Children's Medical Center of Central Texas
  - Seton Northwest Hospital
  - Seton Medical Center Williamson
  - Seton Medical Center Hays
  - Cedar Park Regional Medical Center
  - Heart Hospital
  - St. David's Medical Center
  - St. David's South Austin Medical Center
  - St. David's North Austin Medical Center
  - St. David's Round Rock Medical Center
  - Scott & White Healthcare Round Rock
- Exceptions- based on frequency of request and past approval processes the following non-Travis County destinations are approved
    - Austin based hospitals (listed above) to Brooke Army Medical Center (BAMC)

### **Call Prioritization**

- Priority 1 Trauma normally takes precedent over Priority 1 Medicine
  - Consider patients with known time dependant medical events requiring rapid in-hospital treatment STROKE/STEMI ALERT at the same level as Priority 1 Trauma
- Life-Threatening Rescue is considered a Priority 1 Trauma category
- Calls with equivalent priority are treated on a first come, first served basis

### **Rescue**

- Categories:
  - ◆ DO NOT DIVERT FROM HIGH PRIORITY RESCUE once assigned, contact **STAR Flight** Command for diversion from lower priority rescue calls
  - ◆ Remember: **it takes an average of 10 minutes to rig the helicopter for rescue operations**

### **Law and Fire**

- Out-of-System MUST have **STAR Flight** Command approval.
- Remember: **it takes an average of 10-15 minutes to rig (and remove) the FIRE Bucket**

### **Diverting**

- Only to a higher priority call
- **In-System Scene**
  - ◆ Divert from medical scene to trauma scene based system status (i.e. JUDGMENT CALL- consider flight time, ground response, number / condition of patient(s))
- **Out-of-System**
  - ◆ The **STAR Flight** Command MUST approve of ALL OUT-of-SYSTEM diversions. Someone from **STAR Flight** Command group with Operational Authority will be available by cell phone/pager at all times for diversion or mission approvals. This number will be continuously updated in Communications
- **Fire Bucket**
  - ◆ Prior to diverting from a Fire Bucket operation, contact Pilot or Crew Chief to confirm estimated time it will take to remove bucket and if necessary re-fuel



### Other Aero-Medical Services

- If **STAR Flight** is unavailable for a call, ask if they want assistance with another aero-medical program
  - Air Life (CAMTS) 1-800-247-6428
    - San Antonio, New Braunfels, Kerrville
  - PHI (CAMTS) 1-800-321-9522
    - Georgetown, Killeen, College Station
  - Air Evac Lifeteam (CAMTS) 1-800-247-3822
    - LaGrange, San Marcos, Marble Falls, Killeen
  - Herman Life Flight (CAMTS) 1-800-392-4357
    - Houston area

### On-Scene **STAR Flight** Notification

- Notify the crew of all potential or pending **STAR Flight** calls

### Delayed Responses

- If the call has been holding greater than 15 minutes: reconfirm need for **STAR Flight** with requesting agency prior to launch

"**STAR Flight** "Notify" Command page" is a CAD auto-page alert:

**STAR Flight** "Approval" Command page is a page from the paging system:

Both Paging Groups will include:

1. Program Manager
2. Director of Aviation
3. Chief Pilot
4. **STAR Flight** District Commander
5. **STAR Flight** Clinical Commander

**STAR Flight** currently serves the 19 Counties listed below:

- |               |                |
|---------------|----------------|
| 1. Bastrop    | 11. Hays       |
| 2. Bell       | 12. Lee        |
| 3. Blanco     | 13. Kendall    |
| 4. Burnet     | 14. Lampasas   |
| 5. Caldwell   | 15. Lee        |
| 6. Comal      | 16. Llano      |
| 7. Fayette    | 17. Milam      |
| 8. Gillespie  | 18. San Saba   |
| 9. Gonzales   | 19. Williamson |
| 10. Guadalupe |                |

(These will be listed and attached to each console at communications)

This dispatch matrix complies with Operational Control criteria as outlined in Federal Aviation Administration (FAA) Operations Specifications A008.

Willy Culberson, Director of Aviation  
Travis County **STAR Flight**

# TRAVIS COUNTY COMMISSIONERS COURT AGENDA REQUEST

21

Voting Session: JANUARY 19, 2010

- 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 RECOMMENDATION TO INCREASE THE LIFT-OFF FEE CHARGED TO PATIENTS FOR STAR FLIGHT SERVICES.
- 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.

10 JAN 20 PM 1:21  
RECEIVED  
COUNTY JUDGE'S OFFICE



Austin-Travis County  
**STAR Flight**



7800 Old Manor Road  
Austin, TX 78724  
[www.starflightrescue.org](http://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 Director, **STAR Flight**  
**Date:** January 19, 2010  
**Subject:** Increase in **STAR Flight** Lift-off Fee

10524

The **STAR Flight** management team has completed a review of our current fee structure. We recommend to the Commissioners Court that the following increases be approved:

Travis County resident lift-off fee from \$2,700 to \$3,400

Non Travis County resident lift-off fee from \$7,000 to \$7,500

The current Travis County resident lift-off fee is below the Medicare allowable and should be increased to achieve maximum reimbursement for these transports. The increase will also address increasing maintenance costs along with reduced reimbursements and settlements that are occurring as a result of tough economic times. The **STAR Flight** Business Plan recommended an increase for FY10 for Travis County residents.

The Non Travis County resident lift-off fee increase is based upon increasing maintenance costs and reduced reimbursement and settlements that are occurring as a result of the tough economic times. The **STAR Flight** Business Plan recommended this increase for FY10 for Non Travis County residents.

The proposed fee increases are still very competitive within the air medical industry, especially when you consider the capability and safety equipment of the **STAR Flight** aircraft and personnel.

Please let me know if you have any questions or need additional information.

## ATTACHMENT A

### July 31, 2001

#### CURRENT RATE STRUCTURE

In County Lift Off:	\$1,600
Out of County Lift Off:	\$2,600
In and Out of County Mileage:	\$50

#### PROPOSED FY 2002 RATE STRUCTURE

In County Lift Off:	\$1,600
Out of County Lift Off:	\$3,400 (\$800 increase)
In and Out of County Mileage:	\$50

### September 16, 2003

#### CURRENT RATE STRUCTURE

In County Lift Off:	\$1,600
Out of County Lift Off:	\$3,400
In and Out of County Mileage:	\$50

#### PROPOSED FY 2003 RATE STRUCTURE

In County Lift Off:	\$2000 (\$400 increase)
Out of County Lift Off:	\$4000 (\$600 increase)
In and Out of County Mileage:	\$50

### June 14, 2005

#### CURRENT RATE STRUCTURE

In County Lift Off:	\$2,000
Out of County Lift Off:	\$4,000
In and Out of County Mileage:	\$50

#### PROPOSED FY 2005 RATE STRUCTURE

In County Lift Off:	\$2,000
Out of County Lift Off:	\$4,500 (\$500 increase)
In and Out of County Mileage:	\$55 (\$5 increase)

September 4, 2006

## CURRENT RATE STRUCTURE

County Residents Lift Off:	\$2,000
Non County Residents Lift Off:	\$4,500
In and Out of County Mileage:	\$55

## PROPOSED FY 2006 RATE STRUCTURE

County Residents Lift Off:	\$2,500	(\$500 increase)
Non County Residents Lift Off:	\$5,000	(\$500 increase)
In and Out of County Mileage:	\$65	(\$10 increase)

July 1, 2008

## CURRENT RATE STRUCTURE

County Residents Lift Off:	\$2,500
Non County Residents Lift Off:	\$5,000
In and Out of County Mileage:	\$65

## PROPOSED FY 2008 RATE STRUCTURE

County Residents Lift Off:	\$2,700	(\$200 increase)
Non County Residents Lift Off:	\$7,000	(\$2,000 increase)
In and Out of County Mileage:	\$85	(\$20 increase)

January 19, 2010

## CURRENT RATE STRUCTURE

County Residents Lift Off:	\$2,700
Non County Residents Lift Off:	\$7,000
In and Out of County Mileage:	\$85

## PROPOSED FY 2010 RATE STRUCTURE

County Residents Lift Off:	\$3,400	(\$700 increase)
Non County Residents Lift Off:	\$7,500	(\$500 increase)
In and Out of County Mileage:	\$85	(no increase)

22 ✓

# Travis County Commissioners Court Agenda Request

Meeting Date: January 26, 2010

RECEIVED  
COUNTY JUDGE  
10 JAN 15 PM 3:40

I. A. Requestor: Commissioner Precinct 3 Phone # 854-9333

B. Specific Agenda Wording:

APPOINT MARY WOLF AND MATIAS GARCIA TO FILL TWO VACANCIES FOR PRECINCT 3 ON THE CHILD PROTECTIVE SERVICES BOARD. EACH TERM EFFECTIVE IMMEDIATELY FOR 3 YEARS, ENDING JANUARY 31, 2013.

C. Sponsor: Karen Huber  
Karen Huber, Commissioner Precinct 3

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.

**MARY K. WOLF**

7705 Stonehaven Cir.  
Austin, Texas 78731  
(512) 795-2209  
[mwolf@marywolf.com](mailto:mwolf@marywolf.com)

**EMPLOYMENT**

**Mary K. Wolf**, Attorney at Law, (2008–present). Perform work as a guardian ad litem and visitation supervisor in child custodial matter.

**Texas Youth Commission**, P.O. Box 4260, Austin, Texas 78751 (2004-2006). Chief, Appeals Section, Office of General Counsel. Managed the Appeals Section, covering appeals to the agency executive director regarding youth alleged mistreatment investigations, special investigations, administrative hearings and youth complaint investigations. Prepared proposed appeal decisions, board of directors reports, section reports and appeals digest reports. Responsible for managing and supervising the work of the section; planning, directing and overseeing the work of staff attorneys and supervising administrative staff. Interpreted policy and legal standards relating to matters under review. Presented reports to the executive management team and board of directors. Advised agency administrators and trained field staff regarding the work and policies of the section. Worked with general counsel, staff attorneys and executive team in developing agency policy.

**Law Offices of Mary K. Wolf**, 1301 Nueces, Suite 101, Austin, Texas 78701, (1996-2001). Principal in a small litigation firm. Practice focused in civil rights; medical malpractice and employment issues.

**Small, Craig & Werkenthin, P.C.**, 100 Congress, Suite 1100, Austin, Texas 78701 (1988-1996). Shareholder, 1996; Associate, 1988-1995; Law Clerk, Summer 1987. Practice focused in areas of civil rights, employment and tort litigation; practiced in business litigation matters.

**St. Mary's University School of Law**, San Antonio, Texas (1986-1988). Research Assistant to Professor John Schmolesky.

**Texas Center for Correctional Services**, Austin Texas (1983-1985). Administrative and Research Assistant for a civil rights grant project of the Criminal Justice Division of the Governor's Office.

**PROFESSIONAL LICENSE AND COURT ADMISSIONS**

State Bar of Texas, 1988.

United States Courts: Fifth Circuit Court of Appeals, Northern and Western Districts of Texas and the Central District of Missouri. Practiced pro hac vice in the Eastern and Southern Districts of Texas and the Western District of Oklahoma.

**EDUCATION**

St. Mary's University School of Law, San Antonio, Texas, Doctor of Jurisprudence, May 1988. Order of the Barristers, National Mock Trial Regional Competition, 1988. American Inns of Court, San Antonio Division, Law School Rep., 1987-88. Criminal Law Association, President, 1986-87, Secretary, 1985-86.

University of Texas, Austin, Texas, Bachelor of Arts, with honors, December 1980. Teaching Certificate in Composite Secondary Social Studies.

## PROFESSIONAL ACTIVITIES AND PUBLICATIONS

- Director, State Bar of Texas Juvenile Law Section, 2005-2007.
- Editor, Travis County Trial Reports, 1994-1996; Project Coordinator, 1988-1994.
- Speaker, Handling Insurance Claims and Personal Injury Litigation, Association of Women-Owned Businesses, San Antonio, Texas, 1994.
- Member, Advisory Committee to Texas Supreme Court Task Force on Sanctions, 1993.
- Editor, *Travis County Civil Jury Trial Docket: Six Year's Experience in Our District Courts*, 10 Austin Lawyers Journal, January 1989.

## COMMUNITY SERVICE

- CASA of Travis County, Volunteer Advocate (2002-present). Completed initial 40 hours of CASA training and have acted as a guardian ad litem for many youth involved in suits affecting the parent-child relationship; participated in DFPS meetings and other support services coordination for youth in DFPS custody, participated in family court hearings, drug-court hearings, mediations and a trial; and participated in continuing education offered for CASA volunteers and social workers regarding issues affecting the welfare of juveniles. Volunteer participant in Travis County Adoption Day.
- Doss Elementary School PTA, Chair, Underwriting Committee (2009); Budget Committee (2009); Volunteer (2007-2009); coordinate and participate in PTA fundraising projects, budget allocation, library volunteer, and lead room parent in my daughter's school.
- Adoption Knowledge Affiliates (AKA), Board of Directors (2004-2005); Annual Conference Committee (2003-2004). AKA is a non-profit organization that educates the community about adoption issues; hosts monthly general meetings, provides educational presentations and support groups; organizes and hosts an annual conference and periodic educational workshops addressing adoption issues; and provides resources and assistance for adoptees and families parenting adopted youth.
- Jewish Community Association of Austin, Membership Committee, 2004.
- Rosedale Neighborhood Association, Board of Directors, 1999-2001.
- Helping Our Brothers Out, Inc., Board of Directors, 1995-2000.
- United Way, Funds Distribution Committee, 1993.

## PERSONAL

Married to Ron Moss; one child, Katie Moss, age 8.



## **LICENSES**

Admitted to practice, State Bar of Texas, November 1999, License Number: 24012675

Admitted to practice in the Western District of Texas, August, 2004

Received Mediation Certificate in December 1997

## **LEGAL EXPERIENCE**

### **Barnett & Garcia**

#### **Shareholder**

**Austin, Texas  
(07/03 – present)**

- Counsel to Special Deputy Receiver, Prime Tempus, Inc., for Vesta and Highlands Insurance in Receivership.
- Counsel to Special Deputy Receiver, Resolution Oversight Corporation, for Financial Insurance Company of America.
- Previously Counsel to Special Deputy Receiver, Prime Tempus, Inc., for Colonial Insurance.
- Previously Counsel to Special Deputy Receiver, H. Koehler, Inc., for Universal Insurance Exchange.
- Previously Counsel to Special Deputy Receiver, JoAnn Howard & Associates, for Metro West Health Plan, Inc.
- Represent and defend individual, corporate and financial creditors in litigation, appeals, and alternative dispute forums involving actions for debt, breach of contract, sworn account, DTPA, FDCPA, foreclosure, and fraud.
- Represent and defend commercial, life, bond and workers' compensation insurance carriers in civil litigation, appeals, and alternative dispute forums involving the collection of deductibles, commissions, additional premiums, deceptive insurance practices under Article 28.28 of the Texas Insurance Code and subrogation claims.

### **The Reyes Law Firm**

#### **Associate**

**Austin, Texas  
(05/00 – 07/03)**

- Successfully litigated various cases involving breach of contract, sworn account, DTPA, fraud, foreclosures, and product liability on behalf of individual, corporate and financial creditors.
- Represented commercial, life, bond and workers' compensation insurance companies in the collection of additional premiums, deductibles, commissions and subrogation claims.
- Managed the litigation and pre-litigation collection of over 10,000 delinquent retail and commercial accounts in the state of Texas on behalf of various individual, corporate and financial creditors.
- Drafted and advised corporate clients on governance issues, business and financial strategy, and "B2B" contracts.

## **EDUCATION**

The University of Texas School of Law

J. D. - May 1999

The University of Texas at Austin

BBA - Dec. 1995

## **MEMBERSHIPS**

American Inn of Court CXVIII

Commercial Law League of America

International Association of Commercial Collectors

Austin Bar Association

## **PRESENTATIONS**

- Co-Presenter:** CLE: *Biller - The Ethics of Billing and Collecting Legal Fees* (10/12/09)  
**Presenter:** CLE: *Exempt Property* (07/09/09 and 07/16/09)  
**Presenter:** CLE: *Exempt Property* (09/11/08 and 09/18/08)  
**Presenter:** CLE: *Exempt Property* (08/16/07, 08/23/07 and 09/13/07)  
**Co-Presenter:** CLE: *The Reporters' Privilege* (02/13/07)

**Presenter:** *CLE: The Care and Feeding of Clients: How to Organize Your Office to Service Your Client Best (08/18/06, 08/25/06 and 09/15/06)*

**Co-Presenter:** *CLE: Pitfalls of Multi-Party Representations: Ethical Dilemmas in Aggregate Settlements (02/08/05)*

**Co-Presenter:** *Texas Bail Bond Course: Collecting on Bail Bond Debts: Pre and Post Judgment Remedies (11/12/04)*

**Co-Presenter:** *CLE: The Trials and Tribulations of Pro Bono (04/25/04)*

**Co-Presenter:** *CLE: American Civil Liberties and the War on Terrorism (02/18/03)*

**PUBLICATIONS**

Contributor to Chapter 14 of the Texas Collections Manual Supplement published by the State Bar of Texas expanding the explanation and use of receiverships in collections, including summarizing recent case law developments

**COMMUNITY**

Center for Child Protection Past Board Member  
Loan Risk Sub-Committee for Business Invest in Growth, Inc. Past Member  
Past Volunteer for Heartgift  
Past Attorney Volunteer for Adoption Day sponsored by the Austin Bar Association

**LANGUAGES**

Spanish

Barnett & Garcia, PLLC is a minority owned law firm located in Austin, Texas. We are a civil litigation law firm with over 30 years of combined legal experience handling contract disputes, insurance claims, negligence disputes and litigation. Our trial practice includes representing creditors, financial institutions and insurance carriers in alternative dispute forums and state and federal trial and appellate courts.

## Matt Garcia

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Matt Garcia is the president, principal and managing member of Barnett & Garcia. A graduate of the University of Texas at Austin School of Business and School of Law, Mr. Garcia has prosecuted hundreds of cases on behalf of creditors, insurance carriers, and financial institutions in state and federal forums. He is admitted to the State Bar of Texas and the Western District of Texas. In addition to being a frequent speaker for the University of Houston Law School CLE Department, he is also a member of the Commercial Law League of America, International Association of Commercial Collectors, American Inns of Court, Robert Calvert Inn, Austin Bar Association, and National Association of Subrogation Professionals. Mr. Garcia also serves on the board of directors for the Center for Child Protection and on a subcommittee of the Board of Directors for Businesses Invest in Growth, a non-profit organization dedicated to providing education, counseling and loans to small businesses.

## Don M. Barnett

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Don Barnett is the vice president and a member of Barnett & Garcia. Admitted to the State Bar of Texas in 1965, Mr. Barnett is also admitted to practice before the United States Supreme Court, U.S. Court of Appeals, Fifth Circuit, U.S. Court of Claims, Southern District of Texas and the Western District of Texas. He is certified in Civil Trial Law by the Texas Board of Legal Specialization and has litigated over one thousand cases, including cases involving complex litigation with extensive pretrial discovery, depositions, contested hearings, negotiation and resolution. Mr. Barnett was also listed as "Who's Who in American Law," in 1992, 1993, and 1994.

## Attorneys

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Morgan M. Matson. Mr. Matson is of counsel to Barnett & Garcia. Admitted to the State Bar of Texas in 1999, Mr. Matson obtained a Bachelors of Science in Accounting from Trinity University and his law degree from the University of Texas at Austin School of Law. His practice focuses on representing insurance carriers in various areas, including ordinary negligence, catastrophic wrongful death, personal injury, medical negligence, premises liability, and the Texas Tort Claims Act. Mr. Matson is also experienced in administrative review cases before professional licensing boards. In 2004, Mr. Matson was awarded the 2004 Defense Counsel Star Award by the Oral & Maxillofacial Surgeon's Nation Insurance Company. He is currently the Chair of the Development Committee for the Boysville Board of Directors, a board member for Christus Santa Rosa Children's Hospital Foundation, President-Elect of the Downtown Optimist Club of San Antonio and a Texas Bar Foundation Life Member. In addition to Mr. Matson's litigation practice, Mr. Matson oversees our expansion into San Antonio.

E. Page Kanetzky. Ms. Kanetzky is an associate attorney with Barnett & Garcia. She was admitted to the State Bar of Texas in 2005 and received her preparatory education from University of Texas at Austin and her law degree from the University of Texas School of Law. Her practice focuses on representing insurance carriers, creditors and financial institutions in state and federal forums.

Sean S.V. Homrig. Mr. Homrig is an associate attorney with Barnett & Garcia. He was admitted to the State Bar of Texas in 2008 and received his preparatory education from Columbia College Chicago and his law degree from St. Mary's Law School. His practice also focuses on representing insurance carriers, creditors, and financial institutions in state and federal forums.

## Staff

Rosangela C. Garcia, Ed.d. In addition to her doctorate in education, Dr. Garcia holds a Bachelors in Accounting and a Masters in Business Administration from Texas A & M International. A previous Internal Revenue Agent, Dr. Garcia oversees the day to day financial operations of the firm, including the monitoring, processing and posting of payments, remittances and delinquencies.

Heidi Gustafon. Ms. Gustafon is a legal assistant for Barnett & Garcia and brings over six years of general receivership experience. A graduate of Texas State University with a Bachelors in Business Administration, Ms. Gustafon is primarily responsible for maintaining Barnett & Garcia's hourly billings. In addition to her financial responsibilities, Ms. Gustafon assists the attorneys with general estate projects, data processing, research and records management.

Jaclyn Anderson. Ms. Anderson is a paralegal for Barnett & Garcia and is experienced in assisting our attorneys in the area of commercial and insurance litigation, including the drafting and preparation of pleadings, managing and maintaining of a docket calendar, and researching and reviewing of case files. In addition to her paralegal duties, Ms. Anderson is experienced in negotiating and handling pre-litigation disputes. She obtained her paralegal certification from Blinn College.

Rick Habecker. Mr. Habecker is a paralegal for Barnett & Garcia focusing on skip tracing, asset research and post judgment collection. Mr. Habecker aids the attorneys by coordinating difficult service issues and asset recoveries with various constable and sheriff's departments on behalf of insurance carriers, creditors and financial institutions. He is also a licensed private investigator and brings a wealth of paralegal and law enforcement experience.

Frances Claiborne. Ms. Claiborne is a legal assistant for Barnett & Garcia. Previously a deputy with the Osceola County Florida Sheriff's Office, Ms. Claiborne brings over thirty years of experience in service of process and the levying and selling of assets on behalf of judgment creditors. In addition to her administrative duties, Ms. Claiborne also coordinates difficult service issues and asset recoveries with various constable and sheriff's departments on behalf of insurance carriers, creditors and financial institutions.

Michael Sanchez. Mr. Sanchez is a legal assistant for Barnett & Garcia. Mr. Sanchez is a graduate of Boston University with a Bachelors in Political Science and International

~~Relations. In addition to drafting and preparing pleadings and cases for trial, Mr. Sanchez~~  
assists Mr. Garcia with the day to day functions of the firm.

Priya Sivaraman. Ms. Sivaraman is a legal assistant for Barnett & Garcia. Ms. Sivaraman is a graduate of University of Texas at Austin with a Bachelors in Political Science and History. In addition to drafting and preparing pleadings and cases for trial, Ms. Sivaraman assists Mr. Barnett with his litigation docket.

## AREAS OF EXPERIENCE

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### LITIGATION

General Litigation. With over 30 years of combined legal experience, Barnett & Garcia's attorneys have represented numerous corporate, insurance, and financial institutions in litigation and appeals involving contractual, property and casualty disputes. In addition to prosecuting and defending on behalf of our clients, our experience includes investigating the liability of additional responsible parties to increase the probability of recovery.

Collection Litigation. Barnett & Garcia's attorneys have successfully collected and litigated hundreds of collection cases. In addition to prosecuting debtors on a cause of action based on a breach of contract, a significant number of lawsuits have involved fraud. Barnett & Garcia's attorneys are also familiar and have litigated cases under the filed rate tariff doctrine and its evolution to its current form after "de-tariffing."

Secured Transactions. Barnett & Garcia have an extensive practice representing creditors in the collection of promissory notes and agreements which involve collateral pledged as security. Defaults arising from a failure to pay or a breach of the terms and conditions governing the security agreement typically result in suit being brought against the defaulting party for breach of contract and foreclosure of the collateral. In addition to obtaining a judgment awarding possession of the collateral and economic damages, Barnett & Garcia's attorneys are experienced in foreclosing on the collateral and levying on any non-exempt assets to satisfy a judgment. Before any actions are taken, an analysis of any superior liens and the probable rate of return are performed in order to determine how to maximize a creditor's recovery.

Litigation Management. Barnett & Garcia's attorneys currently assist Prime Tempus, Inc.'s staff in the coordination and management of multi-state and in-state litigation on behalf of Highlands Insurance Company, *in Receivership* and the Vesta insurance companies, *in Receivership*. Specifically, we are involved with the forwarding of claims for litigation and the review of pleadings, settlements, releases, and trial strategy by underlying counsel.

In addition to Barnett & Garcia's work on behalf of Highlands and Vesta, Barnett & Garcia coordinates Business Invest in Growth, Inc.'s general and bankruptcy attorneys and oversees the filing and maintenance of litigation on behalf of PBSJ, Inc. and Breton Financial Company in several states other than Texas.

Insurance. Barnett & Garcia's attorneys have successfully collected and litigated hundreds of premium and agent balance cases. We are familiar with the rules and procedures set by the Texas Department of Insurance, the premium audit process and typical defenses to litigation for the recovery of additional premiums. In addition to prosecuting insureds on a cause of action based on a breach of contract, a significant number of lawsuits involved fraud. Typical fraud litigation involved insureds establishing separate corporations for the purposes of hiding payrolls to obtain a lower premium during the final audit process.

Property and Casualty Litigation. Barnett & Garcia has experience representing clients in property and casualty litigation. Board Certified in Civil Trial Law by the Texas Board of Legal Specialization, Don Barnett has handled hundreds of cases in state and federal court involving real and personal property, personal injury and death. Specifically, Mr. Barnett's property and casualty litigation experience includes claims of negligence, breach of insurance

policies and other contracts, maritime claims, declaratory judgment actions, subrogation claims, first and third party claims, interventions and counter-claims. Don Barnett's experience earned him an A.V. rating from Martindale-Hubbell. Mr. Barnett has also been inducted into the American Board of Trial Advocates and was named "Who's Who in American Law" in 1992, 1993, and 1994.

*Defense.* In addition to the litigation described herein, Barnett & Garcia's attorneys have litigated on behalf of creditors in suits involving Federal Fair Debt Collections Practices Act, the Texas Deceptive Trade Practices Act, fraud, fraud in the inducement, misrepresentation and breach of contract.

*Litigation on behalf of Insolvent Carriers.* Currently, Barnett & Garcia serves as counsel to Prime Tempus, Inc., Special Deputy Receiver for Vesta insurance companies, Highlands Insurance Company and Colonial Casualty Insurance Company. Barnett & Garcia also serves as counsel to Resolution Oversight Corporation, Special Deputy Receiver for Financial Insurance Company of America, in Receivership and H. Koehler Co., Inc., Special Deputy Receiver for Universal Insurance Exchange. Our work on these estates includes prosecuting, defending and maintaining several actions on behalf of the SDR, including property and casualty, workers' compensation, and collection litigation. Our attorneys have extensive experience in the prosecution and defense of these claims and are familiar with the provisions of the Receivership Code which help, among other things, maintain venue in Travis County, extend statutes of limitations and defeat many of the typical defenses raised by insureds and liable third parties.

#### **CARRIER INSOLVENCY**

Currently, Barnett & Garcia, PLLC serves as counsel to Prime Tempus, Inc., Special Deputy Receiver for Vesta insurance companies, Highlands Insurance Company and Colonial Insurance Casualty Company; and Resolution Oversight Corporation, Special Deputy Receiver for Financial Insurance Company of America, in Receivership. Barnett & Garcia has previously acted as counsel to H. Koehler Co., Inc., Special Deputy Receiver for Universal Insurance Exchange and Jo Ann Howard & Associates, P.C., Special Deputy Receiver for Metro West Health Plan, Inc. Additionally, Don Barnett has acted as SDR counsel for the SIR Lloyds and Standard Financial estates where he assisted in workers' compensation litigation.

Barnett & Garcia's attorneys are familiar with the new receivership code found in Chapter 21A of the Texas Insurance Code, including the preparing and filing of appropriate applications and pleadings in the receivership court, preparing cost benefit analysis, advising and participating in litigation activities identified by the SDR, advising and participating in hearings and status conferences with the Special Master or District Court, terminating and assisting in the auditing process of contractors, reviewing and drafting settlement agreements, providing general counsel to the Special Deputy Receiver and assisting in the transition and closure of a receivership estate.

### **CLAIM REVIEW AND EVALUATION**

We are familiar with the process of reviewing claims or litigation, assessing the nature of the claims being made and the legal issues presented, coupled with an analysis of the exposure for counterclaims, potential damages, and estimated litigation costs. Each claim is also analyzed on the likelihood of recovery, with the costs and benefits being evaluated in favor of conserving assets.

### **CLAIM AND LAWSUIT RESOLUTION**

Mr. Barnett & Mr. Garcia are both trained mediators who have successfully represented various insurance carriers, businesses and individual clients in mediation and arbitration.

### **POST JUDGMENT RECOVERIES AND LIQUIDATION OF ASSETS**

Our experience includes the identification and location of persons or entities obligated to a creditor, carrier or estate together with their assets and an analysis of any encumbrances on the assets that might occur as a result of any IRS, ad valorem, state tax, judgment or other liens. Post judgment asset discovery, complex asset litigation including placing judgment debtors in receivership, prosecution for fraudulent transfer of assets by debtors, real estate liens, foreclosures and sales, and claims against federal government employees and agencies. Additionally, our experience in liquidating encumbered and unencumbered assets of debtors to satisfy judgment creditors would assist us obtaining a recovery on behalf of the creditor, carrier or estate.



## Travis County Commissioners Court Agenda Request

Meeting Date: January 26, 2010

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

B. Specific Agenda Language:

APPROVE PROCLAMATION RECOGNIZING THE 10<sup>TH</sup> ANNUAL  
CENTRAL TEXAS AFRICAN-AMERICAN FAMILY SUPPORT  
CONFERENCE TO BE HELD ON FEBRUARY 11 AND 12 2010 AT THE  
DOWNTOWN HYATT REGENCY HOTEL.

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.

David Evans-Austr-Travis County Integral Carel	
Erika Canales – Coordinator @ A- TC-Integral Care	

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)

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

RECEIVED  
COUNTY JUDGE'S OFFICE  
10 JAN 15 PM 2:31

WHEREAS, For the 10th year, the Central Texas African American Family Support Conference, "Beyond the Illness: The Voice of One the Power of Many;" strengthens family and individual awareness of available health care services, through culturally sensitive education, support programs, and partnerships;

WHEREAS, The conference continues to impact the community and is a highly successful event managed entirely by dedicated consumers, family members and professionals; and

WHEREAS, Austin Travis County Integral Care, New Milestones Foundation, the Substance Abuse and Mental Health Services Administration, the Office for the Elimination of Health Disparities and other community organizations sponsoring this conference are commended for working to reduce the stigma associated with mental illness and eliminate health disparities through educational opportunities and awareness efforts.

NOW, THEREFORE, BE IT RESOLVED THAT THE TRAVIS COUNTY COMMISSIONERS COURT PROCLAIMS FEBRUARY 11 AND 12, 2010 AS THE OFFICIAL DAYS FOR THE 10TH CENTRAL TEXAS AFRICAN-AMERICAN FAMILY SUPPORT CONFERENCE IN AUSTIN AND ENCOURAGES ALL RESIDENTS OF TRAVIS COUNTY TO EMBRACE THE MISSION AND PURPOSE OF THIS IMPORTANT EVENT.

SIGNED AND ENTERED THIS \_\_\_\_\_ DAY OF JANUARY, 2010.

\_\_\_\_\_  
SAMUEL T. BISCOE  
Travis County Judge

\_\_\_\_\_  
RON DAVIS  
Commissioner, Pct. 1

\_\_\_\_\_  
SARAH ECKHARDT  
Commissioner, Pct. 2

\_\_\_\_\_  
KAREN L. HUBER  
Commissioner, Pct. 3

\_\_\_\_\_  
MARGARET J. GÓMEZ  
Commissioner, Pct. 4

C4

## Travis County Commissioners Court Agenda Request

Voting Session Tuesday, January 26, 2010  
(Date)

Work Session \_\_\_\_\_  
(Date)

I. A. Request made by: Gillian Porter Phone: 854-4722  
Commissioners Court Specialist  
Commissioners Court Minutes/County Clerk's Office

B. Requested Text: **Approve the Commissioners Court Minutes for the  
Voting Session of January 5, 2010**

C. Approved By:

  
Dana DeBeauvoir, Travis County Clerk

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

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

III. Is back-up material attached? YES

**AGENDA REQUEST DEADLINE:** This Agenda Request, complete with backup memorandum  
and exhibits, should be submitted to the County Judge's Office no later than 12:00 PM on  
Tuesday for the following week's meeting. Late or incomplete requests may be deferred to the  
next meeting.

## **MINUTES OF MEETING JANUARY 5, 2010**

### **TRAVIS COUNTY COMMISSIONERS' COURT**

On Tuesday, the 2<sup>nd</sup> day of January 2010, the Commissioners' Court convened the Voting Session at 9:15 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Ned Granger Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Commissioners Court retired to Executive Session at 10:57 AM.

The Commissioners Court reconvened the Voting Session at 12:19 PM.

The Commissioners Court adjourned the Voting Session at 12:23 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle), convened at 12:23 PM and adjourned at 12:24 PM.

The Commissioners Court, meeting as the Travis County Bee Cave Road District #1 (Galleria), convened at 12:24 PM and adjourned at 12:25 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 12:25 PM and adjourned at 12:17 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation; the Capital Industrial Development Corporation; the Capital Health Facilities Development Corporation; the Travis County Development Authority; and the Travis County Cultural Education Facilities Finance Corporation, convened at 12:27 PM and adjourned at 12:28 PM.

### **CITIZENS COMMUNICATION**

**Members of the Court heard from:** Maurice Priest, Travis County Resident.  
(9:15 AM)

## ADMINISTRATIVE OPERATIONS ITEMS

3. 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 \$829,110.94 FOR THE PERIOD OF DECEMBER 18 TO 24, 2009. (9:19 AM)

**Clerk's Note:** Item 3 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

4. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:19 AM)

**Clerk's Note:** Item 4 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

## JUSTICE AND PUBLIC SAFETY ITEMS

5. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AN ORDER OF THE TRAVIS COUNTY COMMISSIONERS COURT AMENDING THE TRAVIS COUNTY CODE, CHAPTER 71 FIRE CODE. (9:21 AM)

**Members of the Court heard from:** Danny Hobby, Executive Manager, Travis County Emergency Services; Hershel Lee, Fire Marshal; and Mary Etta Gerhardt, Assistant County Attorney.

Discussion only. No formal action taken.

Item 5 to be reposted January 19, 2010.

**Clerk's Note:** The Court noted that the proposed amendments to Chapter 71 will be posted on the Fire Marshal's website for the next two weeks for the public to review and provide comments at the January 19, 2010 voting session.

## PURCHASING OFFICE ITEMS

6. APPROVE MODIFICATION NO. 15 TO CONTRACT NO. 07T000040J, WASTE MANAGEMENT OF TEXAS, FOR REFUSE COLLECTION. (9:15 AM)

Item 6 postponed.

## TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

7. CONSIDER AND TAKE APPROPRIATE ACTION ON DEMANDS FOR INSTALLATION OF WOOD PRIVACY FENCING BETWEEN RESIDENTIAL SINGLE-FAMILY LOTS AND THE ANDERSON MILL ROAD RIGHT OF WAY FROM THE FOLLOWING LANDOWNERS: (9:50 AM) (10:57 AM) (12:19 PM)
  - A. MICHAEL LAVERY;
  - B. JAMES WENZLAFF; AND
  - C. PATRICIA PORTER. (COMMISSIONER HUBER)  
(THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T. CODE ANN. 551.071, CONSULTATION WITH ATTORNEY)

**Clerk's Note:** Items 7.A-C are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Steve Manilla, Director, Public Works, Transportation and Natural Resources (TNR); Greg Chico, Right-of-Way Manager, TNR; James Wenzlaff, claimant; Michael Lavery, claimant; and John Hille, Assistant County Attorney.

**ITEM 7 CONTINUED**

**Motion by Judge Biscoe and seconded by Commissioner Huber** that we act on the following in an effort to resolve and settle demands for County installation of wood privacy fencing along Anderson Mill Road between residential lots owned by Michael Lavery, James Wenzlaff, and Patricia Porter, and the public right-of-way (ROW), Travis County extends a settlement offer to each, to include survey and staking of the ROW line, the following sums of money:

- Michael Lavery           \$1,430.00
- James Wenzlaff         \$3,600.00
- Patricia Porter         \$2,470.00

In addition, the Commissioners Court authorizes County Staff and the County Attorney to negotiate and have the County Judge execute settlement agreements reached with these parties, if any. These amounts are supposed to represent 50% of the claims, and we do this in light of the appraisals that we did, their responses, and our ultimately settling the three cases for significant amounts over and above the County's appraisals.

**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

8.     **CONSIDER AND TAKE APPROPRIATE ACTION ON A PRELIMINARY PLAN IN PRECINCT THREE: AMMARON HILLS SUBDIVISION (15 TOTAL LOTS). (COMMISSIONER HUBER) (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T. CODE ANN. 551.071, CONSULTATION WITH ATTORNEY) (9:19 AM)**

Item 8 postponed.

9. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: PALOMINO RANCH SUBDIVISION (9 TOTAL LOTS). (COMMISSIONER HUBER) (10:28 AM)

**Clerk's Note:** The Court discussed adding the following note to the plat: "The water source for this property, as stipulated in its platting, is well water. Well water in this area has demonstrated, historically, that it may or may not be readily available at all times."

**Members of the Court heard from:** Anna Bowlin, Division Director, Engineering Services, TNR; Greg Maphet, applicant; and Loy Wright, applicant

**Motion by Commissioner Huber and seconded by Commissioner Gómez to approve Item 9, with the added plat note.**

**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 ON REQUEST FOR TRAVIS COUNTY TO TAKE A POSITION BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) REGARDING GROUNDWATER CONSERVATION DISTRICTS AUTHORIZED BY CHAPTERS 35 AND 36 OF THE TEXAS WATER CODE. (JUDGE BISCOE) (10:51 AM)

**Members of the Court heard from:** Tom Weber, Environmental Quality Program Manager, TNR.

**Motion by Commissioner Huber and seconded by Judge Biscoe to approve Item 10.**

**Motion carried:**

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



<b>Motion carried:</b>	County Judge Samuel T. Biscoe	absent
	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

## EXECUTIVE SESSION ITEMS

Note 1 Gov't Code Ann 551.071, Consultation with Attorney

Note 2 Gov't Code Ann 551.072, Real Property

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.

13. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION ON REVISION OF POLICY RELATED TO FAMILY AND MEDICAL LEAVE BASED ON FINAL REGULATION PROMULGATED BY DEPARTMENT OF LABOR AND RECENT REVISIONS TO LAW. <sup>1</sup> (10:57 AM) (12:21 PM)

**Clerk's Note:** Judge Biscoe announced that Item 13 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 13 was not discussed.

Item 13 to be reposted January 12, 2010.

14. CONSIDER AND TAKE APPROPRIATE ACTION ON THE POSSIBLE DISPOSITION OF A .0031 ACRE (135 SQUARE FEET) TRIANGULAR TRACT OF UNUSED, EXCESS RIGHT OF WAY ADJACENT TO LOT 113 ON LAKEPLACE LANE, AND APPOINT A COMMISSIONER OF SALE. (COMMISSIONER HUBER) <sup>1 AND 2</sup> (10:57 AM) (12:21 PM)

**Clerk's Note:** Judge Biscoe announced that Item 14 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 Gómez** that we authorize the sale of this property, and that we appoint Commissioner Huber as the Commissioner of sale to get this done.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

15. CONSIDER AND TAKE APPROPRIATE ACTION ON A PROPOSED FOURTH AMENDMENT TO THE EXISTING PURCHASE CONTRACT FOR THE SALE OF COUNTY-OWNED PROPERTY LOCATED ON JOHNNY MORRIS ROAD TO BALCONES RESOURCES, INC. (COMMISSIONER DAVIS) <sup>1 AND 2</sup>  
(10:57 AM) (12:22 PM)

**Clerk's Note:** Judge Biscoe announced that Item 15 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

**Motion by Judge Biscoe and seconded by Commissioner Davis** that we extend the contract outstanding to July 30, 2010, and that the County Judge be authorized to sign the amendment to extend this 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

16. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING CONTRACTS BETWEEN TRAVIS COUNTY AND THE STAR OF TEXAS RODEO. <sup>1 AND 2</sup>  
(10:57 AM) (12:23 PM)

**Clerk's Note:** Judge Biscoe announced that Item 16 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 16 was not discussed.

Item 16 to be reposted January 12, 2010.

17. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL PURCHASE OF REAL ESTATE IN THE CENTRAL AUSTIN AREA. <sup>1</sup> (10:57 AM) (12:23 PM)

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

Discussion only. No formal action taken.

Item 17 to be reposted January 12, 2010.



C4

## Travis County Commissioners Court Agenda Request

Voting Session Tuesday, February 2, 2010  
(Date)

Work Session \_\_\_\_\_  
(Date)

I. A. Request made by: Gillian Porter Phone: 854-4722  
Commissioners Court Specialist  
Commissioners Court Minutes/County Clerk's Office

B. Requested Text: **Approve the Commissioners Court Minutes for the  
Voting Session of January 12, 2010**

C. Approved By:   
Dana DeBeauvoir, Travis County Clerk

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

**AGENDA REQUEST DEADLINE:** This Agenda Request, complete with backup memorandum and exhibits, should be submitted to the County Judge's Office no later than 12:00 PM on Tuesday for the following week's meeting. Late or incomplete requests may be deferred to the next meeting.

## MINUTES OF MEETING JANUARY 12, 2010

### TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 12<sup>th</sup> day of January 2010, the Commissioners' Court convened the Voting Session at 9:14 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Ned Granger Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Commissioners Court recessed the Voting Session at 12:08 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle), convened at 1:18 PM and adjourned at 1:19 PM.

The Commissioners Court, meeting as the Travis County Bee Cave Road District #1 (Galleria), convened at 1:19 PM and adjourned at 1:19 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 1:19 PM and adjourned at 1:20 PM.

The Commissioners Court reconvened the Voting Session at 1:20 PM.

The Commissioners Court retired to Executive Session at 1:20 PM.

The Commissioners Court reconvened the Voting Session at 2:08 PM.

The Commissioners Court retired to Executive Session at 3:51 PM.

The Commissioners Court reconvened the Voting Session at 5:12 PM.

The Commissioners Court adjourned the Voting Session at 5:19 PM.

## PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING PROPOSED REVISIONS TO TRAVIS COUNTY CODE CHAPTERS 64 AND 82 RELATING TO STORM WATER MANAGEMENT REQUIREMENTS IN THE LAKE TRAVIS WATERSHED AND OTHER UNINCORPORATED AREAS OF TRAVIS COUNTY.  
(ACTION ITEM #15) (9:15 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 15 for a summary of the action item.

**Motion by** Commissioner Davis **and seconded by** Commissioner Huber 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:** Tom Weber, Environmental Quality Program Manager, Transportation and Natural Resources (TNR); Jon White, Natural Resources Program Manager, TNR; Hank Smith, President-Elect, Home Builders Association of Greater Austin, (HBA); Diane Crumley-Dee, Travis County Resident; Susan Brown, Travis County Resident; and Stacey Scheffel, Flood Plain Manager, TNR.

**Motion by** Commissioner Davis **and seconded by** Commissioner Huber 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

2. RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE THE 10 FOOT PUBLIC UTILITY EASEMENT LOCATED ALONG THE REAR LOT LINES OF LOTS 37, 38, 42, 52, 53, 55-65, 67, 68, 71, 73-77, 108, 121, 124 AND 125 OF CARDINAL HILLS, UNIT THREE SUBDIVISION. (COMMISSIONER HUBER) (ACTION ITEM #16) (9:54 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 16 for a summary of the action item.

**Motion by Judge Biscoe and seconded by Commissioner Huber** to open the public hearing.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

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

**Motion by Commissioner Huber and seconded by Commissioner Gómez** to close the public hearing.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	yes



3. RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO FIVE-FOOT WIDE PUBLIC UTILITY EASEMENTS ON EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOTS 3 AND 4, BLOCK 3, AUSTIN LAKE ESTATES, SECTION ONE SUBDIVISION; AND A DRAINAGE EASEMENT OF UNDEFINED WIDTH, WHICH TRAVERSES LOTS 3 AND 4, BLOCK 3, AUSTIN LAKE ESTATES, SECTION ONE SUBDIVISION. (COMMISSIONER HUBER)  
(ACTION ITEM #17) (9:56 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 17 for a summary of the action item.

**Motion by** Commissioner Huber **and seconded by** Commissioner Davis 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	yes

**Members of the Court heard from:** Anna Bowlin, Division Director, Engineering Services, TNR; and Malcolm Nettles, Applicant.

**Motion by** Commissioner Huber **and seconded by** Commissioner Davis 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:** Marcelo Tafoya, representing South-West Travis County Voter Registration; Gavino Fernandez, Deputy Director, District 12, League of United Latin American Citizens (LULAC); and Paul Aviña, Travis County Resident. (9:58 AM)

## CONSENT ITEMS

**Motion by Commissioner Gómez and seconded by Commissioner Davis to approve the following Consent Items: C1-C7 and Items 5, 6, 8, 9, 10, 12.A&B, 16, and 17. (10:07 AM)**

**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

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS.
- C3. APPROVE MINUTES FOR VOTING SESSION OF DECEMBER 29, 2009.
- C4. APPROVE SETTING A PUBLIC HEARING ON JANUARY 26, 2010 TO RECEIVE COMMENTS REGARDING A REQUEST FOR PROPOSED STREET NAME CHANGE FOR AN OLD SEGMENT OF GATTIS SCHOOL ROAD TO "HUNTINGTON COURT." (COMMISSIONER ECKHARDT)
- C5. APPROVE REAPPOINTMENT OF BOB REMLINGER TO THE EMERGENCY SERVICES DISTRICT NO. 5 BOARD OF COMMISSIONERS EFFECTIVE IMMEDIATELY TO DECEMBER 31, 2011. (COMMISSIONER HUBER)
- C6. APPROVE SETTING A PUBLIC HEARING ON FEBRUARY 2, 2010 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO FIVE FOOT PUBLIC UTILITY EASEMENTS LOCATED ALONG THE COMMON LOT LINE OF LOTS 28 AND 29, BLOCK L, APACHE SHORES, SECTION FIVE SUBDIVISION. (COMMISSIONER HUBER)
- C7. APPROVE SETTING A PUBLIC HEARING ON FEBRUARY 2, 2010 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 147 SQUARE FOOT PORTION OF TWO FIVE FOOT PUBLIC UTILITY EASEMENTS LOCATED ALONG THE COMMON LOT LINE OF LOTS 4 AND 5, BLOCK A, RIVER RIDGE SUBDIVISION. (COMMISSIONER HUBER)

## PLANNING AND BUDGET DEPT. ITEMS

4. RECEIVE UPDATE FROM BROADDUS AND ASSOCIATES CONCERNING THE CENTRAL CAMPUS NEEDS ASSESSMENT AND MASTER PLAN STUDY, INCLUDING REVIEW OF SPACE STANDARDS, STAFFING PROJECTIONS AND SUMMARY SPACE PROGRAMMING FORMATION FOR ALL COUNTY OFFICES AND DEPARTMENTS. (10:08 AM)

**Members of the Court heard from:** Rodney Rhoades, Executive Manager, Planning and Budget Office (PBO); Steven Coulston, Vice President, Planning, Broaddus and Associates; Robert Fisch, Principal Court Planner, Ricci Greene Associates; and Laurie Greer, Architect, Wiginton Hooker Jeffry Architects.

Discussion only. No formal action taken.

Item 4 to be reposted on January 26, 2010.

## ADMINISTRATIVE OPERATIONS ITEMS

5. 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 \$570,023.00 FOR THE PERIOD OF DECEMBER 25 TO 31, 2009. (10:07 AM)

**Clerk's Note:** Item 5 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

6. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (10:07 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.

## PURCHASING OFFICE ITEMS

7. APPROVE MODIFICATION NO. 15 TO CONTRACT NO. 07T000040J, WASTE MANAGEMENT OF TEXAS, FOR REFUSE COLLECTION. (9:15 AM)

Item 7 postponed until January 19, 2010.

8. APPROVE INTERLOCAL PURCHASING AGREEMENT BETWEEN TRAVIS COUNTY AND BASTROP COUNTY FOR BASTROP COUNTY'S USE OF TRAVIS COUNTY PURCHASING CONTRACTS. (10:07 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. APPROVE CONTRACT NO. PS100067DW, DAVID D. LANDERS, PHD., FOR PSYCHOLOGICAL AND PSYCHIATRIC SERVICES. (10:07 AM)

**Clerk's Note:** Item 9 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

10. APPROVE CONTRACT NO. PS100089DW, TEXAS SAN MARCOS TREATMENT CENTER, LP., TO PROVIDE PROFESSIONAL RESIDENTIAL TREATMENT SERVICES TO JUVENILE OFFENDERS. (10:07 AM)

**Clerk's Note:** Item 10 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

11. APPROVE CONTRACT AWARD FOR IFB NO. B100047-DR, RESIDENTIAL ROOF REPAIR/REPLACEMENT SERVICES, TO THE FOLLOWING BIDDERS: (3:24 PM)
- A. PRIMARY: CGS CONSTRUCTION;
  - B. SECONDARY: SOUTHWEST KEY MAINTENANCE LLC; AND
  - C. TERTIARY: VALDEZ REMODELING AND WEATHERIZATION INC.

**Clerk's Note:** Items 11.A-C are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; and Ms. Valdez, Valdez Remodeling and Weatherization, Inc.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Huber to approve Items 11.A-C.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

12. APPROVE TWELVE-MONTH EXTENSIONS (MODIFICATION NO. 2) TO THE FOLLOWING CONTRACTS FOR WATER DAMAGE REMEDIATION, MOLD DAMAGE REMEDIATION AND DECONTAMINATION SERVICES: (10:07 AM)
- A. CONTRACT NO. 08K00072RV, BLACKMON MOORING OF TEXAS, INC.; AND
  - B. CONTRACT NO. 08K00127RV, SOUTHPRO RESTORATION SERVICES.

**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.

## TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

### ITEMS 13 AND 14 WILL BE CALLED UP AT 11:00 A.M.

13. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:

(11:59 AM) (1:20 PM) (2:08 PM)

A. APPLICATIONS FOR SITE DEVELOPMENT PERMITS FOR TXI HORNSBY BEND EAST AND TXI HORNSBY BEND WEST MINING SITES (PERMIT APPLICATION NOS. 08-2430 AND 08-2431, RESPECTIVELY); AND

B. ROADWAY IMPROVEMENT AGREEMENT WITH TXI OPERATIONS, L.P.

**Clerk's Note:** Items 13.A&B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Anna Bowlin, Division Director, Engineering Services, TNR; Teresa Calkins, Engineer, TNR; Henry Gilmore, Partner, DuBois, Bryant, and Campbell, LLP, Representing TXI Operations, LP; David Perkins, Director, Communications and Government Affairs, TXI Operations, LP; and Ryan Metz, Travis County Resident.

**Clerk's Note:** Judge Biscoe announced that Items 13.A&B would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Members of the Court heard from:** Maurice Priest, Travis County Resident; Judith Holden, Travis County Resident; Kenneth Koym, Imperial Valley Homeowners Association; Cristelia Nava, Travis County Resident; Lorena Cruz, representing Santa Barbara Church (speaking through an interpreter); Ryan Metz, Travis County Resident; Jeanette Kincaid, Travis County Resident; Vera Mesaro, Qualico AC, LP; Richard McDonald, Travis County Resident; Anna Bowlin, Division Director, Engineering Services, TNR; Jon White, Natural Resources Program Manager, TNR; Henry Gilmore, Partner, DuBois, Bryant, and Campbell, LLP, Representing TXI Operations, LP; David Perkins, Director, Communications and Government Affairs, TXI Operations, LP; Stephen England, TXI Operations, LP; and James W. Collins, Executive Assistant, Travis County Attorney's Office.

**ITEM 13 CONTINUED**

**Motion by Commissioner Davis and seconded by Judge Biscoe** that TXI Operations LP (TXI) go forward and meet with Jennifer Walker, Chief, Permit Section, US Army Corps of Engineers (USACE) for full review; and Travis County await that outcome of that review before anything takes place here, as far as the Court is concerned.

**A Restatement of the Previous Motion was made by Judge Biscoe** that the Court delay action until TXI has had an opportunity to meet with the USACE; then we would communicate with TXI as well as USACE representative Jennifer Walker after that meeting, and see what the outcome is.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Item 13.B Discussion only. No formal action taken.

14. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE DESIGN AND IMPLEMENTATION OF MONITORING PROTOCOLS FOR THE PROPOSED TXI MINING OPERATION IN EASTERN TRAVIS COUNTY.  
(COMMISSIONER ECKHARDT) (3:51 PM) (5:12 PM)

**Clerk's Note:** Judge Biscoe announced that Item 14 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Motion by Commissioner Eckhardt and seconded by Commissioner Huber** to direct TNR, the County Attorney, and the Purchasing Department to develop a request for professional services and an estimate of costs to assist Travis County in identifying experts for the development of monitoring protocols for the proposed TXI mining site in eastern Travis County and for development of standards for buffers between industries and receptors; and further, to direct PBO to identify potential sources of funds for contracts pursuant to this effort.

**Withdrawal of the Previous Motion and second was made by Commissioner Eckhardt and Commissioner Huber.**

Item 14 to be reposted January 19, 2010.

15. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING PROPOSED REVISIONS TO TRAVIS COUNTY CODE CHAPTERS 64 AND 82 RELATING TO STORM WATER MANAGEMENT REQUIREMENTS IN THE LAKE TRAVIS WATERSHED AND OTHER UNINCORPORATED AREAS OF TRAVIS COUNTY. (5:18 PM)

**Clerk's Note:** Item 15 is the action item for the public hearing on Agenda Item 1.

**Motion by Judge Biscoe and seconded by Commissioner Huber** that we extend the comment period 30 days to Thursday, February 11, 2010.

**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

16. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE THE 10 FOOT PUBLIC UTILITY EASEMENT LOCATED ALONG THE REAR LOT LINES OF LOTS 37, 38, 42, 52, 53, 55-65, 67, 68, 71, 73-77, 108, 121, 124 AND 125 OF CARDINAL HILLS, UNIT THREE SUBDIVISION. (COMMISSIONER HUBER) (10:07 AM)

**Clerk's Note:** Item 16 is the action item for the public hearing on Agenda Item 2.

**Clerk's Note:** Item 16 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.



17. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO FIVE-FOOT WIDE PUBLIC UTILITY EASEMENTS ON EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOTS 3 AND 4, BLOCK 3, AUSTIN LAKE ESTATES, SECTION ONE SUBDIVISION; AND A DRAINAGE EASEMENT OF UNDEFINED WIDTH, WHICH TRAVERSES LOTS 3 AND 4, BLOCK 3, AUSTIN LAKE ESTATES, SECTION ONE SUBDIVISION. (COMMISSIONER HUBER) (10:07 AM)

**Clerk's Note:** Item 17 is the action item for the public hearing on Agenda Item 3.

**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.

18. CONSIDER AND TAKE APPROPRIATE ACTION ON A PRELIMINARY PLAN IN PRECINCT THREE: AMMARON HILLS SUBDIVISION (15 TOTAL LOTS). (COMMISSIONER HUBER) (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T. CODE ANN. 551.071, CONSULTATION WITH ATTORNEY) (9:15 AM)

Item 18 postponed until January 19, 2010.

## HEALTH AND HUMAN SERVICES DEPT. ITEMS

19. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RELATED TO RECOMMENDATIONS BY HEALTH AND HUMAN SERVICES AND VETERANS SERVICE TO IMPLEMENT A DISCOUNT PHARMACY CARD PROGRAM: (11:20 AM)
- A. AUTHORIZE A PHARMACY PRESCRIPTION DRUG DISCOUNT CARD PROGRAM FOR COUNTY RESIDENTS;
  - B. APPROVE STAFF RECOMMENDATION TO CONTRACT WITH FINANCIAL MARKETING CONCEPTS, INC. FOR THE PROVISION OF THE COAST2COAST RX CARD—A PHARMACY PRESCRIPTION DRUG DISCOUNT PROGRAM;
  - C. AUTHORIZE THE USE OF THE TRAVIS COUNTY SEAL ON THE COAST2COAST RX CARD AND OTHER APPROPRIATE MATERIALS PROMOTING THE PROGRAM; AND
  - D. OTHER RELATED ITEMS.

**Clerk's Note:** Items 19.A-D 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); Ed Rhan, President, Financial Marketing Concepts (FMC); Ana Almaguel, Planner, TCHHS&VS; and Richard Beck, Executive Director, Texas Pharmacy Business Council.

**Motion by Commissioner Huber and seconded by Commissioner Eckhardt** that we do not further pursue the pharmacy discount card; that we make available through our appropriate channels information on where all the variety of pharmacy discount cards can be accessed in the community.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	abstain
Precinct 1, Commissioner Ron Davis	abstain
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	abstain

**OTHER ITEMS**

20. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS:  
(10:42 AM)
- A. AUTHORIZE IMPLEMENTATION OF QUALIFIED TRANSPORTATION BENEFIT PLAN (QTB);
  - B. APPROVE JUNE 1, 2010 AS THE EFFECTIVE DATE OF THE QTB;
  - C. PROVIDE DIRECTION WHETHER TO PARTICIPATE IN THE EXPRESS SHUTTLE-PILOT PROGRAM; AND
  - D. APPROVE EMPLOYEE COMMUTER SURVEY TO BE FUNDED BY THE COUNTY. (COMMISSIONER ECKHARDT)

**Clerk's Note:** Items 20.A-D are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Cindy Purinton, Benefit Administrator, Human Resources Management Department (HRMD); Jon White, Natural Resources Program Manager, TNR; Diana Warner, First Assistant County Auditor; Charles Vaughan, Chief Assistant County Auditor, Travis County Auditor's Office; Barbara Wilson, Assistant County Attorney; Robin Rather, Collective Strength; Adele Noel, Air Quality Project Manager, TNR; and Maurice Priest, Travis County Resident.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve Items 20.A&B.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Items 20.C&D discussion only. No formal action taken.

Items 20.C&D to be reposted January 19, 2010.

21. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUESTS FROM THE AUSTIN HERITAGE COUNCIL FOR IN-KIND SERVICES FOR THE 2010 MARTIN LUTHER KING JR. CELEBRATION AS FOLLOWS: (3:27 PM)

A. PRINT 1500 COPIES OF THE 2010 BROCHURE; AND

B. AUTHORIZE CONSTABLES TO ASSIST WITH SECURITY.

**Clerk's Note:** Items 21.A&B are associated with one another and were called for concurrent discussion.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve Items 21.A&B.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

22. CONSIDER AND TAKE APPROPRIATE ACTION ON LETTER REQUESTING THAT TRAVIS COUNTY BE INCLUDED WITHIN THE SERVICE AREA OF FOREIGN TRADE ZONE NUMBER 183, SPONSORED BY THE FOREIGN TRADE ZONE OF CENTRAL TEXAS, INC. (3:28 PM)

**Members of the Court heard from:** Joe Vining, Chairman, Foreign Trade Zone for Central Texas Board and Senior Vice-President, Economic Development, Round Rock Chamber of Commerce; and Rodney Rhoades, Executive Manager, PBO.

Discussion only. No formal action taken.

Item 22 to be reposted January 19, 2010.

23. CONSIDER AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY ACTIVITIES SURROUNDING THE 2010 CENSUS, INCLUDING: (3:40 PM)
- A. EXPLANATION OF THE IMPORTANCE OF THE CENSUS TO TRAVIS COUNTY;
  - B. OVERVIEW OF AUSTIN-TRAVIS COUNTY COMPLETE COUNT COMMITTEE ACTIVITIES; AND
  - C. SUMMARY OF ACTIVITIES PLANNED BY TRAVIS COUNTY DEPARTMENTS AND INDEPENDENT ELECTED OFFICIALS.

**Clerk's Note:** Items 23.A-C are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Deece Eckstein, Intergovernmental Relations Officer.

Discussion only. No formal action taken.

24. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING SETTLEMENT AGREEMENT WITH TECOLOTE FARMS, INC. (9:15 AM)

Item 24 postponed until February 10, 2010 or later.

## EXECUTIVE SESSION ITEMS

Note 1 Gov't Code Ann 551.071, Consultation with Attorney

Note 2 Gov't Code Ann 551.072, Real Property

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.

25. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION ON REVISION OF POLICY RELATED TO FAMILY AND MEDICAL LEAVE BASED ON FINAL REGULATION PROMULGATED BY DEPARTMENT OF LABOR AND RECENT REVISIONS TO LAW. <sup>1</sup> (3:51 PM) (5:14 PM)

**Clerk's Note:** Judge Biscoe announced that Item 25 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

No action required on Item 25.

Item 25 to be reposted January 26, 2010.

26. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING CONTRACTS BETWEEN TRAVIS COUNTY AND THE STAR OF TEXAS RODEO. <sup>1 AND 2</sup> (3:51 PM) (5:15 PM)

**Clerk's Note:** Judge Biscoe announced that Item 26 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

**Motion by** Commissioner Huber **and seconded by** Commissioner Davis to approve the contract subject to the Star of Texas Rodeo's approval of the last recommended change, and authorize the County Judge to sign.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

27. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL PURCHASE OF REAL ESTATE IN THE CENTRAL AUSTIN AREA. <sup>1</sup> (3:51 PM) (5:16 PM)

**Clerk's Note:** Judge Biscoe announced that Item 27 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

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

Discussion only. No formal action taken.

Item 27 to be reposted January 19, 2010.

28. RECEIVE LEGAL BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN THE MATTER OF TRAVIS COUNTY V. FLINT HILLS RESOURCES, L.P. AND KOCH PIPELINE CO., L.P. <sup>1</sup> (3:51 PM) (5:17 PM)

**Clerk's Note:** Judge Biscoe announced that Item 28 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

Item 28 to be reposted when ready.

### **ADDED ITEM**

- A1. CONSIDER AND TAKE APPROPRIATE ACTION ON BROKERAGE SERVICES AGREEMENT WITH UGL EQUIS CORPORATION. (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T. CODE ANN. 551.071, CONSULTATION WITH ATTORNEY) (3:51 PM) (5:17 PM)

Discussion only. No formal action taken.

Item A1 to be reposted January 26, 2010.

**ADJOURNMENT**

**Motion by Commissioner Davis and seconded by Commissioner Huber to adjourn the Voting Session. (5:19 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                      absent

**MINUTES APPROVED BY THE COMMISSIONERS' COURT**

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**Date of Approval**

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**Samuel T. Biscoe, Travis County Judge**




2

**BOARD OF DIRECTORS**  
**NORTHWEST TRAVIS COUNTY ROAD DISTRICT NO. 3**

Voting Session Tuesday, February 2, 2010  
(Date)

I. A. Request made by: Gillian Porter Phone: 854-4722  
Commissioners Court Specialist  
Commissioners Court Minutes/County Clerk's Office

B. Requested Text: **Approve the Northwest Travis County  
Road District No. 3 Minutes for the:**  
**Voting Session of January 12, 2010**

C. Approved By:   
Dana DeBeauvoir, Travis County Clerk

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

**AGENDA REQUEST DEADLINE:** This Agenda Request, complete with backup memorandum and exhibits, should be submitted to the County Judge's Office no later than 12:00 PM on Tuesday for the following week's meeting. Late or incomplete requests may be deferred to the next subsequent meeting.

## MINUTES OF MEETING – JANUARY 12, 2010

### NORTHWEST TRAVIS COUNTY ROAD DISTRICT NO. 3

On Tuesday, the 12<sup>th</sup> day of January 2010, the Commissioners' Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, convened the Voting Session at 1:18 PM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Ned Granger Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Road District Board of Directors adjourned the Voting Session of the Northwest Travis County Road District No. 3 (Golden Triangle) at 1:19 PM.

1. AUTHORIZE COUNTY TREASURER TO INVEST ROAD DISTRICT FUNDS.  
(1:18 PM)

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve the investments in Item 1.


<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**Samuel T. Biscoe, Travis County Judge**

**Board of Directors**  
**Travis County Bee Cave Road District No. 1 Agenda Request**

Voting Session Tuesday, February 2, 2010  
(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  
January 12, 2010.**
- C. Approved By:   
Dana DeBeauvoir, Travis County Clerk
- II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request (Original and eight copies)
- B. Please list all of the agencies or officials' names and telephone numbers that might be affected or be involved with the request. Send a copy of this Agenda Request and backup to them.
- III. Is back-up material attached? YES

**AGENDA REQUEST DEADLINE:** This Agenda Request, complete with backup memorandum and exhibits, should be submitted to the County Judge's Office no later than 12:00 PM on Tuesday for the following week's meeting. Late or incomplete requests may be deferred to the next subsequent meeting.

## MINUTES OF MEETING – JANUARY 12, 2010

### TRAVIS COUNTY BEE CAVE ROAD DISTRICT NO. 1

On Tuesday, the 12<sup>th</sup> day of January, 2010, the Commissioners' Court, meeting as the Travis County Bee Cave Road District No. 1 (Galleria) Board of Directors, convened the Voting Session at 1:19 PM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Ned Granger Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Road District Board of Directors adjourned the Voting Session of the Travis County Bee Cave Road District No. 1 (Galleria) at 1:19 PM.

1. AUTHORIZE COUNTY TREASURER TO INVEST ROAD DISTRICT FUNDS.  
(1:19 PM)

**Motion by** Commissioner Gómez **and seconded by** Commissioner Huber to approve the investments in Item 1.

<b>Motion carried:</b> 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

## **ADJOURNMENT**

**Motion by** Commissioner Gómez **and seconded by** Commissioner Eckhardt to adjourn the Voting Session of the Travis County Bee Cave Road District No. 1 (Galleria) (1:19 PM)

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

## **MINUTES APPROVED BY THE ROAD DISTRICT BOARD**

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**Date of Approval**

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**Samuel T. Biscoe, Travis County Judge**