

# \_\_\_\_\_

Travis County Commissioners Court Agenda RequestVoting Session 3/08/11  
(Date)Work Session \_\_\_\_\_  
(Date)

I. A. Request made by: Steven M. Manilla, P.E. Phone # 854-9383  
 Signature of Executive Manager

B. Requested Text:

**Receive comments on a request to authorize the filing of an instrument to vacate a portion of a drainage easement which traverses Lot 18, Block A of Granada Oaks – a subdivision in Travis County, Precinct Three.**

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

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

John Hille:	854-9415	Joe Arriaga:	854-9383
Anna Bowlin:	854-9383	John Ellis:	854-9383
Stacey Scheffel:	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 & Procedure

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

# \_\_\_\_\_

Travis County Commissioners Court Agenda RequestVoting Session 3/08/11  
(Date)Work Session \_\_\_\_\_  
(Date)

I. A. Request made by: Steven M. Manilla, P.E. Phone # 854-9383  
*Carol B. Joffe*  
 Signature of Executive Manager

B. Requested Text:

**Consider and take appropriate action regarding a request to authorize the filing of an instrument to vacate a portion of a drainage easement which traverses Lot 18, Block A of Granada Oaks – a subdivision in Travis County, Precinct Three.**

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

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

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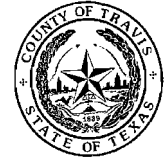
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## TRANSPORTATION AND NATURAL RESOURCES

STEVEN M. MANILLA, P.E., EXECUTIVE MANAGER

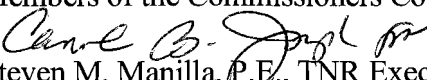
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411 West 13th Street  
Executive Office Building  
PO Box 1748  
Austin, Texas 78767  
(512) 854-9383

### MEMORANDUM

DATE: February 23, 2011

TO: Members of the Commissioners Court

THROUGH:   
Steven M. Manilla, P.E., TNR Executive Manager

FROM: Anna Bowlin, Division Director of Development Services

SUBJECT: **Consider and take appropriate action regarding a request to authorize the filing of an instrument to vacate a portion of a drainage easement which traverses Lot 18, Block A of Granada Oaks – a subdivision in Travis County, Precinct Three.**

#### Summary and Staff Recommendation:

Staff has received a request from the property owner's agent requesting to vacate a portion of a drainage easement located along the back portion of the owner's lot, which is better described as Lot 18, Block A of Granada Oaks. The drainage easement in question is of various widths and basically encompasses the rear half of the lot. The purpose of this request is so that the lot would have a larger buildable area.

A drainage study was performed by Professional Engineer Robert C. Thompson. Mr. Thompson then submitted a drainage report summarizing his findings along with a Letter of Map Revision (LOMR) for this area. In the report Mr. Thompson states:

"The purpose of this study was to assess if some of the drainage easement on Lot 18 could be released. Based on this work, it is our opinion that most of the platted drainage easement at the south end and through the middle of Lot 18 can be released. However, the drainage easement on the north end is still required and is actually a little deficient. Therefore, with the request for release of a part of the drainage easement, we've also included the dedication of a bit more drainage easement to remedy the deficiency."

After review of the submitted drainage report and LOMR, Travis County Engineer John Ellis has stated he has no objections to this vacation. Staff recommends the vacation of the portion of the subject drainage easement as described in the attached Order of Vacation and as shown on the attached field notes and sketch.

Page 2

February 23, 2011

**Budgetary and Fiscal Impact:**

None.

**Issues and Opportunities:**

With this vacation the lot will have a more suitable building site for future construction. The lot owner has agreed to dedicate another portion of the lot as a drainage easement that was identified through the drainage study. It is staff's understanding that no permits have been applied for at this time, nor are there any proposed plans.

Staff has received one inquiry in regards to this request. Staff answered the inquirer's general questions and suggested that they do an open records request if they needed more in depth details.

**Required Authorizations:**

None.

**Exhibits:**

Order of Vacation

Field Notes and Sketch

Letter of Request

Engineer's letter

Additional easement

Affidavit & sign pictures

Location Maps

SM:AB:ps

1105 Granada Oaks, San Lucas Dr aka Sisquoc Dr



## ORDER OF VACATION

STATE OF TEXAS           §

COUNTY OF TRAVIS       §

WHEREAS, the property owner requests the vacation of a portion of a drainage easement which traverses the rear of Lot 18, Block A of Granada Oaks as recorded at Volume 85, Page 87A of the Real Property Records of Travis County, Texas so that future construction will not encroach on said portion of the subject drainage easement;

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

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

WHEREAS, the required public notice was posted and the Travis County Commissioners Court held a public hearing on March 8, 2011 to consider the proposed action; and

NOW, THEREFORE, the Commissioners Court of Travis County, Texas, orders that a portion of the drainage easement which traverses the rear of Lot 18, Block A of Granada Oaks, as shown on the attached sketch and described in the attached field notes, is, in accordance with State Law, hereby vacated.

ORDERED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2011.

\_\_\_\_\_  
SAMUEL T. BISCOE, COUNTY JUDGE

\_\_\_\_\_  
COMMISSIONER RON DAVIS  
PRECINCT ONE

\_\_\_\_\_  
COMMISSIONER SARAH ECKHARDT  
PRECINCT TWO

\_\_\_\_\_  
COMMISSIONER KAREN HUBER  
PRECINCT THREE

\_\_\_\_\_  
COMMISSIONER MARGARET GOMEZ  
PRECINCT FOUR

**HOLT CARSON, INC.**  
**PROFESSIONAL LAND SURVEYORS**  
**1904 FORTVIEW ROAD**  
**AUSTIN, TEXAS 78704**  
**TELEPHONE: (512) 442-0990**  
**FACSIMILE: (512) 442-1084**

**PARTIAL RELEASE OF DRAINAGE EASEMENT**

DESCRIPTION OF 0.299 ACRE OF LAND, BEING A PORTION OF A DRAINAGE EASEMENT, TO BE RELEASED, OVER AND ACROSS A PORTION OF LOT 18, BLOCK A, GRANADA OAKS, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 85 PAGE 87A OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING FOR REFERENCE at a point for the common corner of Lot 9, Lot 10, Lot 18, and Lot 19, Block A, Granada Oaks, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 85 Page 87A of the Plat Records of Travis County, Texas, and from which a point in the curving right-of-way line of San Lucas Drive for the West common corner of Lot 18 and Lot 19, Block A, of said Granada Oaks, bears N 35 deg. 03' 04" W 307.00 ft., and also from which the most Northerly corner of said Lot 18, Block A, Granada Oaks, bears N 09 deg. 04' 06" E 410.00 ft.;

THENCE with the common line of said Lot 18 and Lot 19, N 35 deg. 03' 04" W 80.00 ft. to a point for the southerly Southeast corner and **PLACE OF BEGINNING** of the herein described portion to be released;

THENCE continuing with the common line of said Lot 18 and Lot 19, N 35 deg. 03' 04" W 49.00 ft. to a point of intersection with the West line of an existing Drainage Easement as dedicated on the plat of Granada Oaks as recorded in Volume 85 Page 87A of the Plat Records of Travis County, Texas, and being the Southwest corner of this portion to be released;

THENCE entering the interior of said Lot 18 with the West line of said Drainage Easement, the following two (2) courses;

- 1) N 01 deg. 19' 45" W 144.89 ft.;
- 2) N 15 deg. 56' 36" E 42.82 ft. to a point for the Northwest corner of this portion to be released;

THENCE entering the interior of said Drainage Easement and continuing across the interior of said Lot 18 with the North line of this portion to be released, S 59 deg. 00' E 119.48 ft. to a point in the East line of said Lot 18 for the Northeast corner of this portion to be released;

THENCE with the East line of said Lot 18, S 09 deg. 04' 06" W 35.00 ft. to a point for the easterly Southeast corner of this portion to be released;

Page 2 of 2

Partial Release of Drainage Easement – 0.299 Acre

THENCE re-crossing the interior of said Drainage Easement and re-crossing the interior of said Lot 18, the following four (4) courses;

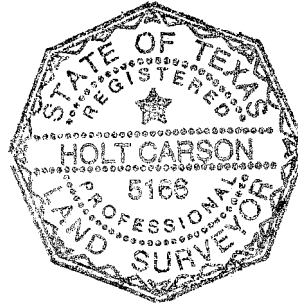
- 1) S 60 deg. 00' W 46.03 ft.;
- 2) S 43 deg. 00' W 34.83 ft.;
- 3) S 13 deg. 00' W 56.00 ft.;
- 4) S 02 deg. 00' W 27.00 ft. to the **PLACE OF BEGINNING**, containing 0.299 acre of land.

**PREPARED:** January 4, 2011

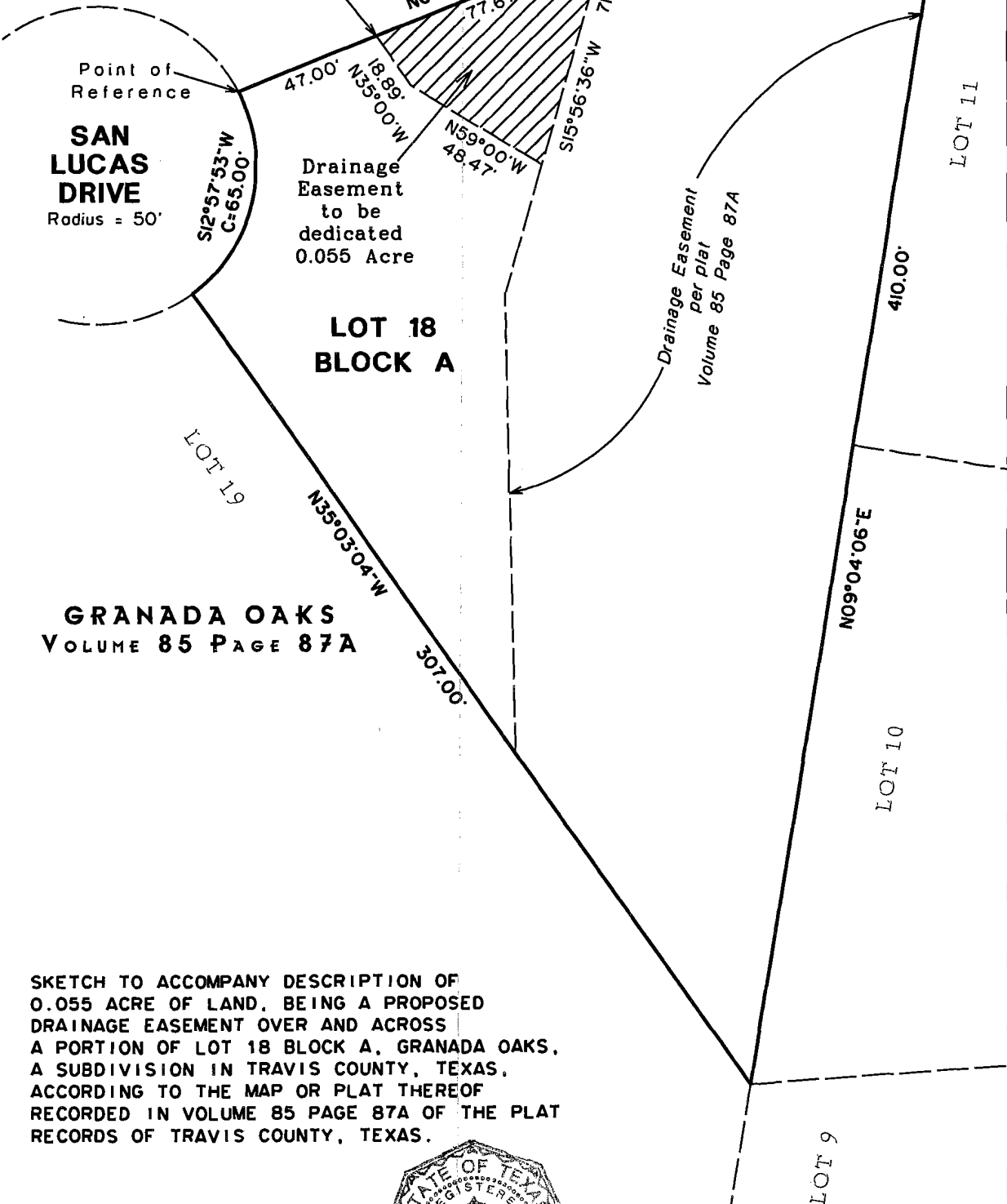
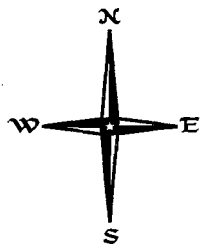


Holt Carson  
Registered Professional Land Surveyor No. 5166

see accompanying sketch



SCALE: 1" = 40'

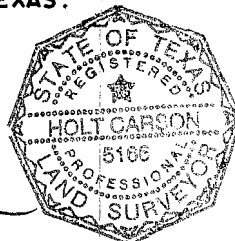


SKETCH TO ACCOMPANY DESCRIPTION OF  
0.055 ACRE OF LAND, BEING A PROPOSED  
DRAINAGE EASEMENT OVER AND ACROSS  
A PORTION OF LOT 18 BLOCK A, GRANADA OAKS,  
A SUBDIVISION IN TRAVIS COUNTY, TEXAS,  
ACCORDING TO THE MAP OR PLAT THEREOF  
RECORDED IN VOLUME 85 PAGE 87A OF THE PLAT  
RECORDS OF TRAVIS COUNTY, TEXAS.

PREPARED: January 4, 2011

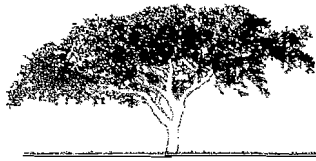
BY:

Holt Carson



Registered Professional Land Surveyor No. 5166

granadade.dgn



# THOMPSON LAND ENGINEERING, LLC

*Land Planning, Site Design, Subdivision Engineering*

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January 11, 2011

Mr. Joseph P. Gieselman, Executive Manager  
Travis County TNR  
PO Box 1748  
Austin, Texas 78767

**RE: Drainage Easement Vacation and Dedication  
Partial Drainage Easement Release, Lot 18 Blk A Granada Oaks**

Dear Mr. Gieselman:

This application is to get excess drainage easement, shown on the recorded plat, released from Lot 18, Block A in Granada Oaks Subdivision. Computations and a report are attached which describe and substantiate why the excess drainage easement is not needed. While performing the computations to confirm that this release was reasonable, it was also identified that the platted drainage easement was deficient in one location. Therefore, a dedication is also proposed. The need for this additional easement is also discussed and substantiated in the attached report.

We hope that you find this information complete and sufficient. Please contact me at 512-328-0002 if you have any questions.

Sincerely,

**THOMPSON LAND ENGINEERING, LLC**

A handwritten signature in black ink that reads "Robert C. Thompson". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Robert C. (Ric) Thompson, P.E.  
M.S., C.F.M., C.P.E.S.C.

Attachments

DRAINAGE EASEMENT

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

STATE OF TEXAS     §

COUNTY OF TRAVIS §

That I/we, Steve S. Nelson and Wife, Suzette Nelson (GRANTOR), being the owner/owners of Lot 18, Block A, Granada Oaks, as recorded at Book 85, Pages 87B of the Plat Records of Travis County, Texas and conveyed to me/us by deed of record in Document Number 2007050726 of the Official Public Records of Travis County, Texas, do hereby grant and convey, to the Public (GRANTEE), the use of a portion of said land, out of the aforementioned tract of land, for drainage easement purposes in, under, upon, and across the following described property, to-wit:

Those certain tracts of land situated in Travis County and being more particularly described by metes and bounds in Exhibit A, which is attached hereto and made a part hereof.

GRANTOR further covenants and agrees to:

1. use said property only in those ways consistent with the drainage easement herein granted and agrees to do nothing which would impair, damage, or destroy said drainage easement, and it is further understood and agreed that the covenants and agreements set forth above shall be considered covenants running with the land, fully binding upon GRANTOR and his/her successors and assigns;
2. no objects, including but not limited to, buildings, fences, or landscaping shall be allowed in subject drainage easement except as approved by Travis County;
3. the subject drainage easement shall be maintained by the property owner or his/her assigns; and
4. the property owner or his/her assigns shall provide for access to the subject drainage easement as may be necessary and shall not prohibit access by Travis County for inspection or maintenance of said easement.

TO HAVE AND TO HOLD the above-described easement, together with all and singular the rights and appurtenances thereto in any way belonging, unto the said GRANTEE and assigns forever; and GRANTOR does hereby bind himself/herself, his/her heirs, executors, and administrators to WARRANT AND DEFEND FOREVER all and singular the said easement

unto the said GRANTEE and its assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED THIS THE 28<sup>th</sup> DAY OF January, 2011.

By:

Steve S. Nelson

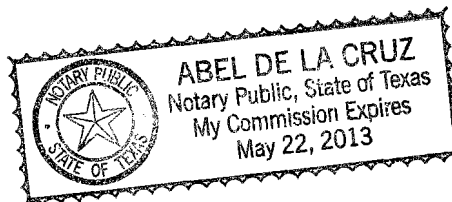
Suzette Nelson

STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on Jan 28, 2010 by Abel De La Cruz

Notary Public in and for the State of Texas



Printed Name: Abel De La Cruz

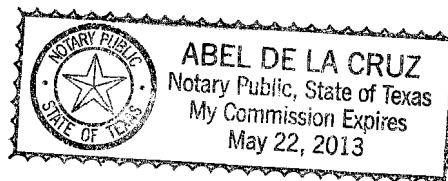
My commission expires: 5/22/13

STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on Jan 28, 2010 by Abel De La Cruz

Notary Public in and for the State of Texas



Printed Name: Abel De La Cruz

My commission expires: 5/22/13

# HOLT CARSON, INC.

## PROFESSIONAL LAND SURVEYORS

1904 FORTVIEW ROAD  
AUSTIN, TEXAS 78704  
TELEPHONE: (512) 442-0990  
FACSIMILE: (512) 442-1084

### DRAINAGE EASEMENT

DESCRIPTION OF 0.055 ACRE OF LAND, BEING A PROPOSED DRAINAGE EASEMENT, OVER AND ACROSS A PORTION OF LOT 18, BLOCK A, GRANADA OAKS, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 85 PAGE 87A OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING FOR REFERENCE at a point in the curving right-of-way line of San Lucas Drive for a Southerly angle corner of Lot 17 and the Northwest corner of Lot 18, of Block A, Granada Oaks, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 85 Page 87A of the Plat Records of Travis County, Texas, and from which a point for the Northeast corner of said Lot 17 and for the most Northerly corner of said Lot 18, bears N 68 deg. 16' 15" E 243.67 ft.;

THENCE leaving the curving right-of-way line of San Lucas Drive with the common line of said Lot 17 and Lot 18, N 68 deg. 16' 15" E 47.00 ft. to a point for the Northwest corner and **PLACE OF BEGINNING** of the herein described easement;

THENCE continuing with the common line of said Lot 17 and Lot 18, N 68 deg. 16' 15" E 77.67 ft. to a point of intersection with the West line of an existing Drainage Easement as dedicated by the plat of Granada Oaks as recorded in Volume 85 Page 87A of the Plat Records of Travis County, Texas, and being the Northeast corner of this easement;

THENCE entering the interior of said Lot 18 with the West line of said existing Drainage Easement and with the East line of this easement, S 15 deg. 56' 36" W 71.96 ft. to a point of the most Southerly corner of this easement;

end of Page 1

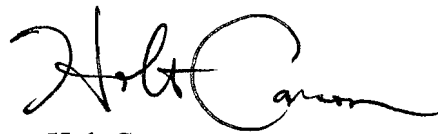


Page 2 of 2  
Drainage Easement – 0.055 Acre

THENCE leaving the West line of said existing Drainage Easement and continuing across the interior of said Lot 18 with the Southwest line of this easement, the following two (2) courses;

- 1) N 59 deg. 00' W 48.47 ft.;
- 2) N 35 deg. 00' W 18.89 ft. to the **PLACE OF BEGINNING**, containing 0.055 acre of land.

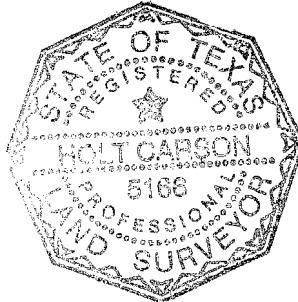
**PREPARED:** January 4, 2011



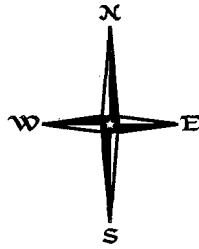
Holt Carson

Registered Professional Land Surveyor No. 5166

see accompanying sketch



SCALE: 1" = 40'



**SAN LUCAS DRIVE**  
Radius = 50'

S12°57'53"W  
C=65.00'

**LOT 18  
BLOCK A**

**GRANADA OAKS  
VOLUME 85 PAGE 87A**

LOT 17  
N68°16'15"E  
243.67'

Drainage Easement  
per plat  
Volume 85 Page 87A

N15°56'36"E  
42.82'  
S59°00'E  
119.48'

0.299 Acre  
Area of  
Drainage Easement  
to be released

LOT 19

N35°03'04"W  
307.00'

49.00'

N01°19'45"W  
144.89'

S43°00'W  
34.83'

S13°00'W  
56.00'

S02°00'W  
27.00'

S60°00'W  
46.03'

N09°04'06"E  
35.00'

LOT 10

410.00'

LOT 13

LOT 11

Place of Beginning

Point of Reference

SKETCH TO ACCOMPANY DESCRIPTION OF  
0.299 ACRE OF LAND, BEING A PORTION  
OF A DRAINAGE EASEMENT, TO BE RELEASED,  
OVER AND ACROSS A PORTION OF LOT 18  
BLOCK A, GRANADA OAKS, A SUBDIVISION  
IN TRAVIS COUNTY, TEXAS, ACCORDING TO  
THE MAP OR PLAT THEREOF RECORDED IN  
VOLUME 85 PAGE 87A OF THE PLAT RECORDS  
OF TRAVIS COUNTY, TEXAS.

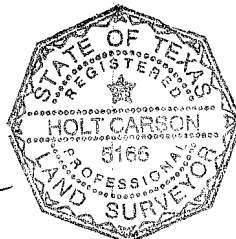
PREPARED: January 4, 2011

BY:

*Holt Carson*

Holt Carson

Registered Professional Land Surveyor No. 5166





CODE: \_\_\_\_\_

RECEIVED

FEB 16 2011

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**

A Public Notice of Vacation of a portion of a drainage easement sign was posted on February 16, 2011, on the southerly side of San Lucas Drive along the front lot line of Lot 18, Block A of Granada Oaks at a point as near as practical to the area being vacated, and was also posted at the Travis County Courthouse.

CERTIFIED THIS THE 16 DAY OF February, 2011.

SIGNATURE: \_\_\_\_\_

Jaime Garcia

NAME (PRINT): \_\_\_\_\_

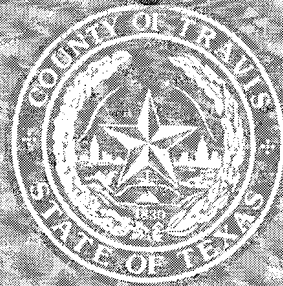
Jaime Garcia

TITLE: \_\_\_\_\_

Road Maintenance Supervisor

cc: Garcia (sign shop)

M:\PERMITS\Vacate\11DE\01\SignRequest.doc




# **NOTICE OF PUBLIC HEARING**

**ON MARCH 8, 20011 AT 9:00 AM**  
**DRAINAGE EASEMENT VACATION**

**TO APPROVE THE VACATION OF A  
PORTION OF A DRAINAGE EASEMENT  
LOCATED ALONG THE REAR OF LOT 18,  
BLOCK A OF GRANADA OAKS—A  
SUBDIVISION IN PRECINCT 3.**

**AT THE TRAVIS COUNTY  
COMMISSIONERS COURTROOM  
314 WEST 11th STREET  
(FIRST FLOOR), AUSTIN  
FOR MORE INFORMATION CALL: 854-9383**





**NOTICE OF  
PUBLIC HEARING**  
ON MARCH 8, 2011 AT 9:00 AM  
DRAINAGE EASEMENT VACATION


TO APPROVE THE VACATION OF A  
PORTION OF A DRAINAGE EASEMENT  
LOCATED ALONG THE REAR OF LOT 10,  
BLOCK A OF GRANADA OAKS-A  
SUBDIVISION IN PRECINCT 3

AT THE TRAVIS COUNTY  
COMMISSIONERS' COURTROOM  
314 WEST 8TH STREET  
FIRST FLOOR, AUSTIN  
FOR MORE INFORMATION CALL: 855-9383



Site

MAP NO.  
4 1253

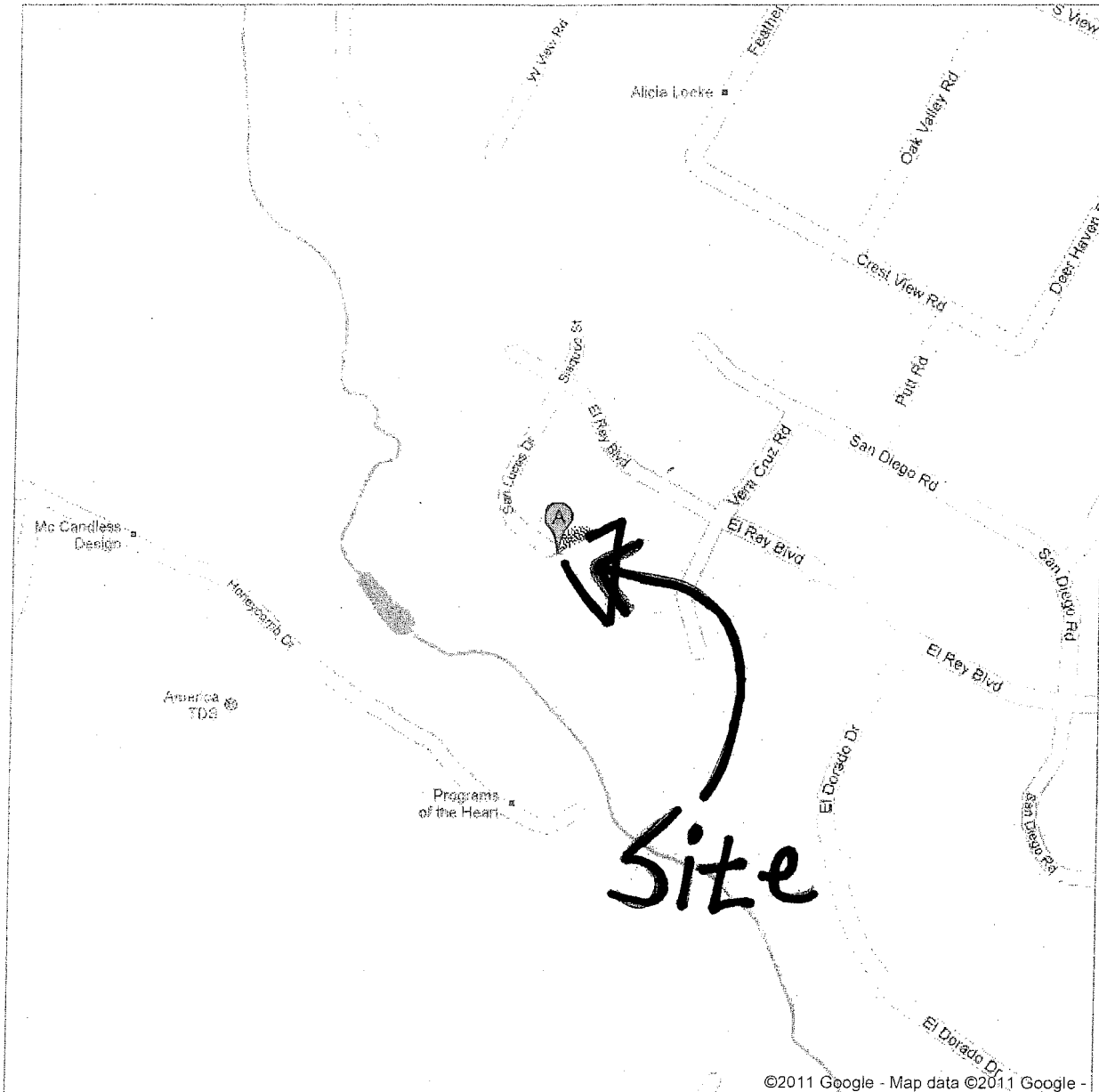
4 1055	4 1053	4 1050
4 1255		4 1250
4 1455	4 1453	4 1450

1" = 400' MAP  
REFERENCE

Google maps

Address 9509 San Lucas Dr  
Austin, TX 78737

Notes Request to vacate a portion of a  
drainage easement located along  
the rear of Lot 18, Block A within  
Granada Oaks - a subdivision  
within Precinct Three,  
Commissioner Karen Huber.







## **Travis County Commissioners Court Agenda Request**

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Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: Debbie Ties, Fire Marshal's Office, 854-6472

Elected/Appointed Official/Dept. Head: Hershel Lee, Fire Marshal

Sponsors: Judge Biscoe

---

### **AGENDA LANGUAGE:**

Consider and take appropriate action on Order Prohibiting Outdoor Burning in the Unincorporated Areas of Travis County.

---

### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

See attachment.

---

### **STAFF RECOMMENDATIONS:**

Enter Staff Recommendations here

### **ISSUES AND OPPORTUNITIES:**

Enter Issues and Opportunities here

### **FISCAL IMPACT AND SOURCE OF FUNDING:**

No financial impact.

### **REQUIRED AUTHORIZATIONS:**

Fire Marshal's Office	Hershel Lee	Completed	03/02/2011 9:06 AM
Emergency Services	Danny Hobby	Completed	03/02/2011 9:09 AM
County Judge's Office	Cheryl Aker	Completed	03/02/2011 10:24 AM
Commissioners Court	Cheryl Aker	Pending	

COUNTY OF TRAVIS       §  
                                     §  
STATE OF TEXAS         §

**ORDER PROHIBITING  
OUTDOOR BURNING**

WHEREAS, Section 352.081 of the Local Government Code provides that the commissioners court of a county by order may prohibit outdoor burning in the unincorporated area of the county if the commissioners court makes a finding that circumstances present in the unincorporated area create a public safety hazard that would be exacerbated by outdoor burning; and,

WHEREAS, the Travis County Commissioners Court does hereby find that circumstances present in all of the unincorporated area of Travis County create a public safety hazard that would be exacerbated by outdoor burning;

NOW, THEREFORE, it is ORDERED that outdoor burning is prohibited in all of the unincorporated areas of Travis County as follows:

- (1) Actions prohibited:
  - (a) A person violates this order if he/she burns any combustible material outside of an enclosure which serves to contain all flames and/or sparks, or orders such burning by others.
  - (b) A person violates this order if he/she engages in any activity outdoors which could allow flames or sparks that could result in a fire unless done in an enclosure designed to protect the spread of fire, or orders such activities by others.
- (2) Enforcement:
  - (a) Upon notification of suspected outdoor burning, the fire department with jurisdiction for the location of the fire shall respond to the scene and take immediate measures to contain and/or extinguish the fire.
  - (b) As soon as possible, a duly commissioned peace officer shall be sent to the scene to investigate the nature of the fire.
  - (c) If, in the opinion of the officer on the scene, the goal of this order can be attained by informing the responsible party about the prohibitions established by this order, the officer may, at his or her discretion, request compliance with it. In such instances, an entry of this notification containing the date, time and place of the warning, along with the name of the party receiving the warning, shall be forwarded to the office of County Judge.
  - (d) In accordance with Section 352.081 of the Local Government Code, a person who knowingly or intentionally violates this order commits a Class C Misdemeanor, punishable by a fine up to \$500.
- (3) This order does not apply to outdoor burning activities:
  - (a) related to public health and safety that are authorized by the Texas Commission on Environmental Quality for:
    - (A) firefighter training;
    - (B) public utility, natural gas pipeline, or mining operations; or
    - (C) planting or harvesting of agriculture crops.

- (b) that are conducted by a prescribed burn manager certified under Section 153.048, Natural Resources Code, and meet the standards of Section 153.047, Natural Resources Code.
- (c) that involve the performance of **outdoor** combustible operations, including but not limited to, outdoor welding, cutting or grinding operations and outdoor hot works operations, by any person (i) if the Travis County Fire Marshal has issued a permit for the welding or hot works operations in compliance with the Fire Code or (ii) if the operations are performed in compliance with the following requirements creating a controlled environment and safeguards on each day when operations are performed:
  - (A) Areas where welding, cutting or grinding operations or hot works operations are being performed are free of vegetation for at least twenty-five feet in all directions;
  - (B) Surfaces around welding or hot works area are wetted down;
  - (C) Each location where welding, cutting or grinding operations or hot works operations are being performed must have cellular telephone communications for emergency response;
  - (D) Before beginning any operations, the person performing the welding, cutting or grinding operations or hot works operations must notify the local fire department or Emergency Services District which serves the location where the welding, cutting or grinding operations or hot works operations are planned.
  - (E) A dedicated fire watch person attends each welder, cutter, grinder, or worker performing hot works operations or any activity that causes a spark;
  - (F) At least one (1) water pressure fire extinguisher per fire watch person is located within 10 feet of the location where welding, cutting or grinding operations or hot works operations are being performed;
  - (G) No welding, cutting or grinding operations or hot works operations is allowed on days designated as red flag warning days by the National Weather Service;
  - (H) If all welding, cutting and grinding operations or hot works operations are performed only in a total welding or hot works enclosure, or “welding box” or “hot works box”, that is sufficiently high to control sparks, including a fire retardant cover over the top, the operations must comply with requirements E, F, and G in this list and is encouraged to comply with requirements A-D inclusive, if feasible and appropriate, and;
  - (I) If all welding, cutting and grinding operations or hot works operations are performed only in sub-surface, or “bell hole”, welding and grinding operations or hot works operations within approved excavations, the operations must comply with requirements E, F, and G in this list and is encouraged to comply with requirements A-D inclusive, if feasible and appropriate.

Be it also ORDERED that the purpose of this order is the mitigation of the public safety hazard posed by wild fires during the current dry weather by curtailing the practice of outdoor burning, which purpose is to be taken into account in any enforcement action based upon this order.

This order prohibiting outdoor burning shall expire on April 6, 2011 or upon such date as the Travis County Commissioners Court by order determines that the circumstances present in the unincorporated areas of Travis County no longer create a public safety hazard that would be exacerbated by outdoor burning, whichever occurs earlier.

ORDERED THIS 8th DAY OF MARCH 2011.

TRAVIS COUNTY COMMISSIONERS COURT

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

## TRAVIS COUNTY COMMISSIONERS COURT AGENDA REQUEST

**Voting Session:** March 8, 2011

- I.** A. Request made by: HERSHEL LEE, TRAVIS COUNTY FIRE MARSHAL  
Phone #: 854-9591  
(Elected Official/Appointed Official/Executive Manager/County Attorney)
- B. Requested topic: CONSIDER AND TAKE APPROPRIATE ACTION ON AN ORDER CONCERNING OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY.

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

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Planning and Budget Office (854-9106)

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

Human Resources Department (854-9165)

\_\_\_\_\_ Change in your department's personnel (reorganization, restructuring etc.)

Purchasing Office (854-9700)

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

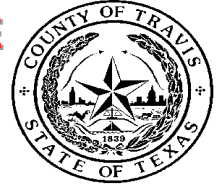
County Attorney's Office (854-9415)

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

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

# TRAVIS COUNTY FIRE MARSHAL'S OFFICE

5555 AIRPORT BLVD., SUITE 400, AUSTIN, TEXAS 78751  
P. O. BOX 1748, AUSTIN, TEXAS 78767  
(512) 854-4621, FAX (512) 854-6471



## *MEMORANDUM*

**To:** Travis County Commissioners Court

**From:** Hershel Lee, Travis County Fire Marshal

**Date:** March 8, 2011

**Subject:** **Order Prohibiting Outdoor Burning in the Unincorporated Areas of Travis County**

The current Burn Ban expires on March 9, 2011. The KBDI in Travis County is over 440. The current drought monitors indicate that Travis County is in a moderate drought category. Due to recent drier than normal conditions there is an increased risk of wildfire occurrence. The Fire Marshal's Office recommends approval of the Order Prohibiting Outdoor Burning in the Unincorporated Areas of Travis County.

Thank you.

# \_\_\_\_\_

**Travis County Commissioners Court Agenda Request**Voting Session: March 8, 2011  
(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:

Approve Resolution Recognizing the Month of March 2011 as "Professional Social Work Month" in Travis County.

- 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)

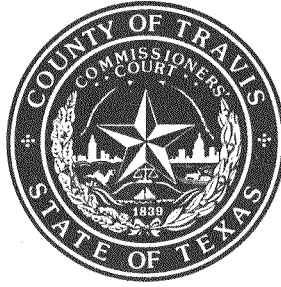
- \_\_\_ Bid, Purchase Contract, Request for Proposal, Procurement

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

# Travis County Commissioners Court



# Resolution

WHEREAS, Social Workers are positive agents of change dedicated to helping people transform their lives and improve their environments;

WHEREAS, More than 640,000 trained Social Work professionals in the United States work tirelessly in agencies, hospitals, hospices, schools, universities, legislatures, private practices, corporations and the military;

WHEREAS, Social Workers advocate for access, equality and fairness;

WHEREAS, The Social Work profession was established more than 100 years ago to help people overcome poverty, illness, addiction, abuse, discrimination and other adversities, as well as work to change systems and customs that limit the ability of individuals and groups to lead fulfilling, productive lives;

WHEREAS, Schools of Social Work train socially conscious people to make a real difference in the world through service and leadership, strengthening communities, expanding options, and facilitating humane changes in policies and legislation that improve the lives of everyone; and

WHEREAS, Every day Social Workers wake up believing they will give an individual, a family, or a community renewed hope in the future - helping people help themselves, particularly in Travis County, by providing services through the Courts, Corrections, Juvenile and Adult Probation, Health & Human Services & Veterans Service, Child Protective Services, Research and Planning, and many other settings, public and private.

NOW, THEREFORE, BE IT RESOLVED BY THE TRAVIS COUNTY COMMISSIONERS COURT THAT ALL CITIZENS OF TRAVIS COUNTY ARE URGED TO JOIN THE CAPITAL AREA CHAPTER OF THE NATIONAL ASSOCIATION OF SOCIAL WORKERS IN CELEBRATION, SUPPORT AND RECOGNITION OF THE SOCIAL WORK PROFESSION BY OBSERVING MARCH 2011 AS

## **"PROFESSIONAL SOCIAL WORK MONTH"**

IN TRAVIS COUNTY FOR THE COMMITMENT AND DEDICATION THAT OUR PROFESSIONAL SOCIAL WORKERS PROVIDE TO OUR COMMUNITY.

SIGNED AND ENTERED THIS 8<sup>TH</sup> DAY OF MARCH, 2011.

---

SAMUEL T. BISCOE  
COUNTY JUDGE

---

RON DAVIS  
COMMISSIONER, PRECINCT 1

---

SARAH ECKHARDT  
COMMISSIONER, PRECINCT 2

---

KAREN L. HUBER  
COMMISSIONER, PRECINCT 3

---

MARGARET J. GÓMEZ  
COMMISSIONER, PRECINCT 4



#3722

# \_\_\_\_\_

Travis County Commissioners Court Agenda RequestVoting Session 3/8/11  
(Date)

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

I. A. Request made by: Steve Manilla, P.E. Phone # 854-9429  
Signature of Executive Manager

B. Requested Text:

**Consider and take appropriate action on the initiation of a rule making relating to environmental quality, including a process for communication with interested parties as the rule is developed for formal proposal.**C. Approved by: \_\_\_\_\_  
Samuel T. Biscoe, County Judge

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

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

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. Send a copy of the Agenda Request and backup to the following:

Jon White, TNR Director  
Tom Weber, Env. Quality Program Mgr  
Anna Bowlin, Dev. Serv. Div. Dir  
Tom Nuckols, Co, Attorney

III. Required Authorizations: Please check if applicable:

☐ Reduced funding for any department or for any purpose  
☐ Transfer of existing funds within or between any line item budget  
☐ GrantHuman Resources Department (854-9165)☐ A change in your department's personnel (reclassifications, etc.)Purchasing Office (854-9700)☐ Bid, Purchase Contract, Request for Proposal, ProcurementCounty Attorney's Office (854-9415)☐ Contract, Agreement, Policy & Procedure

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

**TRANSPORTATION AND NATURAL RESOURCES**

STEVEN MANILLA, P.E., EXECUTIVE MANAGER

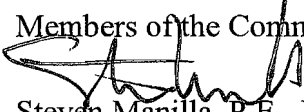
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411 West 13th Street  
Executive Office Building  
PO Box 1748  
Austin, Texas 78767  
(512) 854-9383  
FAX (512) 854-4697

Date: March 8, 2011

**MEMORANDUM**

**TO:** Members of the Commissioners Court  
  
**FROM:** Steven Manilla, P.E., Executive Manager, TNR  
**SUBJECT:** Environmental Quality Rule Making

**Proposed Motion:** Consider and take appropriate action on the initiation of a rule making relating to environmental quality, including a process for communication with interested parties as the rule is developed for formal proposal.

**Summary and Staff Recommendations:** Travis County is required by its Stormwater Management Permit to develop and enforce requirements for the control of development so that pollutants in discharges of stormwater are reduced or eliminated. The permit requires mechanisms to control erosion and sedimentation associated with construction sites, to require post-construction controls, to establish procedures for technical review of development proposals, and to effectively prohibit illicit discharges of "non-stormwater" pollutants into our storm sewers. The County Stormwater Management Program requires the adoption of the rules by August 11, 2011.

With the Court's direction and approval, TNR would initially provide interested parties a series of draft rule provisions over the next four months and invite comment and input on the rule. Parties from whom comments would be solicited would include a broad spectrum of interests including the development community, other governmental jurisdictions, environmental advocates, and community organizations. An initial list of selected stakeholders is included as Attachment 1. Any person desiring inclusion as an interested party would be added to an e-mail group to receive correspondence and draft rule provisions. TNR is actively developing the rules and anticipates sending it out in three or four parts over time. The Court members will receive the draft rule provisions at the same time it is sent out externally. After consideration of comments and making appropriate changes, proposed rules would be brought to the Commissioners Court in July, 2011. This would initiate the formal process of comment, public hearing, and then consideration to adopt final rules.

**Background:** The scope of the rules would be all of Travis County, including all municipal extraterritorial jurisdictions (ETJs), with the exception of residential subdivision development in the City of Austin ETJ, since the environmental quality requirements are already in effect there under Title 30 of the Joint City/County Code. This represents an expansion of scope of County environmental quality requirements, since the 2005 "interim" rule does not apply in any ETJ and the 2010 Lake Travis rules only apply within the lake's watershed.

The rules would include a new Chapter 104 of the Travis County Code and amendments or repeal of certain rules previously adopted under chapters 82, 62, 64, and 108. Chapter 104 would include numerous procedural rules and application submittal standards to describe how environmental review would be in sync with the overall development permitting/platting processes. A new program to permit post-construction water quality structures is proposed.

TNR has reviewed rules of other jurisdictions, particularly the City of Austin and the Lower Colorado River Authority (LCRA), and we seek to harmonize requirements so that consistency is expanded to greater areas of Travis County. We propose to adopt the use of technical guidance manuals already prepared by the LCRA for western watersheds and Austin for eastern watersheds. We propose to establish the same water quality volume requirements as the LCRA (west) and Austin (east) and the stormwater operator qualification requirements of Austin.

To comply with the objectives of the federal Clean Water Act and our permit from Texas Commission on Environmental Quality (TCEQ), we have identified several substantive changes that will also be proposed. These include stormwater management requirements for mines and quarries, more detailed requirements for all development sites under construction, plat notes to explicitly describe areas of environmental setback, and site inspection requirements.

**Issues and Opportunities:** Generally, the rule making would result in development that is more protective of the natural environment. The rule making also provides specific opportunities for Travis County. These include: (1) increasing setback distances in the headwater areas of watersheds will implement the Gilleland Creek Total Maximum Daily Load (TMDL) to reduce bacteria loads into the creek; (2) revisions to construction stormwater standards are aimed towards consistency with the US Environmental Protection Agency (USEPA) revised rules; (3) adding illicit discharge prohibitions and describing how TNR operates its inspection and enforcement program results in greater enforceability and more transparency; and (4) revisions to the solid waste siting rules would provide more flexibility for recycled waste management.

One issue that is expected to arise is the long-term capability or attention of a homeowners association to maintain permanent water quality controls, to renew the TNR permit, along with paying an annual fee.

**Required Authorizations:**

None identified

**Attachment:**

Stakeholders Initially Identified

**cc:** Jon A. White, NREQ Division Dir.  
Thomas Weber, Environmental Quality Program Mgr., TNR  
Anna Bowlin, Development Services Div. Dir.  
Tom Nuchols, County Attorney's Office

## ATTACHMENT 1

### Stakeholders Identified for Environmental Quality Rule Making Draft: February 18, 2011

*Note: Persons or entities on this list would receive rule proposals for comment and would be invited to meetings hosted by Travis County TNR when necessary. This list is intended to be inclusive. Any person or entity desiring to be added to the list will be added. The only qualification is the need for an e-mail address.*

CMA Engineering  
Murfee Engineering Co.  
Carlson, Brigance, & Doering  
Malone-Wheeler Engineers  
Baer Engineering  
HDR  
PBS&J  
Espey Consultants  
Loomis Partners  
TXI  
Texas Disposal Systems  
Synagro of TX – CDR  
City of Austin, Water Utilities  
Jacobs Engineering Group  
Dwyer Realty Companies  
Real Estate Council of Austin  
Central TX Homebuilders Assn.  
Austin Board of Realty  
Del Valle Community Coalition  
Wilbarger Creek Conservation Alliance  
Hill Country Alliance  
Save Barton Creek Association  
Marcus Gary  
Lone Star Chapter – Sierra Club  
City of Austin, Watershed Protection  
City of Austin, Development Services  
City of Pflugerville, Public Works  
City of Manor  
City of Leander  
City of Lakeway  
City of Bee Cave  
Barton Springs/Edwards Aquifer Conservation District  
Lower Colorado River Authority  
TX Dept of Transportation, Environmental Services  
TX Commission on Environmental Quality, TMDL  
TX Commission on Environmental Quality, Austin Region  
TX Commission on Environmental Quality, Edwards Aquifer Program

# \_\_\_\_\_

Travis County Commissioners Court Agenda RequestVoting Session: 03/08 /2011  
(Date)Work Session: \_\_\_\_\_  
(Date)

I. A. Request made by: Steven M. Manilla, P.E. Phone # 854-9383  
 Signature of Executive Manager

B. Requested Text:

**Consider and take appropriate action on a revised preliminary plan for the Villages of Hidden Lake Subdivision in Precinct Two.**

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

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

Joe L. Arriaga: 854-7562

Anna Bowlin: 854-7561

III. Required Authorizations: Please check if applicable:

Planning and Budget Office (854-9106)

\_\_\_\_ Additional funding for any department or for any purpose

\_\_\_\_ Transfer of existing funds within or between any line item budget

\_\_\_\_ Grant

Human Resources Department (854-9165)

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

Purchasing Office (854-9700)

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

County Attorney's Office (854-9415)

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

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

***EXHIBITS:***

Location map  
Proposed Plan  
Precinct Map

AB:ja

# REVISED PRELIMINARY PLAN ONLY – NOT FOR RECORDATION FOR VILLAGES OF HIDDEN LAKE

**OWNER/DEVELOPER:**

Buffington VOHL 5A 6A 6B, Ltd.  
Buffington Land Management, LLC, its General Partner  
3600 Capital of Texas Hwy  
Building B, Suite 170  
Austin, Texas 78746  
Phone: (512) 732-2825  
Contact: Chris Fields

**SURVEYOR:**

Diamond Surveying, INC.,  
1915 Austin Ave., Suite 111  
Georgetown, Texas 78626  
Phone: (512) 931-3100  
Contact: SHANE SHAFER, RPLS

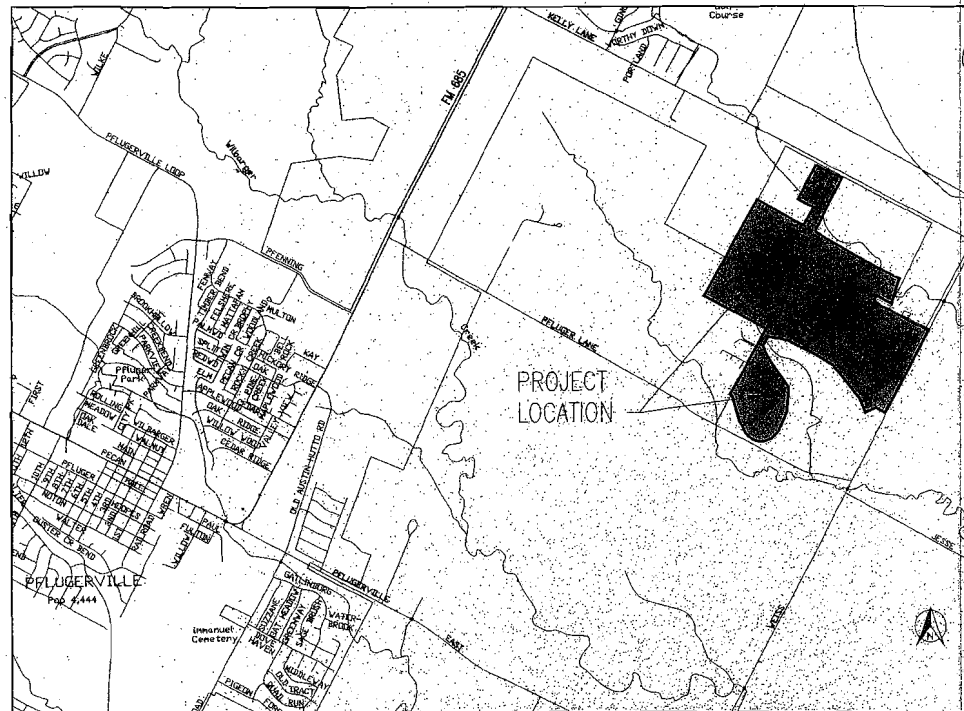
**LEGAL DESCRIPTION:**

A 374.287 Acres of land more or less  
out of the George M. Martin Survey,  
No. 9, Abstract No. 529, and the  
Edward Flint Survey No. 11  
in Travis County, Texas.  
See sheet 25 for Metes and Bounds  
description.

VILLAGES OF HIDDEN LAKE PHASE 6B  
APPROXIMATELY 28.46 ACRES, OUT  
OF ORIGINAL 374.29 ACRES VILLAGES  
OF HIDDEN LAKE PRELIMINARY PLAN

\* THIS PROJECT IS LOCATED  
WITHIN THE ETS OF  
THE CITY OF PFLUGERVILLE

\* THIS PROJECT IS GOVERNED  
UNDER THE PFLUGERVILLE EAST  
LAND DEVELOPMENT AGREEMENT



CITY OF PFLUGERVILLE TEXAS  
VICINITY MAP  
N.T.S.

**PATE ENGINEERS**

7801 Capital Of Texas Highway  
Suite 220  
Austin, Texas 78731  
TEL: (512) 340-0600  
FAX: (512) 340-0604

JOB NO. A10400100

**SHEET INDEX**

NO.	TITLE
1	COVER SHEET
2	PHASING PLAN
3	PRELIMINARY PLAN
4	PRELIMINARY PLAN
5	PRELIMINARY PLAN
6	PRELIMINARY PLAN
7	PRELIMINARY PLAN
8	WATER & WASTEWATER LAYOUT
9	WATER & WASTEWATER LAYOUT
10	WATER & WASTEWATER LAYOUT
11	WATER & WASTEWATER LAYOUT
12	WATER & WASTEWATER LAYOUT
13	DRAINAGE LAYOUT & EROSION CONTROLS
13A	DRAINAGE LAYOUT & EROSION CONTROLS
13B	DRAINAGE LAYOUT & EROSION CONTROLS
14	DRAINAGE LAYOUT & EROSION CONTROLS
15	DRAINAGE LAYOUT & EROSION CONTROLS
16	DRAINAGE LAYOUT & EROSION CONTROLS
17	DRAINAGE LAYOUT & EROSION CONTROLS
18	DRAINAGE CALCULATIONS
19	CITY OF PFLUGERVILLE STANDARD WATER DETAILS
20	CITY OF PFLUGERVILLE STANDARD WASTEWATER DETAILS
21	CITY OF PFLUGERVILLE STANDARD STREET DETAILS
22	CITY OF PFLUGERVILLE STANDARD DRAINAGE DETAILS
23	BOUNDARY SHEET
24	BOUNDARY SHEET
25	BOUNDARY SHEET

VILLAGES OF HIDDEN LAKE PHASE 6B-1 REVISION

- 1 COVER SHEET
- 2 PHASING PLAN
- 3 PRELIMINARY PLAN

WATER & WASTEWATER LAYOUT  
DRAINAGE LAYOUT

DATES OF INITIAL APPROVAL: TRAVIS COUNTY 11/24/02  
CITY OF PFLUGERVILLE 11/14/02

DATE OF INITIAL SUBMITTAL: AUGUST, 30 2002

NO.	DATE	REVISION	APPROV.
1	10-19-02	FIRST SUBMITTAL	
2	11-12-02	SECOND SUBMITTAL	
3	6-07-07	PRELIM REVISION (CR AREA)	
4	4-29-10	VOHL 6B-1 REVISION AREA	

**PATE ENGINEERS**

AUSTIN • HOUSTON • DALLAS  
7801 CAPITAL OF TEXAS HIGHWAY  
AUSTIN, TEXAS 78731

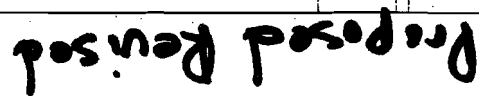
VILLAGES OF HIDDEN LAKE

COVER SHEET

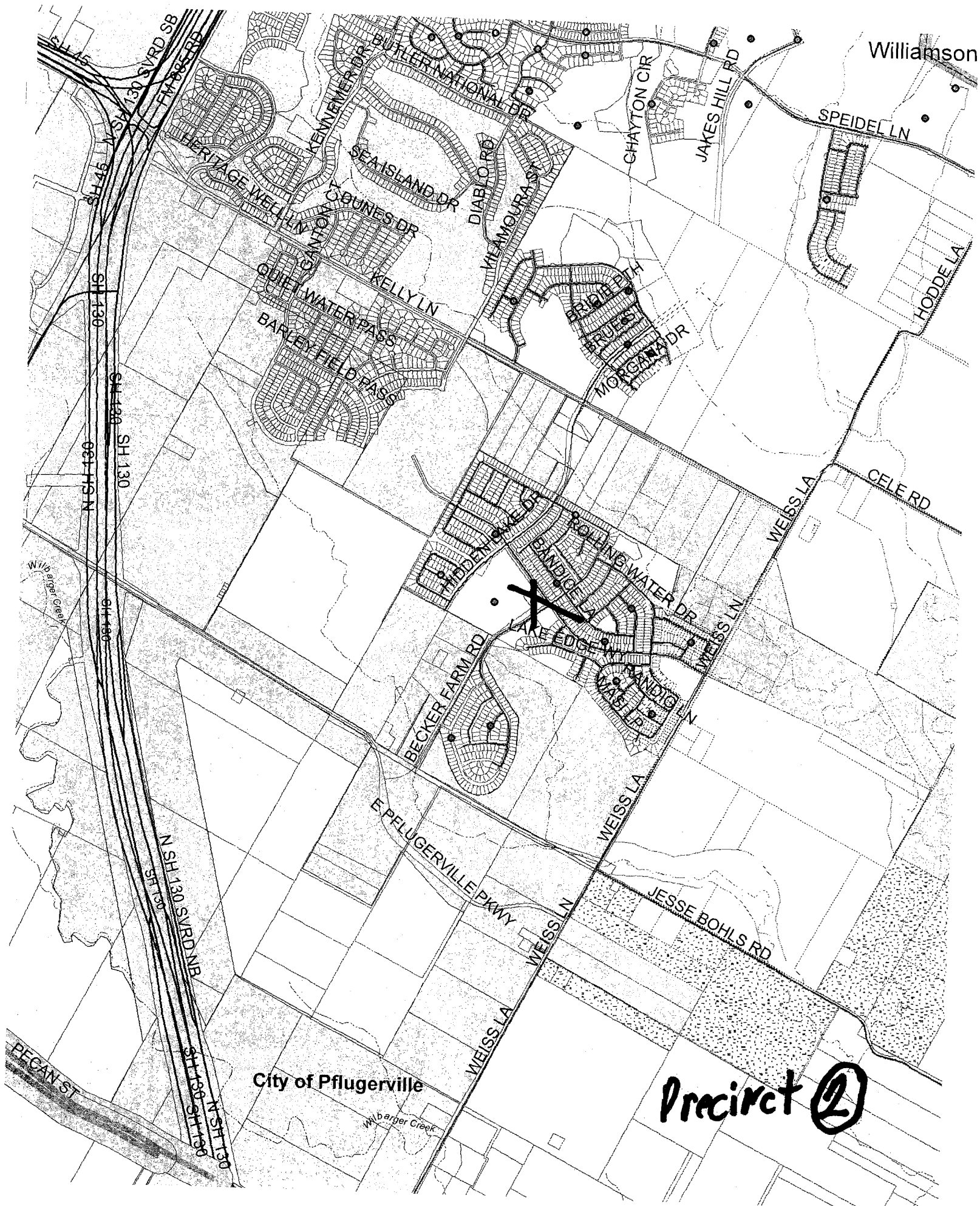
PROJECT	BY	DATE	REVISION
VOL 5A 6A 6B	CS	11/24/02	1
VOL 5A 6A 6B	CS	11/24/02	2
VOL 5A 6A 6B	CS	11/24/02	3
VOL 5A 6A 6B	CS	11/24/02	4
VOL 5A 6A 6B	CS	11/24/02	5
VOL 5A 6A 6B	CS	11/24/02	6
VOL 5A 6A 6B	CS	11/24/02	7
VOL 5A 6A 6B	CS	11/24/02	8
VOL 5A 6A 6B	CS	11/24/02	9
VOL 5A 6A 6B	CS	11/24/02	10
VOL 5A 6A 6B	CS	11/24/02	11
VOL 5A 6A 6B	CS	11/24/02	12
VOL 5A 6A 6B	CS	11/24/02	13
VOL 5A 6A 6B	CS	11/24/02	14
VOL 5A 6A 6B	CS	11/24/02	15
VOL 5A 6A 6B	CS	11/24/02	16
VOL 5A 6A 6B	CS	11/24/02	17
VOL 5A 6A 6B	CS	11/24/02	18
VOL 5A 6A 6B	CS	11/24/02	19
VOL 5A 6A 6B	CS	11/24/02	20
VOL 5A 6A 6B	CS	11/24/02	21
VOL 5A 6A 6B	CS	11/24/02	22
VOL 5A 6A 6B	CS	11/24/02	23
VOL 5A 6A 6B	CS	11/24/02	24
VOL 5A 6A 6B	CS	11/24/02	25



NO.	DATE	REVISION	APPROV.
1	10-19-02	FIRST SUBMITTAL	
2	11-12-02	SECOND SUBMITTAL	
3	6-07-07	PRELIM REVISION (CR AREA)	
4	4-29-10	VOHL 6B-1 REVISION AREA	









## **Travis County Commissioners Court Agenda Request**

Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: Loretta Farb, Commissioner Precinct 2 Office, 854-9222

Elected/Appointed Official/Dept. Head: Sarah Eckhardt, Precinct 2, Commissioner

Sponsors: Commissioner Eckhardt

### **AGENDA LANGUAGE:**

Consider and take appropriate action on a proposal to create a Joint Task Force to address bicycle safety on Travis County roads in the unincorporated areas. (Commissioner Eckhardt)

### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

Consider and take appropriate action on a proposal to create a Joint Task Force to address bicycle safety on Travis County roads in the unincorporated areas.

### **STAFF RECOMMENDATIONS:**

State law allows that bicyclists may ride on public roadways; however, the condition of some roads can make bicycling on them risky. As Travis County's population continues to grow, more people are bicycling and using rural roads for recreation and commuting. On the other hand, funding for roadway construction and maintenance is declining and increasing risks for bicyclists. Bicycle safety is an issue that needs to be addressed. TNR staff recommends the creation of a Task Force that includes representatives from TXDOT, the City of Austin, the bicycle community, TNR and others to address bicycle safety on Travis County roads in the unincorporated areas.

### **ISSUES AND OPPORTUNITIES:**

- A Task Force can develop materials and methods to educate the public, cyclists, and elected officials about the issues of cycling on rural roads.
- The cycling community can report bicycle obstacles and potential hazards to jurisdictions for quicker response and better planning.
- Build partnerships between cyclists and elected officials and agency staff.

### **FISCAL IMPACT AND SOURCE OF FUNDING:**

None at the present time. However, a product of this committee could be an expectation that more resources will be allocated to maintaining roadways frequented by bicyclists at a higher standard.

### **REQUIRED AUTHORIZATIONS:**

Transportation and Natural Resources	Steven Manilla	Completed	02/03/2011 12:05 PM
Transportation and Natural Resources	Carol Joseph	Completed	02/03/2011 4:19 PM
Transportation and Natural Resources	LeRoy Click	Completed	02/03/2011 4:27 PM
Transportation and Natural Resources	David Greear	Completed	02/07/2011 1:49 PM

Agenda Item

Meeting of March 8, 2011

County Attorney's Office	Tom Nuckols	Skipped	02/09/2011 10:44 AM
Transportation and Natural Resources	Don Ward	Skipped	02/09/2011 10:46 AM
Commissioner Precinct 2 Office	Sarah Eckhardt	Completed	02/03/2011 9:35 AM
Commissioner Precinct 2 Office	Sarah Eckhardt	Completed	02/03/2011 9:36 AM
County Judge's Office	Cheryl Aker	Completed	02/09/2011 11:19 AM
Commissioners Court	Gillian Porter	Completed	02/28/2011 2:58 PM

History:

02/15/11	Commissioners Court	DISCUSSED	Next: 03/08/11
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**TRANSPORTATION AND NATURAL RESOURCES**

STEVEN M. MANILLA, P.E., EXECUTIVE MANAGER

---



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

February 25, 2011

To: Members of the Commissioners' Court

From: Steve Manilla, P.E., County Executive

Subject: Creation of a Bicycle Safety Joint Task Force

**Proposed Motion:**

Consider and take appropriate action on a proposal to create a Joint Task Force to address bicycle safety on Travis County roads in the unincorporated areas

**Summary and Staff Recommendation:** State law allows that bicyclists may ride on public roadways; however, the condition of some roads can make bicycling on them risky. As Travis County's population continues to grow, more people are bicycling and using rural roads for recreation and commuting. On the other hand, funding for roadway construction and maintenance is declining and increasing risks for bicyclists. Bicycle safety is an issue that needs to be addressed. TNR staff recommends the creation of a Task Force that includes representatives from TXDOT, the City of Austin, the bicycle community, TNR and others to address bicycle safety on Travis County roads in the unincorporated areas.

**Budgetary and Fiscal Impact:** None at the present time. However, a product of this committee could be an expectation that more resources will be allocated to inventorying and maintaining roadways frequented by bicyclists at a higher standard.

**Issues and Opportunities:** Potential charges to a short-term (about 6-months) Bicycle Safety Joint Task Force could include the following:

- Develop materials and methods to educate the public, cyclists, and elected officials about the issues of cycling on rural roads.
- Develop a website so the cycling community can report bicycle obstacles and potential hazards to jurisdictions for quicker response and better planning.
- Build partnerships between cyclists and elected officials and agency staff.
- Issue call for citizen participation in the Task Force's ultimate recommendations

**Background:** Population growth has added vehicle traffic volume and loading to our 1200+ miles of county roads, exacerbating the existing maintenance problems. This is particularly evident where roads are built across areas having poor soil conditions. Flooding of our roads

further reduces the service life of our pavements. Jointly, these factors lead to pavement failures such as cracking, heaving, rutting and sloughing. Pavement failures can be found throughout the County, but they are particularly noticeable on roads built over the expansive clays of eastern Travis County. The rural roadways in the western regions of the County have their own challenges for bicyclists in that they may need improvements to increase site distance on winding alignments and/or provide wider pavement to safely share roads. At the same time, funds for road maintenance and improvements are being substantially reduced by fuel efficient vehicles and a gas tax that has remained unchanged for twenty years. Meanwhile, more people are bicycling and using rural roads for recreation and commuting. Therefore, it would be beneficial to the public's general health and welfare for the proposed joint task force to address the issues of bicycle safety outside municipal jurisdictions. Such a task force focusing on methods to educate cyclists about the risks of riding on rural roads should help provide for better safety of Travis County users.

The Travis County Joint Task Force is intended only to supplement the City of Austin Streets Smarts Task Force Final Report, which is a much grander vision to "transform Austin into a world class bicycling city," and its broader mission "to create and promote the best environment for the friendly co-existence of bicycle riders and other transportation users in Austin;" rather, while the City's purpose is commendable, the County's more narrow concern is simply to encourage safety first for cycling on all of its roads.

**Required Reviews:** None

**Exhibits:** None

SM:lc

cc:

Carol Joseph, TNR  
Don Ward, TNR  
Randy Nicholson, TNR  
David Greear, TNR  
Scott Lambert, TNR  
Tom Nuckols, County Attorney  
Joseph P. Gieselman, Ret. (Avid New Cyclist)

# \_\_\_\_\_

Travis County Commissioners Court Agenda RequestVoting Session 03/08/11  
(Date)Work Session \_\_\_\_\_  
(Date)

I. A. Request made by: Steven M. Manilla, P.E. Phone # 854-9383  
Executive Manager, TNR

B. Requested Text:

**Notify Court of satisfactory construction of the private street portion of Comanche Canyon Ranch, Area Two - a subdivision in Precinct Three.**

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:

Anna Bowlin	- 854-9383	Stacey Scheffel	- 854-9383
Joe Arriaga	- 854-9383	Gayla Dembkowski	- 854-9383

III. Required Authorizations: Please check if applicable:

Planning and Budget Office (473-9106)

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

Human Resources Department (473-9165)

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

Purchasing Office (473-9700)

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

County Attorney's Office (473-9415)

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

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



## TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER


---

411 West 13th Street  
Executive Office Building  
PO Box 1748  
Austin, Texas 78767  
(512) 473-9383  
FAX (512) 708-4649

### MEMORANDUM

**DATE:** February 15, 2011

**TO:** Members of the Commissioners Court

**THROUGH:**  Steven M. Manilla, P.E., Executive Manager

**FROM:** Stacey Scheffel, Flood Plain Manager, Development Services

**SUBJECT:** Notify Court of satisfactory construction of the private street portion of Comanche Canyon Ranch, Area Two - a subdivision in Precinct Three.

#### Summary and TNR Staff Recommendation:

The Comanche Canyon Ranch, Area Two subdivision was recorded on March 2, 2006 at Document #200600062. This subdivision includes public and private streets. At the developer's request, a variance to accept the public street portion of this subdivision was approved by Commissioners Court on May 13, 2008. The purpose of the variance was for the subdivision rule that states a subdivision must be completed in its entirety and that all "Requirements for Approval..." must be submitted to be accepted.

According to Standards for Construction of Streets and Drainage in Subdivisions [§82.401(c)(2)] adopted by Travis County Commissioners Court August 28, 1997, the Executive Manager will notify the Commissioners Court of the satisfactory construction of public and private improvements. Upon approval of the private improvements, the Executive Manager will release the security for the private improvements. We recommend that the County's interest in all fiscal be released.

The private street portion of this subdivision has since been completed and given a positive inspection by a Travis County inspector on February 15, 2011. All requirements for approving a private street have been submitted.

#### Budgetary and Fiscal Impacts:

No budgetary impact. Fiscal is posted in an escrow account with the City of Austin. The County will release its interest in the fiscal posted once Commissioners Court approves the notification. However, the City of Austin has requested that \$1,518.00 remain until vegetation is established in an area around a water quality pond.

#### Issues and Opportunities:

This insures that not only is the private street built to public street standards, but that there is a collective body in place to maintain the streets of this subdivision for the respective residents.

February 15, 2011

Page 2

**Required Authorizations:**

The proposed License Agreement utilizes the standard form.

**Exhibits:**

TNR Approval Letter

Requirements for Approval

Location maps

SM:SS:ps

1105 Comanche Canyon Ranch, Area Two





## **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

### **CONSTRUCTION ACCEPTANCE AND RECOMMENDATION FOR FISCAL RELEASE -PRIVATE STREET SUBDIVISION**

**DATE:** February 14, 2010

**DEVELOPER:**

Comanche Canyon Development, Inc.  
6535 Comanche Trail  
Austin, TX 78732

**ENGINEER:**

G. Ulcak Engineering, LLC  
15321 Ozone Place  
Austin, TX 78728

**SUBJECT:** Comanche Canyon Ranch, Area Two – Monte Castillo Parkway

Effective this date, streets and/or drainage construction within this subdivision, appear to be in conformance with the Permitted Construction Documents. The streets of this subdivision will not be accepted for maintenance by Travis County but will be released to the Homeowners Association for maintenance.

When the Developer has furnished to Travis County all of the documents in the "Requirements for Approval of Construction – Private Street Subdivisions" (attached), the Executive Manager of Transportation and Natural Resources Department will notify the Commissioners Court of the satisfactory completion of the private streets. Upon approval of the private improvements, the Executive Manager will fully release the Security for the private improvements.

**OTHER REMARKS:**

See attached "Requirements for Approval of Construction"

BY:

  
Travis County TNR Construction Inspector – Charles Allen

  
Engineering Specialist – Paul Scoggins



## TRANSPORTATION AND NATURAL RESOURCES

STEVEN M. MANILLA, P.E., EXECUTIVE MANAGER

---

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

### COMANCHE CANYON RANCH, AREA TWO

#### REQUIREMENTS FOR APPROVAL OF CONSTRUCTION PRIVATE STREET SUBDIVISIONS PER STANDARDS FOR CONSTRUCTION OF STREETS AND DRAINAGE IN SUBDIVISIONS - AUGUST 28, 1997

- |                |  |
|----------------|--|
| <u>12/4/09</u> | 1. Professional Engineer's certification of quantities of work completed ( <b>Engineer's Concurrence Letter</b> ) § 82.401(c)(1)(A) § 82.604(c)(2).  |
| <u>NA</u>      | 2. <b>If applicable</b> , Construction Summary Report § 82.604(c)(1).  |
| <u>12/4/09</u> | 3. Contractor's invoice or receipt of payment for work completed § 82.401(c)(1)(B).  |
| <u>12/4/09</u> | 4. Reproducible Plans, certified as " <b>Record Drawings</b> ", by the Owner's Consulting Engineer § 82.604(c)(3).   |
| <u>NA</u>      | 5. <b>If applicable</b> , a copy of the Conditional Letter of Map Amendment or Revision from FEMA and the completed application for a Letter of Map Amendment or Revision § 82.604(c)(5).  |
| <u>2/15/11</u> | 6. A TNR inspection report, indicating the completion of that portion of the work represented by the reduction of fiscal (streets and drainage, including detention ponds and common area sidewalks and traffic control devices shown on the approved traffic control plan) § 82.401(c)(1)(C). |
| <u>REC'D</u>   | 7. Approval of other agencies and/or cities, <b>if in their ETJ</b> ; Municipal or other Utility Districts.  |
| <u>12/4/09</u> | *8. The Certificate of Incorporation of the Homeowners Association filed with the Texas Secretary of State.  |
| <u>12/4/09</u> | *9. A <b>recorded</b> copy of the Declaration of Covenants, Conditions, and Restrictions showing the responsibility of the Homeowners Association to maintain the streets and drainage.  |

\*These two items are in lieu of warranty bond, sidewalk fiscal posting and ADA statement.

- 1/2-INCH IRON ROD FOUND
- 1/2-INCH IRON ROD WITH PLASTIC CAP STAMPED "WAGGUS SURVEY" SET
- \* COTTON GIN SPINDLE FOUND
- ▲ NAIL FOUND IN ASPHALT
- CONCRETE MONUMENT SET
- △ NAIL SET IN ASPHALT
- CM CONTROLLING MONUMENT
- R.O.W. RIGHT-OF-WAY
- BL BUILDING SETBACK LINE
- ..... PROPOSED SIDEWALK
- + F-10 FEATURE NUMBER
- CRITICAL ENVIRONMENTAL FEATURE BUFFER ZONE (CEF)

UNIT TYPE	NO.
SINGLE FAMILY	30
MULTI FAMILY (CONDO)	24

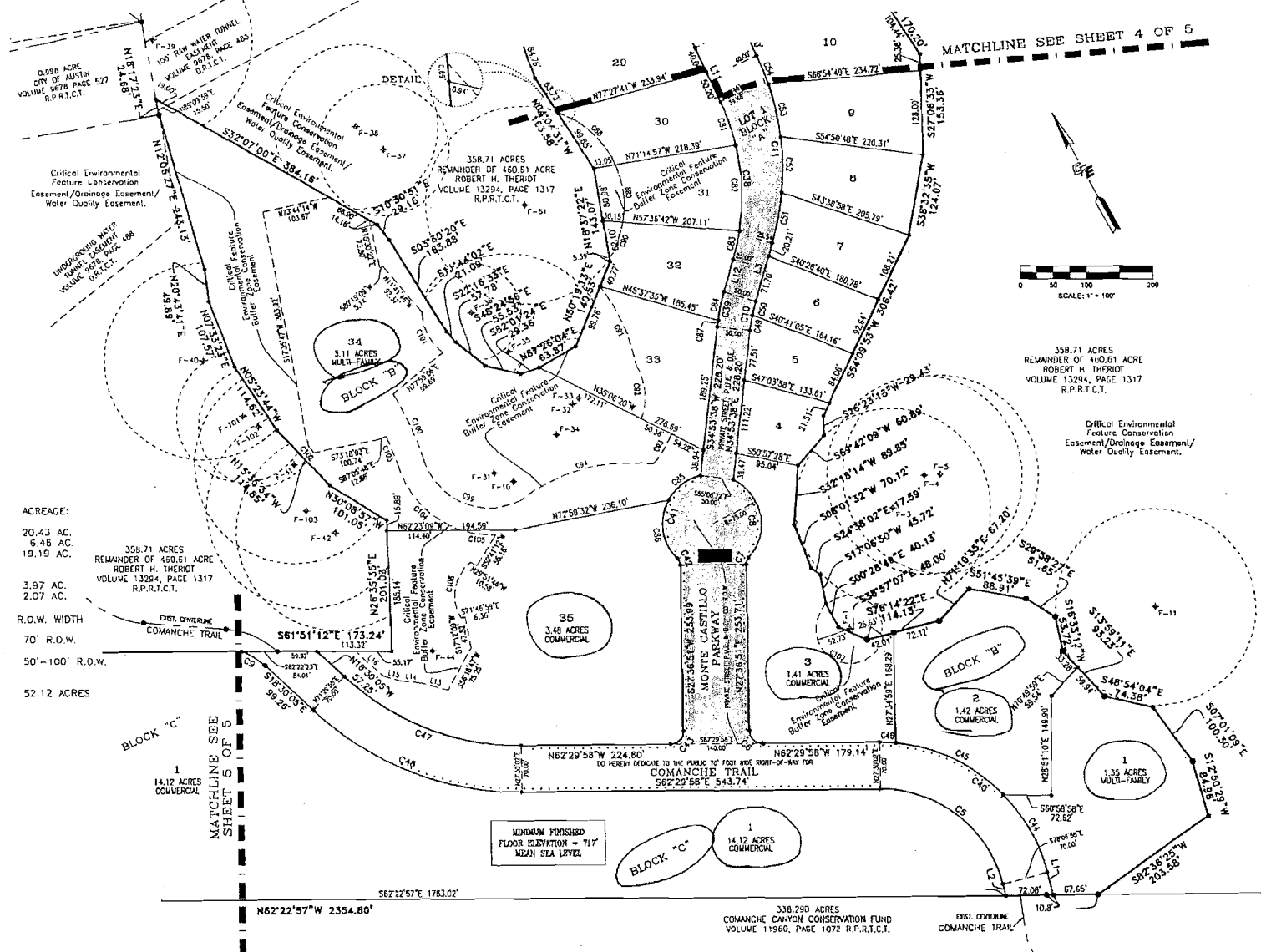
LOT BLOCK AND RIGHT-OF-WAYS:

TOTAL NO. COMMERCIAL LOTS:	4	20.43 AC.
TOTAL NO. MULTI-FAMILY LOTS:	2	6.46 AC.
TOTAL NO. SINGLE FAMILY LOTS:	30	19.19 AC.
TOTAL NO. LOTS:	37	
TOTAL NO. BLOCKS:	3	
TOTAL NO. PRIVATE RIGHT-OF-WAYS:	1	3.97 AC.
TOTAL NO. PUBLIC RIGHT-OF-WAYS:	1	2.07 AC.

LINEAR FEET OF RIGHT-OF-WAYS:

PUBLIC RIGHT-OF-WAY:	
COMANCHE TRAIL	1285' L.F.
PRIVATE RIGHT-OF-WAY:	
MONTE CASTILLO PARKWAY	2566' L.F.
TOTAL LINEAR FEET:	3851' L.F.

TOTAL ACREAGE:  
TRAVIS COUNTY, TEXAS



400 Bowie Street, Suite 250  
Austin, Texas 78703  
P: 512.495.9470  
F: 512.495.9473  
  
P.O. Box 1528  
Austin, Texas 78767-1528  
[www.cfaulknerengineering.com](http://www.cfaulknerengineering.com)

TRAVIS COUNTY, TEXAS

DATE:	NOVEMBER, 2005
SURVEYOR:	STEVEN R. MCANGUS, RPLS No.3680
TECHNICIAN:	SHARON RHoad
FIELDBOOK:	N/A
JOB NUMBER:	2005.003
DESCRIPTION:	N/A
DRAWING:	J:\Hollard Group\Camanche Canyon Survey\CADD\Final-Plot\CCRS2.dwg

COMANCHE CANYON RANCH  
AREA TWO

CFE PLAT NO.  
CCRS2.DWG

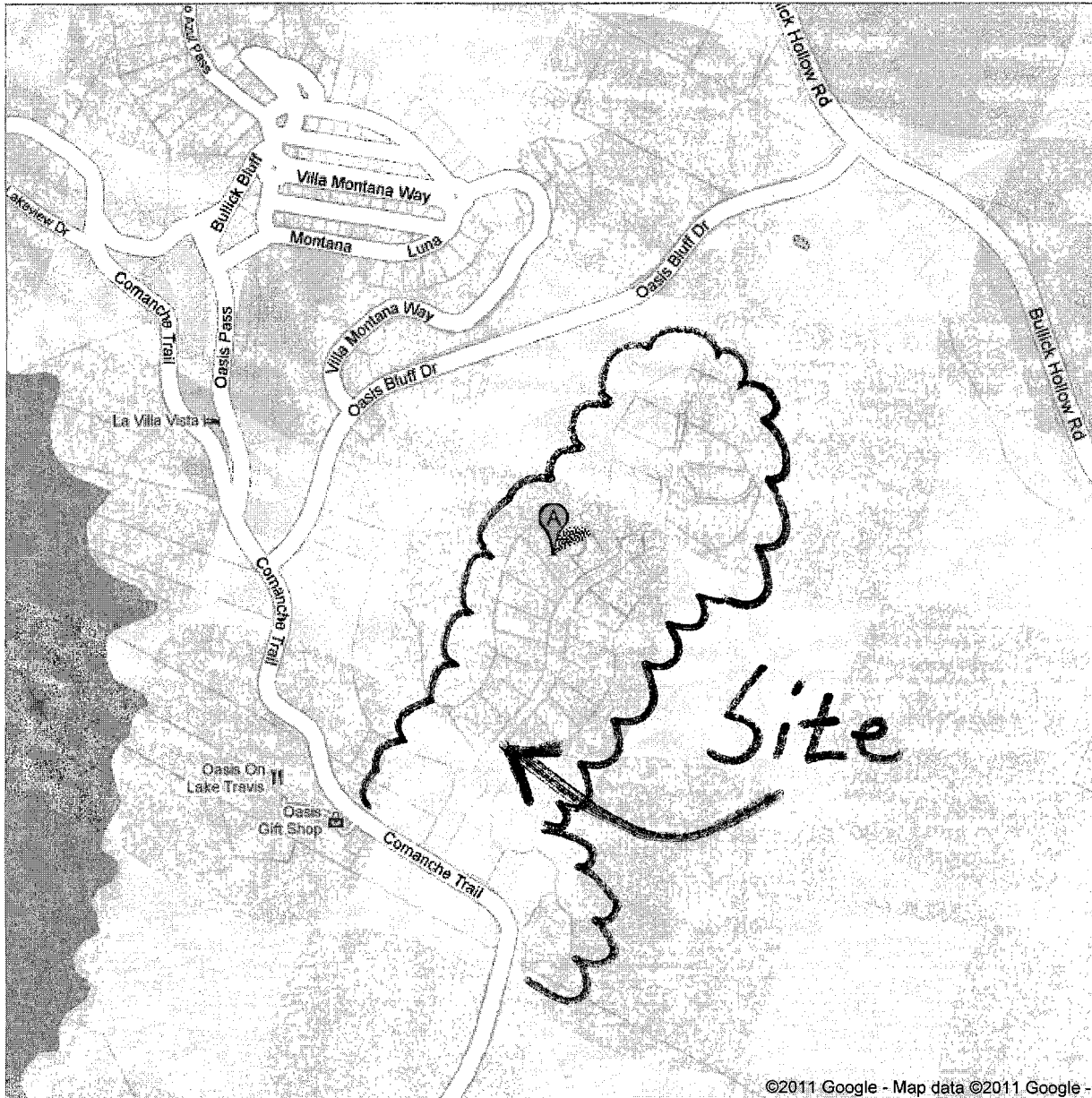
3  
OF

C8J-04-0040.2A

Google maps

Address **Monte Castillo Pkwy**  
**Austin, TX 78726**

Notes Notify Court of the satisfactory construction of the private street portion of Comanche Canyon Ranch, Area Two - a subdivision in Precinct Three, Commissioner Karen Huber.



# \_\_\_\_\_

Travis County Commissioners Court Agenda RequestVoting Session 3/8/11  
(Date)Work Session \_\_\_\_\_  
(Date)

- I. A. Request made by: Steve M. Manilla P.E. Phone # 854-9383  
Executive Manager, TNR
- B. Requested Text: **Consider and take appropriate action on a Cash Security Agreement with Highland Homes, Austin for sidewalk fiscal for Commons at Rowe Lane IIA Lot 22 Block J in Precinct Two.**

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:

Anna Anna Bowlin – 854-9383  
Stacey Stacey Scheffel – 854-9383  
Tim Tim Pautsch – 854-9383

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

Planning and Budget Office (473-9106)

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

Human Resources Department (473-9165)

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

Purchasing Office (473-9700)

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

County Attorney's Office (473-9415)

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

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



## TRANSPORTATION AND NATURAL RESOURCES

STEVE M. MANILLA P.E., EXECUTIVE MANAGER

---

411 West 13th Street  
Executive Office Building  
PO Box 1748  
Austin, Texas 78767  
(512) 473-9383  
FAX (512) 708-4649

### MEMORANDUM

DATE: February 24, 2011

TO: Members of the Commissioners Court

THROUGH: *Carol B. Jephson*  
Steve M. Manilla P.E., Executive Manager

FROM: *Anna M. Bowlin*, Division Director, Development Services

SUBJECT: Cash Security Agreements for sidewalks on lots in Commons at Rowe Lane IIA.

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

Highland Homes, Austin, proposes to use this Cash Security Agreement, as follows:  
20908 Havant Way., Lot 22 Block J, \$780.00, Permit #11-0316 to post sidewalk fiscal where the sidewalks have not been completed, in this subdivision.

#### **Budgetary and Fiscal Impacts:**

There are no budgetary and/or fiscal impacts as this is fiscal posted for a development.

#### **Required Authorizations:**

The form of the Cash Security Agreement is from the Standards for Construction of Streets and Drainage in Subdivisions that were in place before August 28, 1997.

#### **Exhibits:**

Cash Security Agreement  
Map

TP:AMB:tp

1102 Commons @ Rowe Lane Phase IIA

§ 82,1006. EXHIBIT 82.401 (C )

( c ) CASH SECURITY AGREEMENT

TO: Travis County, Texas

DEVELOPER/BUILDER: Highland Homes, Ltd.

ESCROW AGENT: Travis County Treasurer

AMOUNT OF SECURITY: 780.00

SUBDIVISION: Commons at Rowe Lane IIA

Address: 20908 Havant Way Lot: 22 Block: J

DATE OF POSTING: 2-21-11

EXPIRATION DATE: Three Years, or more from Date of Posting

The ESCROW AGENT shall duly honor all drafts drawn and presented in accordance with this Agreement. Travis County may draw on the account of the DEVELOPER/BUILDER up to the aggregate AMOUNT OF SECURITY upon presentation of a draft signed by the County Judge that the following condition exists:

The county considers such a drawing on this Security necessary to complete all or part of the SUBDIVISION Sidewalks. No further substantiation of the necessity of the draw is required by this Agreement.

This Agreement is conditioned on the performance of the duties of the DEVELOPER/ BUILDER to provide for the construction and completion of the Sidewalk Improvements in the SUBDIVISION to current Travis County Standards for Construction of Streets and Drainage in Subdivisions (the "Standards"), so that the Sidewalk Improvements are performing to the Standards upon the approval of the construction of the Sidewalk Improvements, and the acceptance of the Sidewalk Improvements by the Executive Manager of TNR or his designated representative. The DEVELOPER/ BUILDER shall prove that the sidewalk is built to Texas Accessibility Standards by submitting an approved inspection letter from a Registered Accessibility Specialist.

If this document needs to be renewed, it will be renewed at the then current rate for Sidewalks required by Travis County. In no case shall the amount of Security be less than the amount it would cost the County to complete the work if it becomes necessary.

Partial drafts and reductions in the amount of Security are permitted. Drafts will be honored within five calendar days of presentment. In lieu of drawing on the Security, the County, in its discretion, may accept a substitute Security in the then current amount of the estimated cost of



Cash Security Agreement/Sidewalks  
Page 2

constructing the Improvements. This Agreement may be revoked only by written consent of the DEVELOPER/ BUILDER and the County.

If the street right of way covered by this Cash Security Agreement is annexed, for full purposes by a City, then the ESCROW AGENT shall be construed to mean "the City" and the funds, plus interest, can be transferred to the annexing City.

All escrowed funds will be invested and interest paid at the rate Travis County receives for its 90-day accounts. Additionally, a \$25.00 investment fee will be charged, for every 90 days, Travis County holds the funds.

**DEVELOPER/ BUILDER**

Signature: Cynthia Hicock

Name: Cynthia Hicock

Title: Assistant Secretary

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

**ADDRESS OF DEVELOPER**

Highland Homes, Ltd.

4201 W. Parmer Ln, Bldg. B, Ste 180

Austin, TX 78727

Phone: 512-834-8429 ext. 108

APPROVED BY THE TRAVIS COUNTY COMMISSIONERS' COURT: \_\_\_\_\_  
Date

\_\_\_\_\_  
COUNTY JUDGE, TRAVIS COUNTY, TEXAS  
Date

PHOTOGRAPHIC AYLAR

\$65.00

7-24-2008

200800219

# FINAL PLAT THE COMMONS AT ROWE LANE PHASE II A

LOCATION MAP  
NOT TO SCALE

## LEGEND

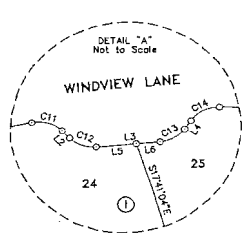
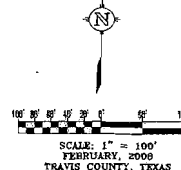
- 1/2" IRON ROD FOUND
- 1/2" IRON ROD WITH CAP SET
- ⊕ BENCHMARK
- ⊙ CONCRETE MONUMENT SET
- ROW RIGHT-OF-WAY
- BL BUILDING SETBACK LINE
- PUE PUBLIC UTILITY EASEMENT
- (A) BLOCK LETTER
- R.P.R.T.C.T. REAL PROPERTY RECORDS  
TRAVIS COUNTY, TEXAS
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS  
TRAVIS COUNTY, TEXAS
- P.R.T.C.T. PLAT RECORDS  
TRAVIS COUNTY, TEXAS

ACREAGE	
BLOCK H	1.315 AC.
BLOCK I	1.581 AC.
BLOCK J	0.273 AC.
BLOCK K	0.439 AC.
BLOCK L	3.479 AC.
BLOCK M	0.221 AC.
BLOCK O	2.007 AC.
RIGHT-OF-WAY	3.022 AC.
TOTAL ACREAGE	14.137 AC.

REVISED 100-YEAR FLOODPLAIN  
FEMA FIRM NO. 484530075E  
LOWR #07-06-19879

CURVE	DELTA	RADIUS	LENGTH	CHORD	CH. BEARING
C3	6.0619°	825.00	87.81	87.88	N14°37'56"W
C4	90.0000°	15.00	23.56	21.21	S37°28'04"E
C5	90.0000°	15.00	23.56	21.21	S52°34'56"W
C6	90.0000°	15.00	23.56	21.21	N27°28'04"E
C7	90.0000°	15.00	23.56	21.21	N62°41'04"W
C8	6.0619°	775.00	82.58	82.54	N14°37'54"W
C9	25.1059°	325.00	143.32	142.18	S84°36'56"W
C10	7.0248°	275.00	33.82	33.80	N75°20'20"E
C11	56.5054°	10.00	9.94	9.53	S72°10'28"E
C12	50.5703°	10.00	8.89	8.60	S68°11'16"E
C13	50.5918°	10.00	8.80	8.61	N69°58'31"E
C14	56.5621°	10.00	9.94	9.53	N62°48'03"E
C15	21.1456°	255.00	78.00	77.53	S65°33'58"E
C16	6.0619°	15.00	23.56	21.21	S52°34'56"W
C17	90.0000°	15.00	23.56	21.21	N37°28'04"W
C18	21.1456°	155.00	58.87	58.82	S03°18'02"E
C19	21.1456°	255.00	78.00	77.53	N03°18'02"W
C20	90.0000°	15.00	23.56	21.21	N30°47'00"E
C21	90.0000°	15.00	23.56	21.21	N59°13'00"W
C22	21.1456°	155.00	58.87	58.82	N86°40'58"E
C23	21.1456°	255.00	78.00	77.53	S86°40'58"W
C24	62°01'12"	16.00	13.62	13.16	S68°24'28"E
C25	184°04'26"	30.00	169.33	99.25	N52°34'56"E
C26	52°01'12"	16.00	13.62	13.16	N18°25'04"W
C27	50.5703°	15.00	23.56	21.21	S52°34'56"W
C28	21.1456°	255.00	78.00	77.53	N12°28'54"W
C29	18°01'01"	225.00	56.17	56.15	N15°32'03"W
C30	10°58'36"	325.00	62.26	62.17	S77°48'14"W
C31	14°17'42"	325.00	81.06	80.85	N89°33'46"W
C32	47°00'00"	50.00	47.00	39.88	S63°54'33"E
C33	49°25'36"	50.00	43.10	41.78	N77°02'58"E
C34	48°10'49"	50.00	42.05	40.82	N29°05'45"E
C35	46°28'37"	50.00	43.15	41.82	N19°42'58"W

LINE	BEARING	LENGTH
L1	N72°18'56"E	43.12
L2	S43°42'42"E	3.34
L3	N85°20'11"E	19.77
L4	N34°20'52"E	3.34
L5	N89°20'11"E	12.51
L6	N85°20'11"E	7.27
L7	N17°41'04"W	26.47
L8	S72°18'56"W	43.12
L9	N89°20'11"E	24.46
L10	S07°34'56"W	26.73
L11	N07°34'56"E	28.53
L12	N13°28'12"W	65.01
L13	S17°28'04"E	63.96
L14	S11°34'46"E	31.81
L15	S13°28'12"E	32.40
L16	S13°28'12"W	32.61
L17	S14°33'00"E	2.65
L18	N14°13'00"W	2.31
L19	N82°25'04"W	28.78
L20	N78°47'00"E	5.15
L21	S75°47'00"W	5.15
L22	N07°34'56"E	57.50
L23	N07°34'56"E	16.01
L24	S07°34'56"W	48.27

DETAIL 'A'  
Not to Scale

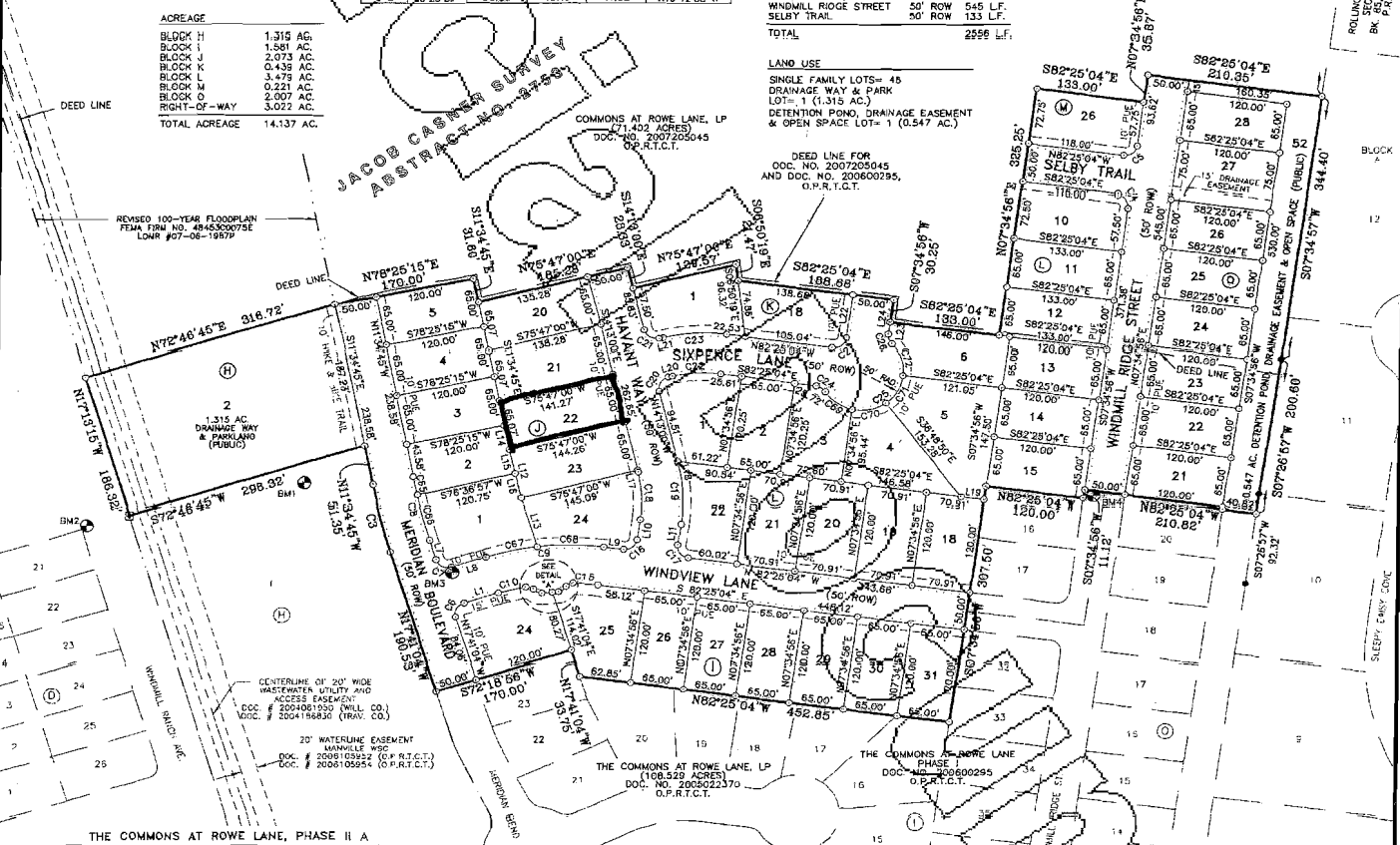
## LINEAR FEET OF NEW STREETS

MERIDIAN BOULEVARD	50' ROW	514 L.F.
WINDVIEW LANE	50' ROW	637 L.F.
HAVANT WAY	50' ROW	373 L.F.
SIXPENCE LANE	50' ROW	354 L.F.
WINDMILL RIDGE STREET	50' ROW	545 L.F.
SELBY TRAIL	50' ROW	133 L.F.
TOTAL		2556 L.F.

## LAND USE

SINGLE FAMILY LOTS= 45  
DRAINAGE WAY & PARK LOT= 1 (1.315 AC.)  
DETENTION POND, DRAINAGE EASEMENT & OPEN SPACE LOT= 1 (0.547 AC.)

DEED LINE FOR  
DOC. NO. 2007205045  
AND DOC. NO. 200600295,  
O.P.R.T.C.T.



## THE COMMONS AT ROWE LANE, PHASE II A

OWNER/SUBDIVIDER: THE COMMONS AT ROWE LANE, LP  
2929 WEST 5TH STREET, SUITE A  
FORT WORTH, TEXAS 76107  
PHONE: (817)332-9600 FAX: (817)332-1400

ACREAGE: 14.137 AC.  
SURVEY: JACOB CASNER SURVEY A-2753  
NUMBER OF BLOCKS: 7  
NUMBER OF LOTS: 48  
LINEAR FEET OF NEW STREETS: 2556 L.F.  
DATE: FEBRUARY, 2008  
SURVEYOR: ZAWORA-WARRICK AND ASSOCIATES, L.L.C.  
4412 SPRICEWOOD SPRINGS RD., SUITE 200  
AUSTIN, TEXAS 78759  
PHONE: (512)241-1078 FAX: (512)241-1392

ENGINEER: GRAY • JANSING & ASSOCIATES, INC.  
8217 SHOAL CREEK BLVD., SUITE 200  
AUSTIN, TEXAS 78757-7592  
PHONE: (512)452-0371 FAX: (512)454-9533

## BENCHMARK LIST

BM#1: COTTON SPINDLE SET IN THE  
SOUTHWEST CORNER OF A 13' LIVE OAK  
APPROX. 700' NORTH OF INTERSECTION  
OF WINDMILL RIDGE AVE. & COMMONS PARKWAY.  
NORTHING= 10,152,756.13  
EASTING= 3,187,377.37  
ELEV.= 687.11

BM#2: 604 SET APPROX. 380' NORTH  
OF INTERSECTION OF MERIDIAN BLVD.  
& COMMONS PARKWAY, WITH COORDINATES:  
NORTHING= 10,152,641.95  
EASTING= 3,187,377.37  
ELEV.= 687.11

BM#3: 604 SET IN PAVEMENT APPROX. 170'  
NORTH OF INTERSECTION OF WINDVIEW LN.  
& WINDMILL RIDGE ST. WITH COORDINATES:  
NORTHING= 10,152,738.88  
EASTING= 3,168,153.24  
ELEV.= 685.79

## CUMULATIVE DENSITY CALCULATIONS

TOTAL NUMBER OF RESIDENTIAL UNITS: 45  
TOTAL AREA OF RESIDENTIAL LOTS AND LOCAL AND COLLECTOR STREETS: 12.275 AC.

**ZWA**  
Zawora-Warrick & Associates, L.L.C.  
Professional Land Surveyors  
4412 Spricewood Springs Rd., Suite 200 Austin, Texas 78759  
Tel (512) 241-1078 • Fax (512) 241-1392



GRAY • JANSING & ASSOCIATES, INC.  
Consulting Engineers  
8217 Shoal Creek Blvd., Suite 200  
Austin, Texas 78757-7592  
(512)452-0371 FAX(512)454-9533

TECH: WOOD SURV: GRZ  
DATE: FEBRUARY, 2008 SCALE: 1" = 100'  
DRAWING FILE: 06-015-11 PHASE 2A REV-SHEET.DWG  
PROJECT: COMMONS @ ROWE LANE  
JOB NO: 06-015-11

SHEET  
OF  
2

DATE	BY	REVISIONS
06-04-09	MW	REVISE FLOOD PLAIN & NOTES PER GJA
05-13-08	MW	ADDRESS CITY OF Pflugerville COMMENTS
02-15-06	MW	ADDRESS CITY OF Pflugerville COMMENTS

# \_\_\_\_\_

Travis County Commissioners Court Agenda RequestVoting Session 3/8/11  
(Date)Work Session \_\_\_\_\_  
(Date)

- I. A. Request made by: Steve M. Manilla P.E. Phone # 854-9383  
Executive Manager, TNR
- B. Requested Text: **Consider and take appropriate action on a Cash Security Agreement with Highland Homes, Austin for sidewalk fiscal for Commons at Rowe Lane IIA Lot 31 Block I in Precinct Two.**

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:

~~NO~~ Anna Bowlin – 854-9383  
SS Stacey Scheffel – 854-9383  
Tim Pautsch – 854-9383

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

Planning and Budget Office (473-9106)

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

Human Resources Department (473-9165)

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

Purchasing Office (473-9700)

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

County Attorney's Office (473-9415)

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

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



## TRANSPORTATION AND NATURAL RESOURCES

STEVE M. MANILLA P.E., EXECUTIVE MANAGER

---

411 West 13th Street  
Executive Office Building  
PO Box 1748  
Austin, Texas 78767  
(512) 473-9383  
FAX (512) 708-4649

### MEMORANDUM

DATE: February 24, 2011

TO: Members of the Commissioners Court

THROUGH: *Carl B. Jorgensen*  
Steve M. Manilla P.E., Executive Manager

FROM: *AM* Anna M. Bowlin, Division Director, Development Services

SUBJECT: Cash Security Agreements for sidewalks on lots in Commons at Rowe Lane IIA.

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

Highland Homes, Austin, proposes to use this Cash Security Agreement, as follows:  
2621 Windview Ln., Lot 31 Block I, \$780.00, Permit #11-0315 to post sidewalk fiscal where the sidewalks have not been completed, in this subdivision.

#### **Budgetary and Fiscal Impacts:**

There are no budgetary and/or fiscal impacts as this is fiscal posted for a development.

#### **Required Authorizations:**

The form of the Cash Security Agreement is from the Standards for Construction of Streets and Drainage in Subdivisions that were in place before August 28, 1997.

#### **Exhibits:**

Cash Security Agreement  
Map

TP:AMB:tp

1102 Commons @ Rowe Lane Phase IIA

§ 82,1006. EXHIBIT 82.401 (C )

( c ) CASH SECURITY AGREEMENT

TO: Travis County, Texas

DEVELOPER/BUILDER: Highland Homes, Ltd.

ESCROW AGENT: Travis County Treasurer

AMOUNT OF SECURITY: \$780.00

SUBDIVISION: Commons at Rowe Lane IIA

Address: 2621 Windview Lot: 31 Block: I

DATE OF POSTING: 2-18-11

EXPIRATION DATE: Three Years, or more from Date of Posting

The ESCROW AGENT shall duly honor all drafts drawn and presented in accordance with this Agreement. Travis County may draw on the account of the DEVELOPER/BUILDER up to the aggregate AMOUNT OF SECURITY upon presentation of a draft signed by the County Judge that the following condition exists:

The county considers such a drawing on this Security necessary to complete all or part of the SUBDIVISION Sidewalks. No further substantiation of the necessity of the draw is required by this Agreement.

This Agreement is conditioned on the performance of the duties of the DEVELOPER/ BUILDER to provide for the construction and completion of the Sidewalk Improvements in the SUBDIVISION to current Travis County Standards for Construction of Streets and Drainage in Subdivisions (the "Standards"), so that the Sidewalk Improvements are performing to the Standards upon the approval of the construction of the Sidewalk Improvements, and the acceptance of the Sidewalk Improvements by the Executive Manager of TNR or his designated representative. The DEVELOPER/ BUILDER shall prove that the sidewalk is built to Texas Accessibility Standards by submitting an approved inspection letter from a Registered Accessibility Specialist.

If this document needs to be renewed, it will be renewed at the then current rate for Sidewalks required by Travis County. In no case shall the amount of Security be less than the amount it would cost the County to complete the work if it becomes necessary.

Partial drafts and reductions in the amount of Security are permitted. Drafts will be honored within five calendar days of presentment. In lieu of drawing on the Security, the County, in its discretion, may accept a substitute Security in the then current amount of the estimated cost of

Cash Security Agreement/Sidewalks

Page 2

constructing the Improvements. This Agreement may be revoked only by written consent of the DEVELOPER/ BUILDER and the County.

If the street right of way covered by this Cash Security Agreement is annexed, for full purposes by a City, then the ESCROW AGENT shall be construed to mean "the City" and the funds, plus interest, can be transferred to the annexing City.

All escrowed funds will be invested and interest paid at the rate Travis County receives for its 90-day accounts. Additionally, a \$25.00 investment fee will be charged, for every 90 days, Travis County holds the funds.

DEVELOPER/ BUILDER

ADDRESS OF DEVELOPER

Signature: Cynthia Hicock

Highland Homes, Ltd.

Name: Cynthia Hicock

4201 W. Parmer Ln, Bldg. B, Ste 180

Title: Assistant Secretary

Austin, TX 78727

Date: 2-17-11

Phone: 512-834-8429 ext. 108

APPROVED BY THE TRAVIS COUNTY COMMISSIONERS' COURT: \_\_\_\_\_

Date

\_\_\_\_\_  
COUNTY JUDGE, TRAVIS COUNTY, TEXAS

Date

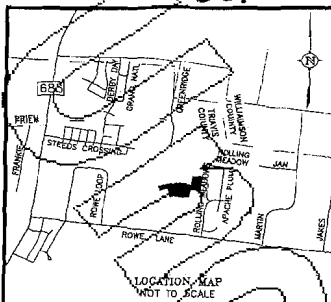
PHOTOGRAPHIC MYLAR

\$65.00

7-24-2008

200800219

# FINAL PLAT THE COMMONS AT ROWE LANE PHASE II A



LOCATION MAP WEST TO SCALE

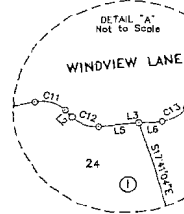
LEGEND

- 1/2" IRON ROD FOUND
- 1/2" IRON ROD WITH CAP SET
- BENCHMARK
- CONCRETE MONUMENT SET
- ROW RIGHT-OF-WAY
- BL BUILDING SETBACK LINE
- PUE PUBLIC UTILITY EASEMENT
- Ⓐ BENCH LETTER
- R.P.R.T.C.T. REAL PROPERTY RECORDS TRAVIS COUNTY, TEXAS
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS
- P.R.T.C.T. PLAT RECORDS TRAVIS COUNTY, TEXAS

ACREAGE	
BLOCK H	1.313 AC.
BLOCK I	1.381 AC.
BLOCK J	2.073 AC.
BLOCK K	0.439 AC.
BLOCK L	3.479 AC.
BLOCK M	0.221 AC.
BLOCK O	2.007 AC.
RIGHT-OF-WAY	3.022 AC.
TOTAL ACREAGE	14.137 AC.

CURVE	DELTA	RADIUS	LENGTH	CHORD	CH. BEARING
C3	61°06'18"	825.00	87.91	87.88	N14°37'55"W
C4	90°00'00"	15.00	23.56	21.21	S32°34'56"W
C5	90°00'00"	15.00	23.56	21.21	N47°18'58"W
C6	90°00'00"	15.00	23.56	21.21	N62°41'04"W
C7	61°06'18"	825.00	87.91	87.88	N14°37'54"W
C8	90°00'00"	15.00	23.56	21.21	S32°34'56"W
C9	90°00'00"	15.00	23.56	21.21	N47°18'58"W
C10	90°00'00"	15.00	23.56	21.21	N62°41'04"W
C11	61°06'18"	825.00	87.91	87.88	N14°37'54"W
C12	90°00'00"	15.00	23.56	21.21	S32°34'56"W
C13	90°00'00"	15.00	23.56	21.21	N47°18'58"W
C14	90°00'00"	15.00	23.56	21.21	N62°41'04"W
C15	61°06'18"	825.00	87.91	87.88	N14°37'54"W
C16	90°00'00"	15.00	23.56	21.21	S32°34'56"W
C17	90°00'00"	15.00	23.56	21.21	N47°18'58"W
C18	90°00'00"	15.00	23.56	21.21	N62°41'04"W
C19	61°06'18"	825.00	87.91	87.88	N14°37'54"W
C20	90°00'00"	15.00	23.56	21.21	S32°34'56"W
C21	90°00'00"	15.00	23.56	21.21	N47°18'58"W
C22	90°00'00"	15.00	23.56	21.21	N62°41'04"W
C23	61°06'18"	825.00	87.91	87.88	N14°37'54"W
C24	90°00'00"	15.00	23.56	21.21	S32°34'56"W
C25	90°00'00"	15.00	23.56	21.21	N47°18'58"W
C26	90°00'00"	15.00	23.56	21.21	N62°41'04"W
C27	61°06'18"	825.00	87.91	87.88	N14°37'54"W
C28	90°00'00"	15.00	23.56	21.21	S32°34'56"W
C29	90°00'00"	15.00	23.56	21.21	N47°18'58"W
C30	90°00'00"	15.00	23.56	21.21	N62°41'04"W
C31	61°06'18"	825.00	87.91	87.88	N14°37'54"W
C32	90°00'00"	15.00	23.56	21.21	S32°34'56"W
C33	90°00'00"	15.00	23.56	21.21	N47°18'58"W
C34	90°00'00"	15.00	23.56	21.21	N62°41'04"W
C35	61°06'18"	825.00	87.91	87.88	N14°37'54"W
C36	90°00'00"	15.00	23.56	21.21	S32°34'56"W
C37	90°00'00"	15.00	23.56	21.21	N47°18'58"W
C38	90°00'00"	15.00	23.56	21.21	N62°41'04"W
C39	61°06'18"	825.00	87.91	87.88	N14°37'54"W
C40	90°00'00"	15.00	23.56	21.21	S32°34'56"W
C41	90°00'00"	15.00	23.56	21.21	N47°18'58"W
C42	90°00'00"	15.00	23.56	21.21	N62°41'04"W
C43	61°06'18"	825.00	87.91	87.88	N14°37'54"W
C44	90°00'00"	15.00	23.56	21.21	S32°34'56"W
C45	90°00'00"	15.00	23.56	21.21	N47°18'58"W
C46	90°00'00"	15.00	23.56	21.21	N62°41'04"W
C47	61°06'18"	825.00	87.91	87.88	N14°37'54"W
C48	90°00'00"	15.00	23.56	21.21	S32°34'56"W
C49	90°00'00"	15.00	23.56	21.21	N47°18'58"W
C50	90°00'00"	15.00	23.56	21.21	N62°41'04"W
C51	61°06'18"	825.00	87.91	87.88	N14°37'54"W
C52	90°00'00"	15.00	23.56	21.21	S32°34'56"W
C53	90°00'00"	15.00	23.56	21.21	N47°18'58"W
C54	90°00'00"	15.00	23.56	21.21	N62°41'04"W
C55	61°06'18"	825.00	87.91	87.88	N14°37'54"W
C56	90°00'00"	15.00	23.56	21.21	S32°34'56"W
C57	90°00'00"	15.00	23.56	21.21	N47°18'58"W
C58	90°00'00"	15.00	23.56	21.21	N62°41'04"W
C59	61°06'18"	825.00	87.91	87.88	N14°37'54"W
C60	90°00'00"	15.00	23.56	21.21	S32°34'56"W
C61	90°00'00"	15.00	23.56	21.21	N47°18'58"W
C62	90°00'00"	15.00	23.56	21.21	N62°41'04"W
C63	61°06'18"	825.00	87.91	87.88	N14°37'54"W
C64	90°00'00"	15.00	23.56	21.21	S32°34'56"W
C65	90°00'00"	15.00	23.56	21.21	N47°18'58"W
C66	90°00'00"	15.00	23.56	21.21	N62°41'04"W
C67	61°06'18"	825.00	87.91	87.88	N14°37'54"W
C68	90°00'00"	15.00	23.56	21.21	S32°34'56"W
C69	90°00'00"	15.00	23.56	21.21	N47°18'58"W
C70	90°00'00"	15.00	23.56	21.21	N62°41'04"W
C71	61°06'18"	825.00	87.91	87.88	N14°37'54"W
C72	90°00'00"	15.00	23.56	21.21	S32°34'56"W
C73	90°00'00"	15.00	23.56	21.21	N47°18'58"W
C74	90°00'00"	15.00	23.56	21.21	N62°41'04"W
C75	61°06'18"	825.00	87.91	87.88	N14°37'54"W
C76	90°00'00"	15.00	23.56	21.21	S32°34'56"W
C77	90°00'00"	15.00	23.56	21.21	N47°18'58"W
C78	90°00'00"	15.00	23.56	21.21	N62°41'04"W
C79	61°06'18"	825.00	87.91	87.88	N14°37'54"W
C80	90°00'00"	15.00	23.56	21.21	S32°34'56"W
C81	90°00'00"	15.00	23.56	21.21	N47°18'58"W
C82	90°00'00"	15.00	23.56	21.21	N62°41'04"W
C83	61°06'18"	825.00	87.91	87.88	N14°37'54"W
C84	90°00'00"	15.00	23.56	21.21	S32°34'56"W
C85	90°00'00"	15.00	23.56	21.21	N47°18'58"W
C86	90°00'00"	15.00	23.56	21.21	N62°41'04"W
C87	61°06'18"	825.00	87.91	87.88	N14°37'54"W
C88	90°00'00"	15.00	23.56	21.21	S32°34'56"W
C89	90°00'00"	15.00	23.56	21.21	N47°18'58"W
C90	90°00'00"	15.00	23.56	21.21	N62°41'04"W
C91	61°06'18"	825.00	87.91	87.88	N14°37'54"W
C92	90°00'00"	15.00	23.56	21.21	S32°34'56"W
C93	90°00'00"	15.00	23.56	21.21	N47°18'58"W
C94	90°00'00"	15.00	23.56	21.21	N62°41'04"W
C95	61°06'18"	825.00	87.91	87.88	N14°37'54"W
C96	90°00'00"	15.00	23.56	21.21	S32°34'56"W
C97	90°00'00"	15.00	23.56	21.21	N47°18'58"W
C98	90°00'00"	15.00	23.56	21.21	N62°41'04"W
C99	61°06'18"	825.00	87.91	87.88	N14°37'54"W
C100	90°00'00"	15.00	23.56	21.21	S32°34'56"W

LINE	BEARING	LENGTH
L1	N72°18'58"W	43.12
L2	S43°42'42"E	3.34
L3	N84°20'11"E	19.77
L4	N34°20'52"E	3.34
L5	N85°20'11"E	12.91
L6	N85°20'11"E	7.27
L7	N17°41'04"W	29.47
L8	S72°18'58"W	43.12
L9	N62°25'04"W	24.46
L10	S07°34'56"W	26.73
L11	N07°34'56"W	26.73
L12	N13°28'12"W	65.01
L13	S17°28'50"E	63.96
L14	S11°34'45"E	31.81
L15	S13°28'12"E	32.40
L16	S13°28'12"E	32.61
L17	S14°13'09"E	2.65
L18	N14°13'09"W	2.31
L19	N82°25'04"W	28.78
L20	N75°42'09"E	5.15
L21	S75°42'09"W	5.15
L22	N07°34'56"E	57.50
L23	N07°34'56"E	16.91
L24	N07°34'56"W	46.27



ORIGINAL DEED CORNER FOR 71.402 ACRE TRACT

SCALE: 1" = 100'  
FEBRUARY, 2008  
TRAVIS COUNTY, TEXAS

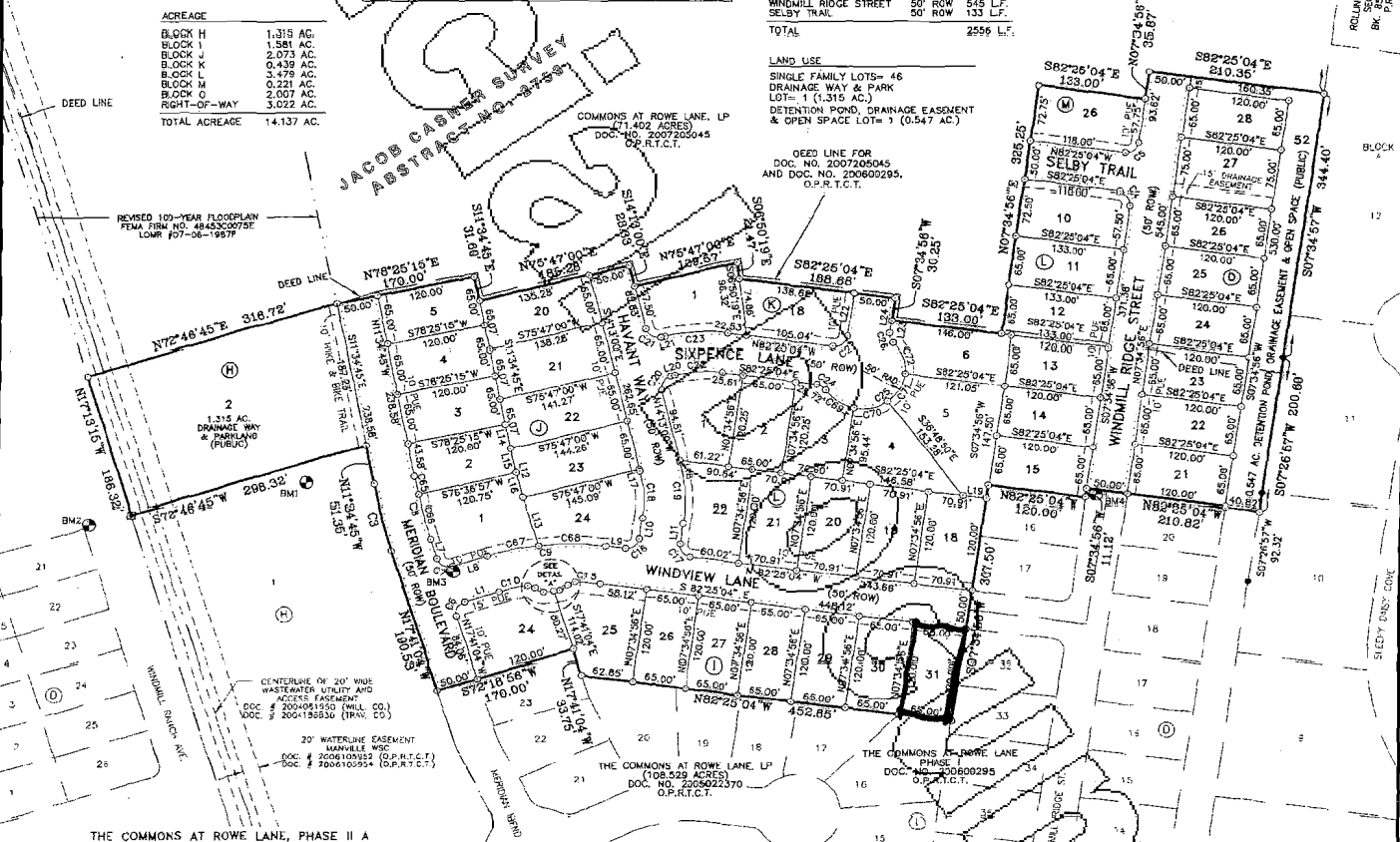
## LINEAR FEET OF NEW STREETS

MERIDIAN BOULEVARD	50' ROW	514 LF.
WINDVIEW LANE	50' ROW	637 LF.
HAUNT WAY	50' ROW	373 LF.
SIXPENCE LANE	50' ROW	354 LF.
WINDMILL RIDGE STREET	50' ROW	545 LF.
SELBY TRAIL	50' ROW	133 LF.
TOTAL		2596 LF.

## LAND USE

SINGLE FAMILY LOTS= 46  
DRAINAGE WAY & PARK LOT= 1 (1.315 AC.)  
DETENTION POND, DRAINAGE EASEMENT & OPEN SPACE LOT= 1 (0.547 AC.)

DEED LINE FOR  
DOC. NO. 2007205045  
AND DOC. NO. 200800285,  
O.P.R.T.C.T.



OWNER/SUBDIVIDER: THE COMMONS AT ROWE LANE, LP  
2929 WEST 5TH STREET, SUITE A  
FORT WORTH, TEXAS 76107  
PHONE: (817)332-9600 FAX: (817)332-1400  
14,137 AC.

ACREAGE: 14,137 AC.  
SURVEY: JACOB CASNER SURVEY A-2753  
NUMBER OF BLOCKS: 7  
NUMBER OF LOTS: 46  
DATE: FEBRUARY, 2008  
SURVEYOR: ZAMORA-HARRICK AND ASSOCIATES, L.L.C.  
4412 SPICEWOOD SPRINGS RD., SUITE 200  
AUSTIN, TEXAS 78758  
PHONE: (512)241-1078 FAX: (512)241-1392  
ENGINEER: GRAY & JANSING & ASSOCIATES, INC.  
8217 SHOAL CREEK BLVD., SUITE 200  
AUSTIN, TEXAS 78757-7592  
PHONE: (512)452-0371 FAX: (512)454-9933

## BENCHMARK LIST

BW#1: COTTON SPUR SET IN THE SOUTHWEST CORNER OF A 13' LIVE OAK. APPROX. 700' NORTH OF INTERSECTION OF WINDMILL RANCH AVE. & COMMONS PARKWAY. NORTHERN= 10,152,756.13 EASTING= 3,161,197.81 ELEV.= 887.87

BW#2: 60" NAIL SET IN PAVEMENT APPROX. 170' NORTH OF INTERSECTION OF WINDVIEW LN. & WINDMILL RIDGE ST. WITH COORDINATES: NORTHERN= 10,152,730.86 EASTING= 3,168,153.24 ELEV.= 885.79

BW#3: 60" NAIL SET IN PAVEMENT APPROX. 170' NORTH OF INTERSECTION OF WINDVIEW LN. & WINDMILL RIDGE ST. WITH COORDINATES: NORTHERN= 10,152,730.86 EASTING= 3,168,153.24 ELEV.= 885.79

VERTICAL DATUM BASIS:  
VERTICAL DATUM BASED ON AUSTIN RP2 CORRS (TXAS), BASTROP CORRS ARP (DEBS), AND JOHNSON CITY CORRS ARP (TXAS), NAVD 83 AND REFERENCE TO NAD 83.

CUMULATIVE DENSITY CALCULATIONS  
TOTAL NUMBER OF RESIDENTIAL UNITS: 146  
TOTAL AREA OF RESIDENTIAL LOTS AND LOCAL AND COLLECTOR STREETS: 12,275 AC.

**ZWA**  
Zamora-Harrick & Associates, L.L.C.  
Professional Land Surveyors  
4412 Spicewood Springs Rd., Suite 200 Austin, Texas 78758  
Tel (512) 241-1078 • Fax (512) 241-1392



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Consulting Engineers  
8217 Shoal Creek Blvd., Suite 200  
Austin, Texas 78757-7592  
(512)452-0371 FAX(512)454-9933

TECH: WOOD SURV: GR2  
DATE: FEBRUARY, 2008 SCALE: 1" = 100'  
DRAWING FILE: 06-015-11 PHASE 2A REV-SHEET1.DWG  
PROJECT: COMMONS @ ROWE LANE  
JOB NO: 06-015-11

DATE	BY	REVISIONS
06-04-08	LM	REVISE FLOOD PLAIN & NOTES PER GHA
05-13-08	LM	ADDRESS CITY OF PFLUGERVILLE COMMENTS
02-15-08	LM	ADDRESS CITY OF PFLUGERVILLE COMMENTS

SHEET  
1  
OF  
2



## **Travis County Commissioners Court Agenda Request**

Meeting Date: 3/8/2011, 12:00 AM, Voting Session

Prepared By: Sherri Fleming, Health and Human Services and Veterans Service, 854-4101

Elected/Appointed Official/Dept. Head: Sherri Fleming, Executive Manager

Sponsors: Judge Biscoe, Commissioner Eckhardt

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### **AGENDA LANGUAGE:**

Consider and Take Appropriate Action on Request to Print 1,000 Copies of the Community Action Network's 2011 Community Dashboard Report

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### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

The Community Action Network's "Community Dashboard" provides an overview of the social health and well-being of Austin and Travis County. By tracking the 16 key social indicators in this report, the Community Action Network identifies areas where collaborative action is needed.

The Community Dashboard will be updated annually by Community Action Network. Throughout the year, the CAN Community Council will hold televised public forums on the indicators, considering where we stand, what is being done to improve the indicator and what more needs to be done.

For an overview of the work of th CAN, see the attached brochure. Also attached is the draft of the 2011 report. The final version will be provided prior to printing in late March.

Travis County is a partner in the Community Action Network.

### **FISCAL IMPACT AND SOURCE OF FUNDING:**

The Print Shop will produce the document with a color copier.

To print 1000 copies of the booklet:

5000 sheets of paper \$135.00

Click charge: 10,000 x \$.07 = \$700.00

Labor @ \$20.00 x 10 hrs = \$200.00

Overhead @ 20% of labor = \$40.00

Total \$1,075.00

This amount will be taken from the Health and Human Services approved budget.

### **REQUIRED AUTHORIZATIONS:**

Health and Human Services and Veterans Service  
Health and Human Services and Veterans Service

Pending  
Sherri Fleming Pending



Agenda Item

Meeting of March 8, 2011

Commissioner Precinct 2 Office	Sarah Eckhardt	Pending
County Judge's Office	Cheryl Aker	Pending
Commissioners Court	Cheryl Aker	Pending



**CAN Partner  
Organizations**

**Austin Chamber of  
Commerce**

**Austin Community College**

**Austin ISD**

**Austin Travis County  
Integral Care**

**Capital Metro**

**Central Health**

**City of Austin**

**Community Justice Council**

**Interfaith Action of Central  
Texas**

**One Voice Central Texas**

**Seton Family of Hospitals**

**St. David's Foundation**

**St. Edward's University**

**Travis County**

**United Way - Capital Area**

**University of Texas at  
Austin**

**Workforce Solutions -  
Capital Area**

February 22, 2011

Sherri Fleming  
Executive Manager  
Travis County  
314 W. 11<sup>th</sup> Street  
Austin, TX 78701

Dear Sherri,

I am writing on behalf of the Community Action Network to request assistance in printing the **2011 CAN Community Dashboard Report**. The report will highlight how our community is doing in regard to 16 key socio-economic indicators and help us identify areas that require collaborative focus and action.

I want to thank Travis County for copying and binding the 2010 CAN Community Dashboard Report in April of 2010. We are very grateful for this assistance. We are requesting similar in-kind assistance this year.

The report will look similar to the report that was printed last year. A copy of a first draft of this report is attached to give the print shop guidance in developing the estimated cost for this work. The report will be in color and 10 pages in length (front and back) and will need to be bound with staples in the center.

CAN will deliver the final version of the report to Travis County on Monday, March 21<sup>st</sup>. The report will be released to the public on Friday, April 8<sup>th</sup> during a press conference so CAN will need to have copies in hand before that date.

Furthermore, due to the great demand for the report in 2010, we are requesting 1,000 copies of the report this year in preparation for broader dissemination. Last year CAN printed 200 copies through a private print shop and then received an additional 500 copies from Travis County for a total of 700. By October of 2010, CAN ran out of copies.

Again, thank you so much for your assistance last year.

Very Sincerely,

A handwritten signature in black ink that reads 'Vanessa Sarria'. The signature is fluid and cursive, with the first name 'Vanessa' being more prominent than the last name 'Sarria'.

Vanessa Sarria  
Executive Director

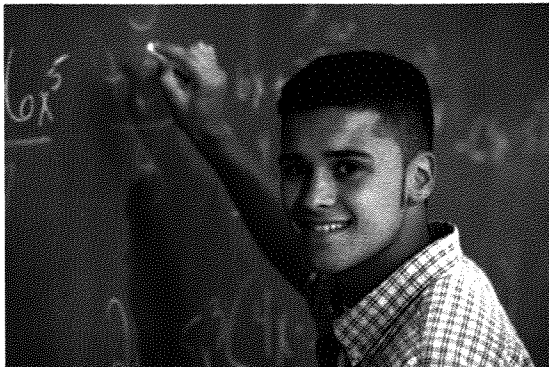
CAN is a neutral convener, information provider and connector that helps our community optimize its resources and close the opportunity gap.

### Vision

Our richly diverse community will be healthy, safe, educated, just and compassionate where all people work together to achieve their full potential and celebrate their lives.

### Mission

To achieve sustainable social, health, educational and economic outcomes through engaging the community in a planning and implementation process that coordinates and optimizes public, private, individual actions and resources.



### CAN Partners

Austin Area Interreligious Ministries

Austin Chamber of Commerce

Austin Community College

Austin Independent School District

Austin Travis County Integral Care

Capital Metro

City of Austin

Community Justice Council

One Voice Central Texas

Seton Family of Hospitals

St. David's Foundation

St. Edward's University

Travis County

Central Health

United Way Capital Area

University of Texas at Austin

Workforce Solutions - Capital Area



Working together to build  
a community of equity  
and opportunity.



Connect to resources and  
opportunities

[www.caction.org](http://www.caction.org)

Dawson Elementary  
3001 S. 1st St., Portable 2A  
Austin, TX 78704  
Phone: 512-414-0323

## What does CAN do?

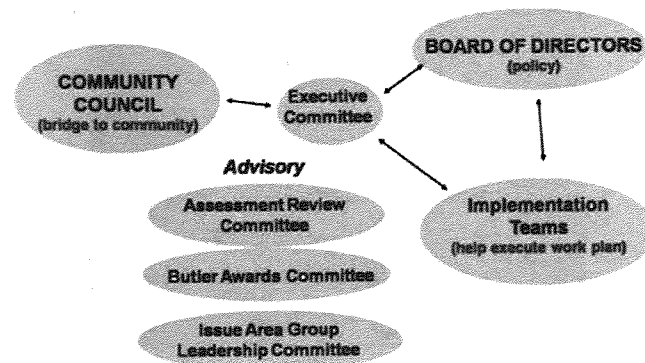
Community Action Network mobilizes collaboration between health and human service stakeholders to develop and coordinate plans and strategies to affect the greater good of the community and to achieve mutually agreed upon outcomes.

Issue Area Groups work with CAN Partners and others to develop our community's response to issues.

Aging, youth, adult literacy, behavioral health, basic needs, early education & care, housing and transportation are examples of Issue Area Groups.



## CAN Structure



## How does CAN do this?

### Convening

Community Action Network is governed and led by the CAN Partners, representing the key health and human service stakeholders in Austin/Travis County. By working together, these public and private organizations coordinate their plans and strategies to achieve common goals for the community. This collaboration helps maximize the impact of our community's resources.

### Connecting

Making progress to improve community conditions requires a concerted effort at many different levels. Through its structure, CAN regularly convenes and connects policy-makers, agency executives, planners, issue area group leaders, community advocates, and service providers. By linking stakeholders across the spectrum, CAN helps address cross-cutting issues that impact the well-being of the community.

### Sharing information

CAN enhances community awareness of issues needing collaborative solutions. The CAN Community Council brings issues to the forefront of public discussion with monthly televised forums. CAN Partners and Issue Area Groups offer a targeted analysis of issues with regularly published assessments.

CAN also shares research, data and information that helps CAN Partners, Issue Area Groups and others do their work in the community. By reporting on issues, initiatives and progress made to improve community conditions, CAN helps mobilize action.

## CAN's role

- Enhance awareness of community issues;
- Strengthen partnerships and connect planning efforts;
- Support collaborative strategies that maximize community resources and impact; and
- Mobilize action by reporting on progress made to improve the community's well-being.

Connect to resources and opportunities

[www.caction.org](http://www.caction.org)





Community Dashboard 2011

*key social indicators for  
Austin's Urban Corridor*





TRACKING OUR PROGRESS TOGETHER

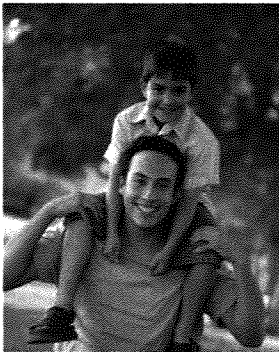
Community Dashboard 2011 provides an overview of the social health and well-being of Austin and Travis County. By tracking the indicators in this report over time, we identify areas where collective attention and action are needed. The Community Dashboard 2011 report updates the original Community Dashboard 2010 report.

community  
dashboard 2011

Over the course of the past year, the Community Action Network's Community Council has held televised public forums on each of the community indicators. Key stakeholders were invited to discuss...

- 1. where we stand on each indicator,
- 2. who is working to move the indicator in the right direction, and
- 3. what more needs to be done.

This report highlights what we discovered through these conversations and updates the trend lines for each indicator. For more details about these forums, visit [www.cancommunitydashboard.org](http://www.cancommunitydashboard.org).



CAN Partners work together to build a community of equity and opportunity.

- Austin Chamber of Commerce
- Austin Community College
- Austin Independent School District
- Austin Travis County Integral Care
- Capital Metro
- Central Health
- City of Austin
- Community Justice Council
- Interfaith Action Central Texas
- One Voice Central Texas
- Seton Family of Hospitals
- St. David's Foundation
- St. Edward's University
- Travis County
- United Way Capital Area
- University of Texas at Austin
- Workforce Solutions– Capital Area

Visit [www.cancommunitydashboard.org](http://www.cancommunitydashboard.org) to learn more about the significance of the CAN Community Dashboard indicators and local efforts to improve these indicators.



for more  
information

For more information about Community Action Network, visit [www.caction.org](http://www.caction.org).  
A direct link to the CAN Community Dashboard with more information about each of the indicators can be found at [www.cancommunitydashbaord.org](http://www.cancommunitydashbaord.org).  
Questions about CAN's Community Dashboard initiative should be directed to:  
Mary Dodd at [mary.dodd@austinsd.org](mailto:mary.dodd@austinsd.org) or  
Vanessa Sarria at [vsarria@austinsd.org](mailto:vsarria@austinsd.org).  
Questions about data in this report should be directed to:  
Chantel Bottoms at [chantel.bottoms@austinsd.org](mailto:chantel.bottoms@austinsd.org).

# community dashboard 2011

Community Dashboard 2011 provides an update of the first Community Dashboard report, released by the Community Action Network in 2010.

CAN would like to thank the members of the Dashboard Steering Committee, who monitored the progress of this initiative and made quarterly reports to the CAN Board of Directors.

CAN would also like to thank the members of the CAN Community Council, who held 9 televised community forums on the indicators, and a long list of stakeholders from 27 community partner organizations and collaborations who shared their expertise and knowledge about the indicators. A list of the forums and links to the presentations shared at them is available at [www.cancommunitydashboard.org](http://www.cancommunitydashboard.org).

## the role of CAN in the community

CAN's role in the community is to enhance awareness of community issues and support collaborations to maximize our community's resources and the impact of our efforts to help individuals and families. The annual Community Dashboard report helps us track how we are doing as a community to promote equity and opportunity for all people.

One-third of all people in Travis County and one-half of all children in the City of Austin are low-income, according to the latest U.S. Census data. The map at right shows the total population and total low-income population as well as the rate of growth for these populations in each of the five counties in the Austin-Round Rock Metropolitan Statistical Area (MSA).

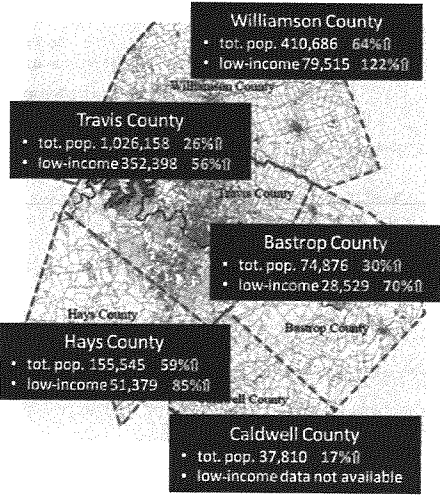
## impact of low-income

Through televised community forums held by the CAN Community Council in 2010, we learned that people who are low income are ...

- less likely to be kindergarten ready,
- less likely to graduate from high school in four years,
- less likely to graduate "college ready,"
- more likely to smoke and to be obese,
- less likely to have health insurance,
- more likely to report "poor mental health days," and
- less likely to find housing they can afford.

Our ability to move the indicators on our Community Dashboard in the right direction will depend to a great extent on our ability to expand opportunity for people who are low-income.

Austin-Round Rock MSA  
2009 totals and % change since 2000



Source: U. S. Census Bureau American Community Survey 1-Year Estimates and Decennial Census

As the map above shows, the low-income population in Central Texas grew at twice the rate of the total population from 2000 to 2009.

## taking action together

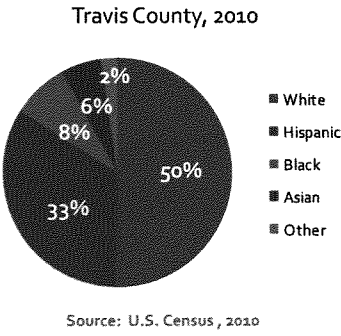
CAN Partners have committed to work together in 2011 to:

- take a closer look at shifting demographics and its impact in our community,
- develop collaborative solutions to help low-income people find jobs, and
- continue efforts to ensure people are connected to community resources to help them become stable.

OUR COMMUNITY & OUR COMMON VISION

According to the latest U.S. Census data, there were just over one-million people living in Travis County in 2009 and more than half were White . The populations that grew the fastest from 2000 to 2009 were the Asian population (54% growth rate) and the Hispanic population (49% growth rate). The White and Black populations in Travis County both grew at a rate of 15% over that same time period, not keeping pace with the overall population growth rate of 26%.

Considering the rate of growth for different age groups in Travis County, 45 to 64 year olds grew at the fastest rate, increasing 47% from 2000 to 2009. Another fast-growing age group was children under the age of 5, which increased by 39%.



- WE ACHIEVE OUR FULL POTENTIAL

We have the education, skills and opportunities to achieve our full potential and lead meaningful, joyful lives.
- OUR BASIC NEEDS ARE MET

We have adequate income, resources and supports to live independent lives.

We live in a community where the basic needs of all are met.

We live in affordable and stable housing with access to open space and public amenities.

We have safe, affordable, accessible and reliable transportation.
- WE ARE HEALTHY

We live, work, learn and play in accessible, safe, clean and healthy physical environments.

We have adequate nutrition and achieve and maintain optimal physical and behavioral health.
- WE ARE SAFE, JUST & ENGAGED

We are free from abuse, neglect, crime, violence and injustice.

We respect and value diversity.

We are aware, socially connected, and contribute to our neighborhoods, individual communities, and the community at large.

We have the opportunity and willingness to lead by utilizing our talents, passions and interests to improve the community.

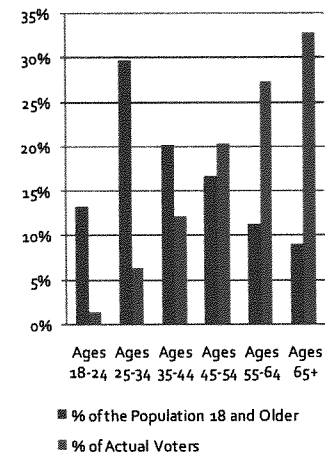
In 2008, members of the CAN community agreed on these common vision statements for all people in our community. In developing this vision, we drew on the Austin Equity Commission report "[Improving the Odds: Increasing Opportunities in Austin](#)," the [Central Texas Sustainability Indicators Project](#), the Kirwan Institute's a [Central Texas Opportunity Mapping Initiative](#), and the National Association of Planning Councils' 2005 report "[Leading Social Indicators](#)."

Voter turnout is disproportionate

Young people are much less likely to participate in elections than older people. African Americans and Hispanics also tend to be under-represented in the voting booths. The type of election impacts who is likely to vote. National elections generally have higher voter turnout than local elections.

The [Nonprofit Voter Engagement Network](#) explains that who votes and who does not vote impacts who elected officials pay attention to, the course of public policy and the quality of American democracy. It also impacts civic participation of all kinds. People who don't vote are less likely to self-identify as stakeholders in their communities. They are less likely to volunteer, contact their elected officials or participate in public life.

Travis County Demographics Compared to Demographics of Voters in the 2009 General Election



We are safe, just and engaged.

SOME LOCAL EFFORTS TO IMPROVE THESE INDICATORS

- Coalitions such as the [Austin/Travis Family Violence Task Force](#), the [Start Strong Coalition](#), the [Austin/Travis County Reentry Roundtable](#), and [Central Texas Afterschool Network](#), are helping to monitor and create programs and practices that impact violent crime.
- Special problem-solving courts/dockets have been created locally to impact issues such as substance abuse, mental health, domestic violence, veterans, repeat offenders, etc.
- Local law enforcement outreach strategies to minority youth include Police Activity Leagues, Police Explorer programs, and prevention activities associated with the Joint Juvenile Gang Unit of the Austin Police Department, Travis County Sheriff's Office and Austin ISD.
- The [Austin Disproportionality Advisory Committee](#) was created to assist the Texas Department of Family Protective Services with strategies to address the disproportionate removal of children from their homes.
- Area school districts have implemented efforts to help reduce disproportionate school discipline referrals.
- The [Travis County Elections Division](#) works to increase voter turnout by offering programs such as early voting which provides voters with flexibility in voting times and locations.
- The [Annette Straus Institute for Civic Engagement](#) at the University of Texas works with young adults through programs such as "[University of Texas Votes](#)," a non-partisan effort to increase voting among college-age youth.
- The [East Austin Voter Mobilization Initiative](#) targets get-out-the-vote efforts in East Austin precincts with low voter turnout and large African American and Hispanic populations.



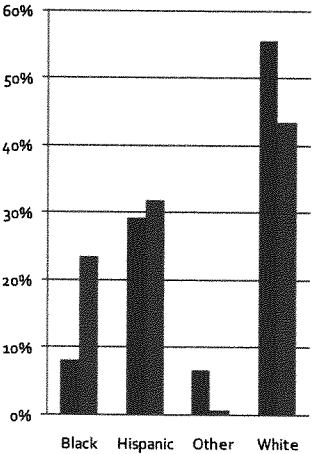
### Arrests are not proportionate for all races

When we compare the demographics of those booked into the Travis County jail with the demographics of the adult population of the county as a whole, racial disparities become apparent, especially for the African American population. This disparity is, to some extent, symptomatic of disparities across social structures and in disparities in poverty and access to education and economic opportunity.

Disparities also exist in the rates at which African American students are removed from classrooms and in the removal rates of African American children from their homes by Child Protective Services. This phenomenon has been documented for decades in different programs. The causes of disproportionality are complex and cross many social systems.

■ % of adult population  
■ % of arrests

Arrest Demographics Compared to Total Adult Population in Travis County, 2009



Source: Travis County Criminal Justice Planning Department and the American Community Survey, 1-Year Estimate



community indicator		2010 report	2011 report
we achieve our full potential	Percent of children who are kindergarten ready	under development	52% in 2010
	Percent Austin ISD students who graduate from high school in four years	74% for the Class of 2008	76% for the Class of 2009
	Percent Austin ISD graduates who are college ready	50% in 2008	50% in 2009
	Unemployment rate for Travis County	X% in January 2010	X% in January 2011
our basic needs are met	Percent people in Travis County who are low-income (below 200% of the federal poverty level)	32% in 2008	35% in 2009
	Percent of Travis County households that are cost burdened (pay 30% or more of income for housing)	37% in 2008	38% in 2009
	Vehicle miles traveled per capita in Travis County	26 miles per day in 2007	25 miles per day in 2008
	Number who received HUD-funded homeless services in Travis County	6,407 in 2008	X,XXX in 2009
we are healthy	Percent under age 65 in Travis County who have no health insurance	24% in 2008	24% in 2009
	Percent of adults in Austin MSA who report 5 or more poor mental health days	18% in 2008	23% in 2009
	Percent adults in Austin MSA who are smokers	20% in 2008	13% in 2009
	Percent of adults in Austin MSA who are obese	23% in 2008	28% in 2009
we are safe, just & engaged	Attainment of EPA ozone standards	attainment	attainment
	Violent crime rate in Travis County	432 per 100,000 population in 2008	457 per 100,000 population in 2009
	Proportionality of arrest demographics in Travis County to overall population	disproportionate	disproportionate
	Proportionality of voter turnout in Travis County as compared to overall population	disproportionate	disproportionate

The Community Dashboard of key social indicators was developed by the Dashboard Steering Committee of the Community Action Network and approved by the CAN Board of Directors in 2009.

[www.cancommunitydashboard.org](http://www.cancommunitydashboard.org)

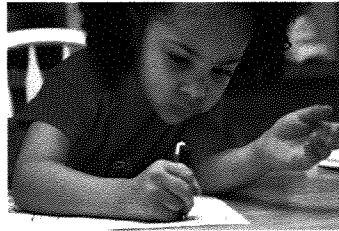


## WE ACHIEVE OUR FULL POTENTIAL

### 52% of children enter kindergarten ready for school

In the first year of a new measure of kindergarten readiness, developed by the [E3 Alliance](#), slightly more than half of the 913 students tested mastered key competencies in social-emotional development, language and communication, emerging literacy, and mathematics. Students were tested in school districts across the five county MSA. Children who were economically disadvantaged, or who qualified for free or reduced-price school lunches, were less likely to be kindergarten ready. Children who attended Pre-Kindergarten programs were much more likely to be kindergarten ready than those who did not.

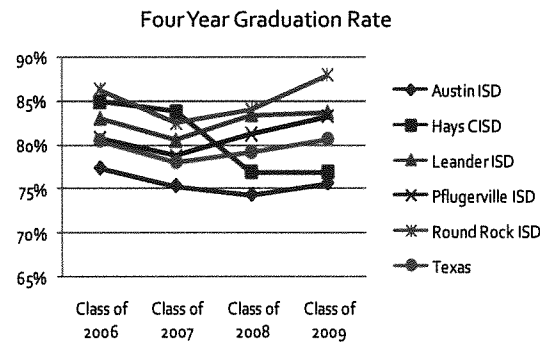
According to [The Future of Children](#), children who enter school not yet ready to learn don't perform as well in elementary through high school as their peers and are more likely to become teen parents, engage in criminal activities, and suffer from depression. Ultimately, these children are less educated and are more likely to be unemployed as adults.



### 75% of Austin ISD students graduate from high school in four years

The graduation rates for most of the five largest school districts in the Austin MSA improved for the Class of 2009. While this is promising, the fact remains that nearly one in four Austin ISD students did not graduate from high school in four years.

Closer analysis reveals that there are significant gaps between the graduation rates of Asian, Native American and White students and the graduation rates of African American and Hispanic students. Economically disadvantaged students are also less likely to graduate high school in four years.



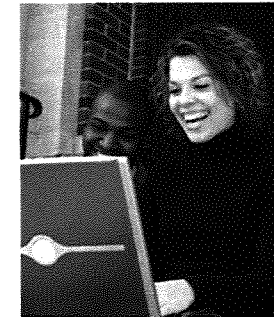
Source: Texas Education Agency

## WE ARE SAFE, JUST AND ENGAGED

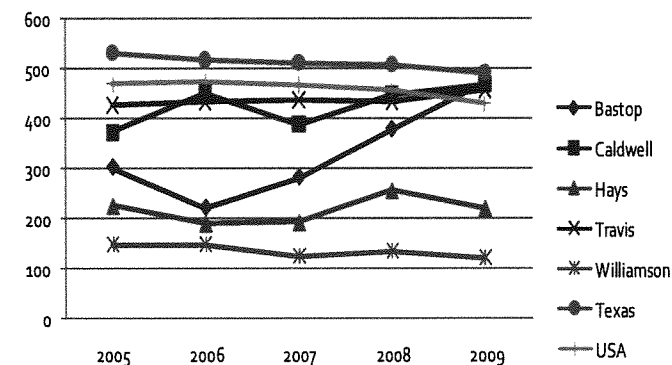
### Violent crime occurred at a rate of 457 per 100,000 population in Travis County

The violent crime rate for Travis County increased from 2008 to 2009, largely due to increases in crime in the urban areas of the county. Nation-wide, more densely populated areas typically experience higher rates of crime.

The [National Institute of Justice](#) reports that victims of violent crime face tangible costs of over \$17 billion annually because of medical and mental health care expenses, lost productivity, and property damage. If the intangible costs of reduced quality of life, pain, and suffering are added to this, the total rises to \$330 billion. Children are more likely to be exposed to violence and crime than adults. According to [Child Trends](#), children who are exposed to violence are more likely to suffer from conduct problems, health-related problems, and cognitive problems.



Violent Crime Rate per 100,000 Population



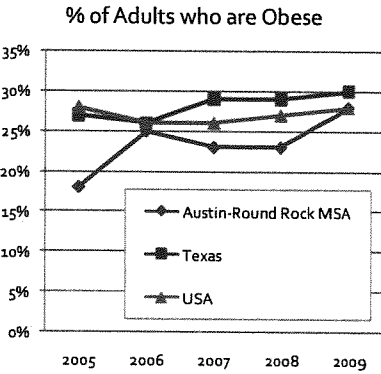
Source: Capital Area Council of Governments and FBI Preliminary Unified Crime Reports

## 28% of adults in the Austin metro area were obese

Obesity rates in the Austin MSA have increased significantly over the past five years. The small sample size of this survey may lend itself to fluctuations up or down in any one year. BRFSS data is best analyzed over time.

Adults who are obese or overweight are at a higher risk for coronary disease, type 2 diabetes, and cancer according to the [National Institutes of Health](#). Obesity rates are disproportionately high among low-income adults and among youths who are males, African Americans, and/or Hispanics.

Add info from Comb's report on cost of obesity in Texas.



Source: Texas BRFSS

We are healthy.

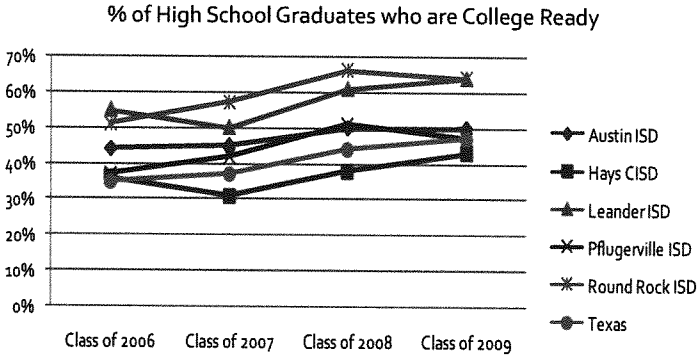
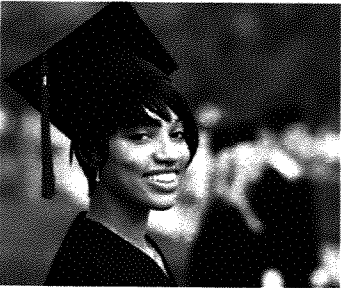
### SOME LOCAL EFFORTS TO IMPROVE THESE INDICATORS

- [Integrated Care Coalition \(ICC\)](#) members screen individuals for public health insurance programs and assist families with the application process. ICC is developing technology that would allow agencies, with client permission, to share client documents.
- [Central Health](#) implements the Medical Assistance Program (MAP) which provides access to healthcare services for low-income Travis County residents who are not eligible for other public or private insurance programs.
- [Catholic Charities of Central Texas](#), [insure-a-kid](#), [Lone Star Circle of Care](#) and other agencies in our region assist families in completing applications for public health insurance programs.
- [Austin Travis County Integral Care's](#) mission is to improve the lives of people affected by behavioral health and developmental and/or intellectual challenges.
- The [Mayor's Mental Health Task Force](#), the [Behavioral Health Planning Partnership](#), and the [Child and Youth Mental Health Planning Partnership](#) are local collaborations that help coordinate behavioral health planning needs.
- The [Austin/Travis County Health and Human Services Department](#) received a \$7.5 million "Communities Putting Prevention to Work" grant in 2010 from the [Centers for Disease Control](#) to reduce smoking in our community. The Department also received a \$300,000 planning grant from the State Health Department to encourage people to make healthy food choices and to make physical activity a regular part of their day.
- The [Austin Mayor's Fitness Council](#) promotes physical activity, nutrition, healthy weight, and tobacco-free living.
- The [Austin Tobacco Prevention and Control Coalition](#) works to promote smoking cessation.
- [Children's Optimal Health \(COH\)](#) is a collective leadership initiative to ensure that every child in Central Texas becomes a healthy, productive adult engaged in his or her community.
- The [Clean Air Coalition](#) is a collaboration of local governments in our five-county region working together to develop plans to comply with EPA air quality guidelines.

## 50% of Austin ISD graduates were college ready

While college readiness rates have improved for most of the largest school districts in the Austin-Round Rock Metropolitan Area (MSA) over the past few years, there are disparities among different racial/ethnic groups. College readiness trends also show a gap in performance between the general student population and the economically disadvantaged student population.

The [2010 State of the Workforce](#) report for the Austin-Round Rock MSA reports that college readiness is critical for students as the fastest-growing, highest-paying jobs in Central Texas require some post-secondary education. Most students in Central Texas report that they plan to attend a college or technical school in the year following graduation, but only 43% of college students actually earn a degree.



Source: Texas Education Agency

## x% of Travis County residents were unemployed

The local unemployment rate has shown recent improvement and is significantly lower than both the state and the nation. The sharp increase in unemployment rates that was experienced locally and across the United States from 2007 through 2009 has begun to level off and improve.

Workforce Solutions Capital Area reports that the overwhelming majority of people receiving unemployment benefits have no post secondary degree. Workers with an associate's degree or better make up 45% of the local workforce, but only 15% of those receiving unemployment benefits.

*We achieve our full potential.*

### SOME LOCAL EFFORTS TO IMPROVE THESE INDICATORS

- [United Way Capital Area's Success by 6 program](#) aims to ensure that by the time children enter their first year of school they are prepared to become healthy, happy, and smart students. The program's "[Child Well-Being Report Card](#)" is an annual report of child well-being in Austin and Travis County.
- The [Austin Independent School District's Strategic Plan 2010-2015](#) includes goals related to the graduation rate and college readiness.
- The [E3 Alliance's Blueprint for Educational Change](#) seeks to improve educational outcomes across the Central Texas region from pre-k through college through a collaborative process that engages parents, students, school personnel and members of the larger community.
- The [Ready By 21 Coalition in Austin/Travis County](#) has developed a detailed dashboard of outcomes and indicators for children and youth which includes this graduation rate indicator.
- The [Truancy Plus Working Group](#) of Austin ISD, the City of Austin, and Travis County is working to identify ways to improve school attendance and address truancy, important precursors to graduation.
- The [Austin Chamber of Commerce](#) has an economic development initiative that strives to create jobs, diversify the economy, attract new businesses, and retain and grow existing businesses. The Chamber's [Plan for 2015](#) initiative engages school districts and colleges and universities in ensuring success in high school and college.
- [Austin Community College](#) is the primary trainer and re-trainer of the local workforce. The College Readiness Initiative at ACC includes partnerships with local high schools.
- The [Literacy Coalition of Central Texas](#) is dedicated to supporting and expanding literacy services so that businesses can hire, people can work, and families can thrive.
- [Workforce Solutions—Capital Area](#) coordinates local workforce development efforts and is currently developing a collaborative initiative called "Pathway to Prosperity."

## Austin area is in attainment of EPA air quality standards

Even though the Austin area is in attainment of current Environmental Protection Agency standards for ozone, the area will most likely not be in attainment of the proposed new standard. Poor air quality causes irritation to the throat and lungs, results in diminished lung capacity, and aggravates asthma and other respiratory problems. These health issues result in increased health care costs and increased school absences. Ozone levels have been steadily decreasing in the Austin area over the past decade, according to the [Capital Area Council of Governments](#), but EPA standards have been growing more stringent during this same time period.

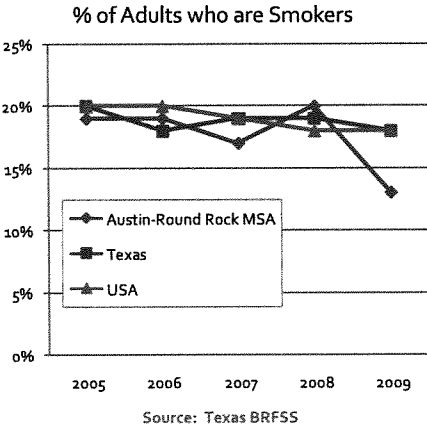


## 13% of adults in the Austin metro area are smokers

There was an unexpected drop in the smoking rates reported through the [Behavioral Risk Factor Surveillance System](#) in 2009. The small sample size of this survey may lend itself to fluctuations up or down in any one year. BRFSS data is best analyzed over time.

The [Austin/Travis County Health and Human Services Department](#) received a \$7.5 million "Communities Putting Prevention to Work" grant in 2010 from the [Centers for Disease Control](#) to reduce smoking in our community.

Those who earn less than \$25,000 a year are more than twice as likely to smoke than those earning \$50,000 a year. A closer analysis of smoking data shows the highest rates of smoking among the young and among men.

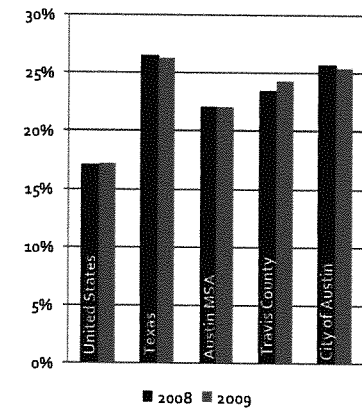


WE ARE HEALTHY

24% of those under age 65 in Travis County have no health insurance

In 2009, Texas had the highest rate of uninsured individuals in the country according to the U.S. Census Bureau. The number of individuals receiving health insurance through their employer dropped to 48% compared to 50% in 2008 and 57% in 2000. Texas provides very few public insurance options for adults. People who are low income are almost three-times more likely to have no medical insurance. The percentage of uninsured Texas children is lower than that of adults, but continues to be the highest in the nation. The Center for Public Policy Priorities (CPPP) estimates that non-citizens account for one-fourth of Texas' uninsured population.

% Under Age 65 with No Health Insurance



Source: American Community Survey

OUR BASIC NEEDS ARE MET

35% of Travis County residents are low-income

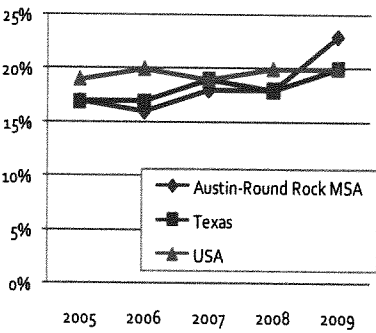
The percent of people in Travis County who are low-income, or earn less than 200% of the Federal Poverty Level, increased from 32% in 2008 to 35% in 2009. Over 350,000 people in Travis County have fallen to an income level that is barely sufficient to meet basic needs. Most low-income families have at least one adult who works full-time in a job or jobs that do not provide benefits.

The Urban Institute explains that many of these families may experience hardships related to food, housing and healthcare. CAN's analysis of the indicators in 2010 found that people who are low-income are less likely to be kindergarten ready, less likely to graduate in four years, less likely to be college-ready, more likely to smoke, more likely to be obese, less likely to have health insurance, more likely to report poor mental health days, and less likely to find housing that they can afford.



23% of adults in the Austin metro area report five or more poor mental health days within the past month

% Reporting Five or More "Poor Mental Health Days" within the Past Month

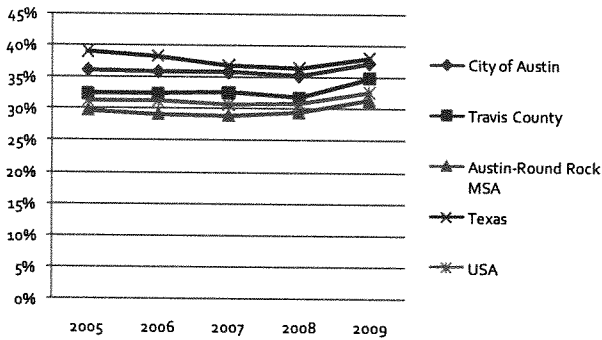


Source: Texas BRFSS

Days that include stress, depression and problems with emotions are considered "poor mental health days" in the Behavioral Risk Factor Surveillance System (BRFSS) survey, conducted by states nation-wide through collaboration with the Centers for Disease Control. The 2009 survey revealed a higher percentage of people reporting poor mental health days in the Austin metro area than in the state or the nation. The small sample size of this survey may lend itself to fluctuations up or down in any one year. BRFSS data is best analyzed over time.

When the data is examined by income levels, people earning less than \$25,000 per year are three times more likely to report they have had five or more "poor mental health days" in the past month than people earning \$50,000 or more.

% of Individuals Who Are Low-Income



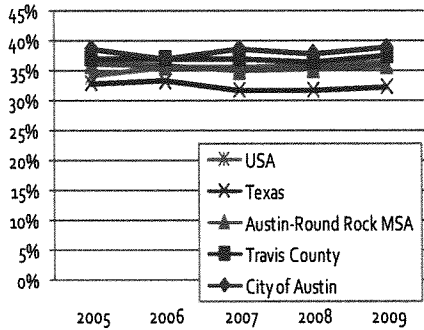
Source: American Community Survey, 1-Year Estimates

## 38% of Travis County households are housing cost burdened

The percent of households in Travis County who paid too much of their total income on housing increased slightly in 2009. The [U.S. Department of Housing and Urban Development](#) considers households to be cost burdened if they pay 30% or more of their income on mortgage payments or rent and utilities.

Austin and Travis County have higher rates of households that are cost burdened than the five-county metro area, the state, and the nation. As Austin grows, affordability becomes more of a challenge for people at more income ranges. The lack of affordable homes in all parts of town intensifies socioeconomic segregation and leads to concentrations of poverty, school instability and an increase in crime.

% of Households that are Housing Cost Burdened



Source: American Community Survey, 1-Year Estimates

## 6,407 people received homeless services in Travis County

The number of homeless people who have received services in our community has fluctuated between 8,000 and 6,000 people in recent years.

Source: Homeless Management Information System

*Our basic needs are met.*

### SOME LOCAL EFFORTS TO IMPROVE THESE INDICATORS

- The [Basic Needs Coalition of Central Texas](#) is a coalition of agencies that work to secure basic resources, such as food and housing, for people in need.
- The [Center for Public Policy Priorities](#) (CPPP) advocates at the state level for policies to improve the safety net for people in need.
- [Bank on Central Texas](#) is a community initiative led by [United Way Capital Area](#) and [PeopleFund](#) that includes banks, credit unions, financial service providers, government, private sector, community organizations, and non-profits to bring more people into the financial mainstream.
- The [City of Austin's Neighborhood Housing and Community Development](#) provides housing, community development, and small business development services to increase opportunities for self-sufficiency.
- [HousingWorks](#) advocates for affordable housing throughout the City. In 2010, they released a collaborative report with the Urban Land Institute, the Real Estate Council of Austin, and the Austin Area Research Organization entitled "[Building and Retaining an Affordable Austin](#)."
- [Capital Metro](#) provides alternatives to private vehicle travel.
- The [Capital Area Regional Transit Coordination Committee \(RTCC\)](#), an issue area group of CAN, promotes full mobility and access to community services for all people.
- The [Capital Area Metropolitan Planning Organization \(CAMPO\)](#) is working to improve this indicator through their new 2035 plan that will fund transportation to support high density "activity centers" connected by public transit.
- The [Ending Community Homelessness Coalition \(ECHO\)](#) identifies specific strategies and oversees ongoing planning efforts and implementation of the plan to end chronic homelessness in Austin and Travis County.

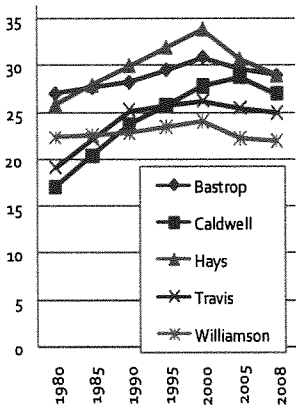
[www.cancommunitydashboard.org](http://www.cancommunitydashboard.org)

## 25 daily vehicle miles per capita in Travis County

Vehicle miles traveled (VMT) per capita has been trending downward across the five-county region over the past decade. Counties furthest away from high-employment centers have the highest VMT rates per capita. As affordable housing is pushed further away from core employment areas, there is often a trade-off in longer commutes and higher transportation costs. Even though VMT per capita has declined, the regional transportation system remains congested.

VMT per capita often declines during recessions with fewer people driving to work and a reduction in the amount of freight and goods that are transported. Factors that reduce VMT per capita even in a thriving economy include community design that sites affordable housing near employment and services, greater access to alternative modes of transportation, or when freight and goods are transported by rail rather than by truck.

Daily VMT Per Capita



Source: Texas Department of Transportation





## **Travis County Commissioners Court Agenda Request**

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Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: Yolanda Reyes, Planning and Budget Office, 854-9106

Elected/Appointed Official/Dept. Head: Rodney Rhoades, Executive Manager

Sponsors: Judge Biscoe

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### **AGENDA LANGUAGE:**

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

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### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

Please see attached documentation.

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### **STAFF RECOMMENDATIONS:**

Please see attached documentation.

### **ISSUES AND OPPORTUNITIES:**

Please see attached documentation.

### **FISCAL IMPACT AND SOURCE OF FUNDING:**

Please see attached documentation.

### **REQUIRED AUTHORIZATIONS:**

Planning and Budget Office	Jessica Rio	Pending
Planning and Budget Office	Leroy Nellis	Pending
Planning and Budget Office	Rodney Rhoades	Pending
Planning and Budget Office		Pending
County Judge's Office	Cheryl Aker	Pending
Commissioners Court	Cheryl Aker	Pending

# BUDGET AMENDMENTS AND TRANSFERS

## FY 2011

Please do not place on consent.

3/8/2011

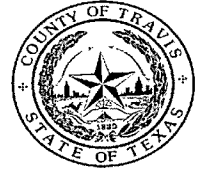
### AMENDMENTS

BA#	Project Code	FUND	DEPT/DIV	ACT	ELM/ OBI	Dept.	Line Item	Increase	Decrease	Pg #
A1		050	9800	981	9892	Reserves	Fund 050 Allocated Resv		\$ 3,262	1
		050	9007	549	3001	ITS	Office Equip,Furn & Supp	\$ 2,015		
		050	9007	549	3002	ITS	Software	\$ 896		
		050	9007	549	5002	ITS	Maintenance Agrt-DP	\$ 187		
		050	9007	549	6099	ITS	Other Purchased Serv.	\$ 164		

### DISCUSSION

D1		067	9800	981	9892	Reserves	Fund 067 Allocated Resv.		\$ 23,163	3
		067	2602	551	0701	JP Pct. 1	Reg.Salaries-Perm Empl	\$ 19,414		
		067	2602	551	2002	JP Pct. 1	FICA Tax - OASDI	\$ 1,205		
		067	2602	551	2005	JP Pct. 1	Retirement Contribution	\$ 2,222		
		067	2602	551	2006	JP Pct. 1	Worker's Compensation	\$ 39		
		067	2602	551	2007	JP Pct. 1	FICA Tax - Medicare	\$ 283		
D2		067	9800	981	9892	Reserves	Fund 067 Allocated Resv.		\$ 27,918	3
		067	2702	549	0701	JP Pct. 2	Reg.Salaries-Perm Empl	\$ 19,812		
		067	2702	549	2002	JP Pct. 2	FICA Tax - OASDI	\$ 1,229		
		067	2702	549	2003	JP Pct. 2	Hospitalization	\$ 4,176		
		067	2702	549	2004	JP Pct. 2	Life Insurance	\$ 44		
		067	2702	549	2005	JP Pct. 2	Retirement Contribution	\$ 2,317		
		067	2702	549	2006	JP Pct. 2	Worker's Compensation	\$ 52		
		067	2702	549	2007	JP Pct. 2	FICA Tax - Medicare	\$ 288		





## PLANNING AND BUDGET OFFICE

TRAVIS COUNTY, TEXAS

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

### MEMORANDUM

**TO:** Members of Commissioners Court

**FROM:** Diana A. Ramirez, Sr. Budget Analyst *D. Ramirez*

**DATE:** March 1, 2011

**RE:** Request by JP2 for \$3,262 from Justice Court Technology Fund for One-Time Purchase of PC

Justice of the Peace, Pct. 2 is requesting to transfer \$3,262 from the Justice Court Technology Fund to the Central IT line items to cover the purchase and maintenance of a new computer in support of the Justice Courts' and Constables' accounting team. The Accounting Manager is planning on hiring a full-time temporary accounting clerk to assist in preparing the various accounting reports for the ten offices.

PBO concurs with this request.

cc: Leroy Nellis, Rodney Rhoades  
Joe Alvarado, Cindy Muller, JP2  
The Honorable Glenn Bass, Justice of the Peace, Pct. 2

## Budget Adjustment: 25799

Fyr \_ Budget Type: 2011-Reg

Author: 27 - MULLER, CINDY

Created: 2/16/2011 10:19:52 AM

PBO Category: Discussion

Court Date: Tuesday, Mar 8 2011

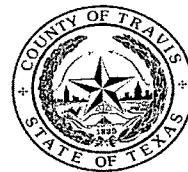
Dept: RESERVES

Just: Other

Per PBO this request is for the purchase of computer for newly hired accounting clerk

From Account	Acct Desc	Project	Proj Desc	Amount
050-9800-981-9892	ALLOCATED RESERVES			3,262
				3,262
To Account		Project		Amount
050-9007-549-3001	OFFICE EQUIP,FURN, & SUPP			2,015
050-9007-549-3002	SOFTWARE			896
050-9007-549-5002	MAINTENANCE AGREEMENTS-DP			187
050-9007-549-6099	OTHER PURCHASED SERVICES			164
				3,262

Approvals	Dept	Approved By	Date Approved
Originator	27	CINDY MULLER	2/16/2011 10:20:53 AM
DepOffice	27	CINDY MULLER	2/16/2011 10:20:55 AM
DepOfficeTo	12	NICHOLAS MACIK	2/17/2011 9:24:08 AM



## PLANNING AND BUDGET OFFICE


TRAVIS COUNTY, TEXAS

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

**FOR DISCUSSION**

### MEMORANDUM

**TO:** Members of Commissioners Court

**FROM:** Diana A. Ramirez, Sr. Budget Analyst 

**DATE:** February 28, 2011

**RE:** Requests by Justices of the Peace, Pct. 1 and 2 to use the Juvenile Case Manager Fund (Fund 067) to hire Juvenile Case Managers

Justice of the Peace, Pct. 1 Request for \$23,163

Justice of the Peace Pct. 1 is requesting funding from the Juvenile Case Manager Fund to help pay a position just reclassified to a Planner Senior at level 7 rather than entry level and to pay the current Juvenile Case Manager position at level 6. Please see the attached memo from Judge Williams for details.

Justice of the Peace, Pct. 2 Request for \$27,918

Justice of the Peace, Pct. 2 is requesting funding from the Juvenile Case Manager Fund to pay for a new Juvenile Case Manager for that office. The office currently has a Court Clerk assigned to juvenile cases and that clerk will be promoted to this position.

Currently, the Juvenile Case Manager Fund has a fund balance over \$1 million and three Juvenile Case Manager positions budgeted in the fund. The positions are for JP1, JP4, and JP3. PBO has placed this item on the agenda as a discussion item because although the fund balance is very healthy, the ongoing revenue is insufficient to cover the ongoing expense of another 1.5 FTE. In addition, JP5 has indicated an interest in requesting funding for a Juvenile Case Manager as well.

When PBO first recommended funding for Juvenile Case Managers for Precincts 3 and 4, PBO made the recommendation based on the positions being considered part of a pilot program. Below is an excerpt of that budget write-up.

PBO recommends funding for one FTE for JP3 and one FTE for JP4 as a pilot program to allow the two offices time to implement the program and determine its efficacy. PBO does not expect that solid outcomes will be discernible in FY 10

because of the time frames for hiring and training staff. However, some progress will be expected if the continuation of the pilot project into FY 11 is to be recommended. The revenue in this special fund may only be spent on the salary and benefits of Juvenile Case Managers handling school attendance cases (§25.094 Failure to Attend, and §25.093 Parent Contributing to Nonattendance, of the Education Code). Judges Steeg and Gonzales have indicated that they will work together and with the schools that file school attendance cases to develop a program that results in improved rates of compliance with deferral orders.

It is PBO's understanding that to date, the five precinct offices have not worked together to determine how this program will work comprehensively and how best to budget the funds in this Special Fund. Both JP1 and JP2 have agreed that these positions will have end dates of September 30, 2012. As part of the FY 13 budget process these offices will be expected to have worked out a comprehensive program on use of these funds. Further, PBO will begin discussions with JP3 and JP4 about the possibility of setting an end date of September 30, 2012, for their existing Juvenile Case Managers to ensure that these positions are held to the same standard of a pilot program as initially recommended by PBO.

JP5 has indicated that he is willing to wait until a comprehensive program is developed to request a Juvenile Case Manager position. In the meanwhile he will be requesting in the near future a salary increase for an existing Court Clerk handling truancy cases to keep the clerk on par with the Juvenile Case Managers.

cc: Leroy Nellis, Rodney Rhoades, PBO  
The Honorable Yvonne Williams, JP1  
The Honorable Glenn Bass, JP2  
The Honorable Susan Steeg, JP3  
The Honorable Raul Gonzalez, JP4  
The Honorable Herb Evans, JP5  
Cherry Johnson, Cindy Muller, Karen Barland, Diana Cantu, Heather Kellum, Office Managers, JPs 1-5

4



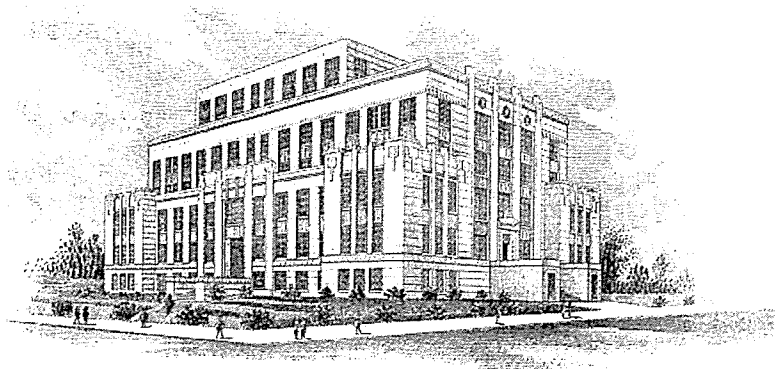
**Yvonne M. Williams**

JUSTICE OF THE PEACE  
PRECINCT 1

1811 SPRINGDALE ROAD  
SUITE 110

AUSTIN, TEXAS 78721

PHONE 854-7700 FAX 929-3047



AUSTIN, TEXAS

To: Diana Ramirez, Senior Budget Analyst

From: Yvonne M. Williams, Justice of Peace, Precinct One

Subject: Budget Adjustment

Date: February 9, 2011

This memorandum represents a formal request for a budget adjustment for the following positions:

1. Planner Senior, slot 6, pay grade 20, level 7 amount requested is \$33,003.12.
2. Juvenile Case Manager, slot 18, pay grade 14, level 6 amount requested is \$5, 822.74.

The funds are available in the Juvenile Case Manager Fund account 067-9800-981-9892 Allocated Reserve Account. The anticipated start date for the above positions is March 1, 2011. They will be on a pilot basis set to end September 30, 2012. We do not need operating cost, it will be funded internally. The Planner Senior will be dedicated to performing juvenile case management related duties at least 60% of the time. Therefore, the funds are requested from the Juvenile Case Manager Allocated Reserve Account.

Please let me know if you have any questions or need additional information to process this request.

Thank you for your assistance.

Judge Yvonne M. Williams

## Budget Adjustment: 25707

Fyr\_ Budget Type: 2011-Reg

Author: 26 - JOHNSON, CHERRY

Created: 2/9/2011 3:08:37 PM

PBO Category: Discussion

Court Date: Tuesday, Mar 8 2011

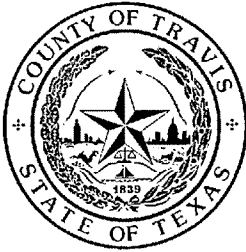
Dept: RESERVES

Just: CourtOrder

Funds requested is to fund additional cost for Juvenile Case Manager slot, and Planner Senior slot above entry level.

From Account	Acct Desc	Project	Proj Desc	Amount
067-9800-981-9892	ALLOCATED RESERVES			23,163
				23,163
To Account		Project		Amount
067-2602-551-0701	REG SALARIES-PERMNT EMPL			19,414
067-2602-551-2002	FICA TAX - OASDI			1,205
067-2602-551-2005	RETIREMENT CONTRIBUTION			2,222
067-2602-551-2006	WORKER'S COMPENSATION			39
067-2602-551-2007	FICA TAX - MEDICARE			283
				23,163

Approvals	Dept	Approved By	Date Approved
Originator	26	CHERRY JOHNSON	2/23/2011 9:09:03 AM
DepOffice	26	CHERRY JOHNSON	2/23/2011 9:09:06 AM
DepOfficeTo	26	CHERRY JOHNSON	2/23/2011 9:09:10 AM



**GLENN BASS**

Justice of the Peace

Travis County, Precinct Two  
10409 Burnet Road, Suite 180  
Austin, Texas 78758-4427  
(512) 854-4545

DATE: FEBRUARY 10, 2011

TO: LEROY NELLIS, PBO BUDGET MANAGER  
DIANA RAMIREZ, PBO BUDGET ANALYST

FROM: JUDGE GLENN BASS  
JUSTICE OF THE PEACE, PCT. TWO  
CINDY MULLER, OFFICE MANAGER SR.

SUBJECT: JUVENILE CASE MANAGER POSITION

Regarding our meeting a few weeks ago, please consider this our formal request for a Juvenile Case Manager position. Our intention is to promote a clerk from within (slot #8) that has extensive experience working with juveniles for several years. A new slot number needs to be created for our new Juvenile Case Manager with an annual salary including benefits \$55,830.00. The start date would be April 1, 2011 with the ending date of 9/30/12 for this pilot program. Also, regarding approximate operating cost, this position would require a laptop (\$2800), software (\$500), and mileage (\$400).

The funds needed for this position are available in the Juvenile Case Manager Fund. Therefore, as requested I have transferred the funds from account number 067-9800-981-9892 (Allocated Reserves) to 067-2702-549-0701.

## Budget Adjustment: 25785

Fyr\_ Budget Type: 2011-Reg

Author: 27 - MULLER, CINDY

Created: 2/15/2011 12:20:11 PM

PBO Category: Discussion

Court Date: Tuesday, Mar 8 2011

Dept: RESERVES

Just: Other

Per PBO request - for position of Juvenile Case Manager

From Account	Acct Desc	Project	Proj Desc	Amount
067-9800-981-9892	ALLOCATED RESERVES			27,918
				27,918
To Account		Project		Amount
067-2702-549-0701	REG SALARIES-PERMNT EMPL			19,812
067-2702-549-2002	FICA TAX - OASDI			1,229
067-2702-549-2003	HOSPITALIZATION			4,176
067-2702-549-2004	LIFE INSURANCE			44
067-2702-549-2005	RETIREMENT CONTRIBUTION			2,317
067-2702-549-2006	WORKER'S COMPENSATION			52
067-2702-549-2007	FICA TAX - MEDICARE			288
				27,918

Approvals	Dept	Approved By	Date Approved
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DepOffice	27	CINDY MULLER	2/23/2011 5:30:53 PM
DepOfficeTo	27	CINDY MULLER	2/23/2011 5:30:57 PM



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

Amount	Dept Transferred Into	Date	Explanation
\$8,953,199			Beginning Balance
(\$18,768)	District Attorney	10/19/10	Family Protection Fund
\$4,443	Various	10/15/10	Canceled Purchase Orders
\$4,051	Various	10/25/10	Canceled Purchase Orders
(\$102,500)	Medical Examiner	10/26/10	Financial Feasibility Study
(\$599,970)	TNR	10/26/10	Hamilton Pool Cleanup Project
(\$3,975)	CJP	10/26/10	ACC Internship Program
(\$5,178)	Civil Courts	10/26/10	ACC Internship Program
\$11,039	Various	11/1/10	Canceled Purchase Orders
(\$230,498)	TNR	11/9/10	McKinney Falls Grant Match
(\$3,500)	Historical Commission	11/9/10	Historical Commission Grant match
\$9,790	Various	11/10/10	Canceled Purchase Orders
(\$168,117)	Facilities	11/23/10	HVAC at EOB
\$3,123	Various	11/23/10	Canceled Purchase Orders
(\$170,000)	Facilities	12/7/10	BEFIT - Data Center
(\$25,100)	Facilities	12/14/10	Land
\$161,390	Various	12/13/10	Canceled Purchase Orders
(\$15,987)	County Attorney	12/14/10	Technical correction of liquidated PO
(\$25,000)	TNR	12/27/2010	Envision Central Texas
\$7,745	Various	1/7/11	Canceled Purchase Orders
(\$17,821)	TNR	1/13/11	Environmental Monitoring @ TXI permitted
\$23,235	Various	1/31/11	Canceled Purchase Orders
\$47,174	Various	2/3/11	Canceled Purchase Orders
\$1,273	Various	2/14/11	Canceled Purchase Orders
(\$110,000)	TNR	2/7/11	Lake Travis Eco. & Water Quality Study
\$9,068	Various	2/7/2011	Canceled Purchase Orders
(\$80,000)	Gen. Admin	3/1/2011	Vinson & Elkins
<b>\$7,659,116</b>	<b>Current Balance</b>		

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

Amount	Explanation
(\$57,465)	Receptionist Position Related Auditor's Office in the 700 Lavaca Building
(\$200,000)	Transition Planning
(\$25,885)	ACC Internship Program
(\$200,000)	Television Cable Service for Travis County
(\$185,439)	Family Drug Treatment Court
(\$184,727)	Drug Court Grant Reserves
(\$21,060)	Cadaver Contract Increase
(\$57,137)	DWI Court Program
(\$20,000)	HAZMAT Allocated Reserves
(\$19,240)	Landfill Leachate Discharge Abatement & Priority 2
(\$25,000)	Cash Match for MHPD Expansion grant
(\$51,494)	MHPD FY 11 Continuation funding
(\$50,000)	Postage and Postage
(\$200,000)	Managed Print Services
(\$255,000)	Workforce Development Pilot Programs
(\$400,000)	Civil Indigent Attorney Fees
(\$300,000)	Indigent Attorney Fees for Capital Cases

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

(\$70,000)	Redistricting
(\$175,000)	Special Election for Senator Wentworth
(\$250,000)	Conservation Easement
<b>(\$2,747,447) Total Possible Future Expenses (Earmarks)</b>	
<b>\$4,911,669 Remaining Allocated Reserve Balance After Possible Future Expenditures</b>	

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

Amount	Dept Transferred Into	Date	Explanation
\$496,980 (\$45,000)	Facilities	12/28/10	Beginning Balance EOB - Safety Improvements
<b>\$451,980 Current Reserve Balance</b>			

**Possible Future Expenses Against CAR Identified During the FY11 Budget Process:**

Amount	Explanation
(\$135,000)	Video Surveillance Phase 2 of 3
(\$95,500)	Failing Vehicles
(\$90,000)	Guardrails
<b>(\$90,000) Total Possible Future Expenses (Earmarks)</b>	

**\$361,980 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>			

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

<b>Amount</b>	<b>Dept Transferred Into</b>	<b>Date</b>	<b>Explanation</b>
\$2,100,000			Beginning Balance
<b>\$2,100,000 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>
\$596,369			Beginning Balance
<b>\$596,369 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>
\$51,280			Beginning Balance
<b>\$51,280 Current Reserve Balance</b>			

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

<b>Amount</b>	<b>Dept Transferred Into</b>	<b>Date</b>	<b>Explanation</b>
\$48,595,756			Beginning Balance
(\$22,500,000)	Facilities	12/14/10	Land
(\$754,400)	ITS	12/21/10	Equipment
(\$3,948,400)	TNR	12/21/10	Vehicles
<b>\$21,392,956 Current Reserve Balance</b>			

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

<b>Amount</b>	<b>Dept Transferred Into</b>	<b>Date</b>	<b>Explanation</b>
\$1,099,930			Beginning Balance
(111,697)	ITS	11/9/10	BEFIT Personnel
(920,159)	Auditor	12/7/10	BEFIT Personnel
(68,074)	PBO	12/7/10	BEFIT Personnel
<b>\$0 Current Reserve Balance</b>			



## **Travis County Commissioners Court Agenda Request**

Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: Travis Gatlin, Planning and Budget Office, 854-9065

Elected/Appointed Official/Dept. Head: Rodney Rhoades, Executive Manager

Sponsors: Judge Biscoe

### **AGENDA LANGUAGE:**

Review and approve annual application to the Emergency Food and Shelter Board for Health and Human Services and Veterans Service to continue to provide emergency utility assistance to qualified Travis County residents under the Emergency Food and Shelter Program - Phase 29.

### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

This week's grant packet includes one item. It is the annual application to the Emergency Food and Shelter Board for utility assistance resources for qualified Travis County residents. This is a long standing grant and is anticipated to serve 571 residents.

### **STAFF RECOMMENDATIONS:**

PBO recommends approval of the item.

### **ISSUES AND OPPORTUNITIES:**

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

### **FISCAL IMPACT AND SOURCE OF FUNDING:**

The item does not require a County match.

### **REQUIRED AUTHORIZATIONS:**

Planning and Budget Office	Rodney Rhoades	Pending
County Judge's Office	Cheryl Aker	Pending
Commissioners Court	Cheryl Aker	Pending

## TRAVIS COUNTY

3/8/2011

GRANT APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE  
FY 2011

*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 FTEs	PBO Notes	Auditor's Assessment	Page #	
<b><i>Applications</i></b>										
<b>A</b>	58	Emergency Food and Shelter Program Phase 29	1/1/2011 - 12/31/2011	\$111,839	\$0	\$0	\$111,839 0	R	S	13

***PBO Notes:***

R - PBO recommends approval.

NR - PBO does not recommend approval

D - PBO recommends item be discussed.

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

S - Simple

MC - Moderately Complex

C - Complex

EC - Extremely Complex

**FY 2011 Grants Summary Report**  
**Outstanding Grant Applications**

*The following is a list of grants for which application has been submitted since October 1, 2010, 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.*

<b>Dept</b>	<b>Name of Grant</b>	<b>Grant Term</b>	<b>Grant Award</b>	<b>County Match</b>	<b>In-Kind</b>	<b>Program Total</b>	<b>FTEs</b>	<b>Cm. Ct. Approval Date</b>
24	Formula Grant - Indigent Defense Grants Program	10/1/2010 - 9/30/2011	\$446,456	\$0	\$0	\$446,456	0	10/12/2010
17	A Cultural Resources Survey of Rural Properties in Eastern Travis County	2/1/2011 - 10/1/2012	* \$8000	\$3,000	\$2,000	\$13,000	0	11/16/2010
49	Section 6 Traditional Grant Proposal - Karst Study	9/1/2011 - 8/31/2013	\$74,976	\$0	\$25,877	\$100,853	0	11/16/2010
19	Underage Drinking Prevention Program	10/1/2011 - 9/30/2014	\$570,783	\$107,145	\$214,701	\$892,629	3	1/4/2011
45	Drug Court and In Home Family Services Grant	9/1/2011 - 8/31/2012	\$181,000	\$20,111	\$0	\$2,011,111	0.24	1/25/2011
45	Juvenile Accountability Block Grant (JABG) Juvenile Assessment Center	9/1/2011 - 8/31/2012	\$126,920	\$14,103	\$0	\$141,023	1.5	1/25/2011
47	Emergency Management Performance Grant	10/1/2010 - 9/30/2011	\$67,200	\$67,200	\$0	\$134,400	3	1/25/2011
55	Justice and Mental Health Collaboration Program	10/1/2011- 9/30/2012	\$49,796	\$0	\$19,304	\$69,100	0.75	2/1/2011
39	DWI Court	9/30/2011- 9/29/2012	\$206,515	\$0	\$0	\$206,515	3.5	2/22/2011
19	Family Violence Accelerated Prosecution Program	9/1/2011- 8/31/2012	\$95,456	\$34,311	\$17,088	\$146,855	2.1	2/22/2011
37	TCSO Child Abuse Victim Services Personnel	9/1/2011- 9/31/2012	\$28,748	\$19,241	\$0	\$47,989	1	2/22/2011

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45	Juvenile Services Solicitation for the Front End Therapeutic Services Program	9/1/2011-8/31/2012	\$21,000	\$0	\$0	\$21,000	0	2/22/2011
45	Travis County Eagle Resource Project	9/2/2011-8/31/2012	\$39,907	\$0	\$0	\$39,907	0	2/22/2011
45	Juvenile Treatment Drug Court-SAMHSA/CSAT	9/30/11-9/29/2012	\$198,200	\$0	\$90,442	\$288,642	0	3/1/2011
			\$2,106,957	\$265,111	\$369,412	\$4,559,480	15.09	

## FY 2011 Grants Approved by Commissioners Court

*The following is a list of grants that have been received by Travis County since October 1, 2010*

*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
45	Travis County Eagle Resource Project	09/1/2010 - 8/31/2011	\$49,884	\$0	\$0	\$49,884	0	10/5/2010
58	Atmos Energy Share the Warmth	10/1/2010 - 9/30/2011	\$13,891	\$0	\$0	\$13,891	0	10/12/2010
39	Safe Havens: Supervised Visitation and Safe Exchange Grant Program	10/1/2010 - 9/30/2013	\$400,000	\$0	\$0	\$400,000	0.75	10/12/2010
39	Travis County Adult Probation DWI Court	9/1/2010 - 8/31/2011	\$234,391	\$0	\$0	\$234,391	4	10/26/2010
55	Office of Child Representation	10/1/2010 - 9/30/2011	\$50,000	\$623,000	\$0	\$673,000	8	10/26/2010
55	Office of Parental Representation	10/1/2010 - 9/30/2011	\$50,000	\$623,000	\$0	\$673,000	8	10/26/2010
58	Parenting in Recovery	9/30/2010 - 9/29/2011	\$500,000	\$80,000	\$45,000	\$625,000	1	10/26/2010
45	Juvenile Treatment Drug Court-OJJDP	10/1/2010 - 9/30/2014	\$424,979	\$141,667	\$0	\$566,646	2.5	10/26/2010
45	Juvenile Treatment Drug Court-SAMHSA/CSAT	9/30/2010 - 9/29/2011	\$199,820	\$0	\$0	\$199,820	0	10/26/2010
37	2007 Byrne Justice Assistance Grant (JAG)*	10/1/2006 - 3/31/2011	\$203,845.50	\$0	\$0	\$203,845.50	0	10/26/2010
24	Travis County Veterans's Court	9/1/2010 - 8/31/2011	\$40,000	\$0	\$0	\$40,000	0	11/16/2010
39	Travis County Adult Probation DWI Court	9/30/2010 - 9/29/2013	\$597,908	\$0	\$0	\$597,908	3.45	11/16/2010
58	Communities Putting Prevention to Work (Tobacco Free Worksite Policy)	6/1/2010 - 2/29/2012	\$200,000	\$0	\$0	\$200,000	1.5	11/16/2010

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Dept	Name of Grant	Grant Term	Grant Award	County Match	In-Kind	Program Total	FTEs	Approval Date
45	Leadership Academy Dual Diagnosis Unit - Residential Substance Abuse Treatment Program	10/1/2010 - 9/30/2011	\$142,535	\$47,512	\$0	\$190,047	1.82	11/23/2010
24	Travis County Veteran's Court	9/1/2010 - 8/31/2011	\$166,003	\$0	\$0	\$166,003	2	11/23/2010
24	Drug Diversion Court	9/1/2010 - 8/31/2011	\$188,422	\$0	\$0	\$188,422	1	11/23/2010
22	Family Drug Treatment Court	9/1/2010 - 8/31/2011	\$119,185	\$0	\$0	\$119,185	1	11/23/2010
37	2010 UASI Grant	8/1/2010 - 7/31/2012	\$475,000	\$0	\$0	\$475,000	0	11/23/2010
37	2010 Byrne Justice Assistance Grant	10/1/2009 - 9/30/2013	\$114,285	\$0	\$0	\$114,285	0	11/23/2010
37	2010 Bryne Justice Assistance Grant	10/1/2009-9/30/2013	\$114,285	\$0	\$0	\$114,285	0	11/23/2010
58	Title IV-E Child Welfare Services	10/1/2010 - 9/30/2011	\$104,195.43	\$205,012.95	\$0	\$309,208.38	0.75	11/30/2010
58	Coming of Age (formerly RSVP) - Texas Department of Aging and Disability Services (DADS)	9/1/2010 - 8/31/2011	\$23,800	\$23,800	\$0	\$47,600	0	11/30/2010
58	Coming of Age (formerly known as RSVP)	10/1/2010 - 9/30/2011	\$63,119	\$18,936	\$0	\$82,055	0.14	11/30/2010
37	State Criminal Alien Assistance Program SCAAP 2010	7/1/2008 - 6/30/2009	\$915,571	\$0	\$0	\$915,571	0	11/30/2010
47	Chemical, Biological, Radiological, Nuclear, Explosive (CBRNE) Strike Team Coordinator (UASI Award)	8/1/2010 - 7/31/2012	\$350,000	\$0	\$0	\$350,000	1	11/30/2010
47	Hazardous Materials Equipment Purchase and Maintenance (SHSP Award)	8/1/2010 - 7/31/2012	\$40,000	\$0	\$0	\$40,000	0	11/30/2010

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Dept	Name of Grant	Grant Term	Grant Award	County Match	In-Kind	Program Total	FTEs	Approval Date
49	Transportation Enhancement Program	11/30/2010- Completion	\$921,922	\$230,498	\$0	\$1,152,420	0	11/30/2010
49	FY11 CAPCOG Travis County Expo Center Recycling Grant	9/1/2010 - 7/31/2011	\$29,590	\$0	\$0	\$29,590	0	12/7/2010
49	CAPCOG FY 10 Solid Waste Enforcement Grant*	9/1/2010 - 7/31/2011	\$20,240	\$0	\$0	\$20,240	0	12/14/2010
58	AmeriCorps*	8/1/2008 - 7/31/2009	\$228,040	\$225,977	\$0	\$454,017	16	12/14/2010
58	Seniors and Volunteers for Childhood Immunization	10/1/2010 - 9/30/2011	\$4,000	\$0	\$0	\$4,000	0.25	12/21/2010
58	DOE Weatherization Assistance Program	4/1/2010 - 3/31/2011	\$186,929	\$0	\$0	\$186,929	0	12/21/2010
37	Homeland Security Grant Program - Urban Area Strategic Initiative (UASI)	9/1/2008 - 1/15/2011	\$136,234.36	\$0	\$0	\$136,234.36	0	12/21/2010
37	2009 COPS LE Technology Grant	3/11/2009 - 3/10/2012	\$300,000	\$0	\$0	\$300,000	0	1/4/2011
24	Formula Grant - Indigent Defense Grant Program	10/1/2010 - 9/30/2011	\$446,456	\$0	\$0	\$446,456	0	1/18/2011
37	Austin/Travis County human Trafficking LE Task Force	1/1/2011 - 9/30/2011	\$15,000	\$0	\$0	\$15,000	0	1/25/2011
59	Capital Area Trauma Regional Advisory Council (CATRAC) EMS County Assistance	4/1/2010 - 8/31/2011	\$6,038	\$0	\$0	\$6,038	0	1/25/2011
37	Recovery Act - STOP Violence Against Women Act*	4/1/2010 - 6/30/2011	\$64,599	\$0	\$0	\$64,599	1	1/25/2011
Various	Family Violence Protection Team	10/1/2010- 9/30/2012	\$699,507	\$168,239	\$0	\$867,746	4.5	2/1/2011
24	Travis County Drug Diversion Court*	9/1/2009- 8/31/2010	\$161,359	\$0	\$0	\$161,359	1	2/1/2011
24	Travis County Veteran's Court*	4/1/2010- 8/31/2010	\$7,387	\$0	\$0	\$7,387	1	2/1/2011
58	FY 11 Title IV-E	10/1/2010- 9/30/2011	\$104,196	\$205,013	\$0	\$309,209	0.75	2/1/2011

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Dept	Name of Grant	Grant Term	Grant Award	County Match	In-Kind	Program Total	FTEs	Approval Date
58	Seniors and Volunteers for Childhood Immunization	9/1/2010-8/31/2011	\$8,846	\$0	\$0	\$8,846	0.25	2/22/2011
58	ATCIC-Marguerite Casey Foundation Community and Family Reintegration Project	12/1/2010-5/31/2011	\$30,000	\$0	\$0	\$30,000	1	2/22/2011
37	Sheriff's Combined Auto Theft Task Force*	9/1/2010-8/31/2011	\$610,073	\$319,936	\$0	\$930,009	11	2/22/2011
58	AmeriCorps*	8/1/09-7/31/10	\$278,239	\$269,446	\$10,160	\$557,845	20	2/22/2011
58	Comprehensive Energy Assistance Program	1/1/2011-12/31/2011	\$1,279,651	\$0	\$0	\$1,279,651	0	3/1/2011
			\$11,319,425	\$3,182,037	\$55,160	\$14,556,622	88.91	

\*Amended from original agreement.

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## FY 2011 Grants Summary Report

### Permission to Continue

List also includes any items from FY 10 that have not yet been fully resolved.

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?
19	Family Violence Accelerated Prosecution Program	\$5,672	\$5,672	\$11,344	1.5	8/17/2010	9/28/2010	In Process
22	Family Drug Treatment Court	\$5,112	\$5,112	\$10,224	1	8/31/2010	11/23/2010	In Process
22	Family Drug Treatment Court	\$5,132	\$5,132	\$10,264	1	9/28/2010	11/23/2010	In Process
19	Family Violence Protection Team	\$22,811	\$22,811	\$45,622	1.5	10/5/2010	2/1/2011	In Process
37	Family Violence Protection Team	\$13,121	\$13,121	\$26,242	2	10/5/2010	2/1/2011	In Process
58	ATCIC - Marguerite Casey Foundation Community and Family Reintegration Project	\$9,600	\$9,600	\$19,200	1	11/23/2010	2/22/2010	In Process
37	Family Violence Protection Team	\$13,121	\$13,121	\$26,242	2	12/7/2010	2/1/2011	In Process
19	Family Violence Protection Team	\$23,589	\$23,589	\$47,178	1.5	12/14/2010	2/1/2011	In Process
23	Family Violence Protection Team	\$21,263	\$21,263	\$42,526	0.5	12/21/2010	2/1/2011	In Process
58	Casey Family Programs Community and Family Reintegration Project	\$10,090	\$10,090	\$20,180	1	12/28/2010	Awaiting Contract	No

## FY 2011 Grants Summary Report

## Permission to Continue

List also includes any items from FY 10 that have not yet been fully resolved.

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?
58	Comprehensive Energy Assistance Program	\$84,508	\$84,508	\$169,016	0	12/28/2010	3/1/2011	In Process
58	Comprehensive Energy Assistance Program (Operating)*	\$0	\$0	\$325,000	0	12/28/2010	3/1/2011	In Process
Totals		\$214,019	\$214,019	\$753,038	13			

\* 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.

### Grants Receiving Midyear Reductions due to the State's Budget Issues

Dept	Name of Grant	Grantor	Grant Term	Original Grant Award	Reduction Amount	Admended Award	FTEs	Cm. Ct. Approval/Acceptance
								Date
37	Sheriff's Combined Auto Theft Task Force*	Auto Burglary and Theft Prevention Authority	9/1/2010-8/31/2011	\$616,867	<b>\$6,794</b>	\$610,073	10	2/22/2011
				\$616,867	<b>\$6,794</b>	\$610,073	10	

\* Grant shared between Travis County and six other counties. Travis County's portion of grant is roughly half with remaining funds received by the other counties. The number of TCSO FTE funded by the grant is 4.



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

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.

<b>Grant Contracts approved by Commissioners Court</b>		FY 09		FY 10		FY 11		FY 12		FY 13		FY 14	
Dept	Grant Title	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 Mental Public Defenders Office. To establish the nation's first stand alone Mental Health Public Defenders Office. Full impact in FY 12 when grant is no longer available.	\$ 375,000	\$ 250,000	\$ 250,000	\$ 375,000	\$ 125,000	\$ 500,000	\$ -	\$ 625,000	\$ -	\$ 625,000		\$ 625,000
Criminal Justice Planning	Office of Parental Representation. <i>County impact is intended to be offset by reductions to Civil Indigent Attorney Fees. Full impact in FY 12 when grant is no longer available. Impact amounts will be updated to take into account internal reallocations and any potential costs/savings to indigent attorneys fees that are centrally budgeted.</i>	\$ 300,000	\$ 307,743	\$ 100,000	\$ 102,360	\$ 50,000	\$ 152,360	\$ -	\$ 152,360	\$ -	\$ 152,360	\$ -	\$ 152,360
Criminal Justice Planning	Office of Child Representation. <i>County impact is intended to be offset by reductions to Civil Indigent Attorney Fees. FY 11 is last year of grant. Impact amounts will be updated to take into account internal reallocations and any potential costs/savings to indigent attorneys fees that are centrally budgeted.</i>	\$ 300,000	\$ 301,812	\$ 100,000	\$ 102,358	\$ 50,000	\$ 152,359	\$ -	\$ 152,359	\$ -	\$ 152,359	\$ -	\$ 152,359
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, County Attorney's Office, District Attorney's Office and Manor Police Department).</i>	\$ -	\$ -	\$ 487,359	\$ -	\$ -	\$ 26,432	\$ -	\$ 26,432	\$ -	\$ 26,432		\$ 26,432
Facilities Management	Energy Efficiency and Conservation Block Grant (ARRA).For Retrofit of the Travis County Executive Office Building HVAC System. One-time grant and includes a \$1.2 million County contribution in FY 10 to complete project.		\$ -	\$ 2,207,900	\$ 1,292,000		\$ -		\$ -		\$ -		\$ -
Travis County Sheriff's Office	2009 Byrne Justice Assistance Grant (ARRA). <i>One-time grant for one-time capital purchases. Does not require a County match or program to continue after grant term ends on 9/30/12.</i>	\$ -	\$ -	\$ 123,750	\$ -	\$ 165,000	\$ -	\$ 165,000	\$ -	\$ -	\$ -		\$ -
Travis County Sheriff's Office/County Attorney's Office	Recovery Act - STOP Violence Against Women Act. TC Expedited Victims Restoration Grant (ARRA). <i>One-time ARRA funding for laptops for TCSO and one-time funding for a Victim Counselor, laptop 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	\$ -		\$ -		\$ -		\$ -		\$ -

Community Supervision and Corrections	Recovery Act Combating Criminal Narcotics Activity Stemming from the Southern Border of the US: Enhancing Southern Border Jails, Community Corrections and Detention Operations. (ARRA) Grant will supplement department's state funding to help keep all current probation officer positions. This two year funding goes to the State and there is no County obligation or impact. Full amount of grant is believed to be spent by FY 11.	\$ -	\$ -	\$ 143,750	\$ -	\$ 143,750	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
District Attorney	Interlocal Agreement for the Austin/Travis County Family Violence Protection Team. Includes funding for the District Attorney's Office, County Attorney's Office, Travis County Sheriff's Office, and Constable Pct 5. Grant is coordinated by the City of Austin. It is possible that the responsibility to apply for the Grant may fall to the County for FY 11 and beyond.	\$ 342,793	\$ -	\$ 342,793	\$ -	\$ 342,793	\$ -	\$ 342,793	\$ -	\$ 342,793	\$ -	\$ 342,793	\$ -
Transportation and Natural Resources	Local Transportation Project - Advanced Funding Agreement (ARRA). ARRA funding to upgrade 4 roads by milling and overlaying roadway. Grant is a one-time grant with the potential for estimated \$13,741 contribution from the Road and Bridge Fund.	\$ -	\$ -	\$ 687,047	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
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	ARRA Texas Weatherization Assistance Program. Provide weatherization services to low income households		\$ -	\$ 2,311,350	TBD	\$ 2,187,544	TBD		\$ -		\$ -		\$ -
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
Health and Human Services	Community Putting Prevention to Work (Tobacco Free Worksite Policy). Interlocal with the City of Austin to receive ARRA funds to develop a tobacco free worksite policy for County facilities. Includes 1.5 FTE to support program. In addition, there are existing resources provided by the State that are available through the employee clinic to help employee to quit tobacco use. Ends Feb 2012.	\$ -		\$ -	\$ -	\$ 100,000	\$ -	\$ 100,000	\$ -	\$ -	\$ -	\$ -	\$ -
Totals		\$ 3,070,731	\$ 1,161,189	\$ 8,619,525	\$ 2,175,626	\$ 4,828,764	\$ 1,135,059	\$ 2,272,470	\$ 1,260,059	\$ 1,507,470	\$ 1,760,059	\$ 1,490,480	\$ 1,760,059

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.

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**GRANT SUMMARY SHEET**

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

Department/Division:	58/54
Contact Person/Title:	Lisa Sindermann / Contract Compliance Specialist
Phone Number:	541-8339

Grant Title:	Emergency Food and Shelter Program Phase 29		
Grant Period:	From:	1/1/2011	To: 12/31/2011
Grantor:	Local Board of Emergency Food and Shelter Program		
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 type="checkbox"/>	Ongoing Award: <input checked="" type="checkbox"/>	
Type of Payment:	Advance: <input checked="" type="checkbox"/>	Reimbursement: <input type="checkbox"/>	

Grant Categories/ Funding Source	Federal Funds	State Funds	Local Funds	County Match	In-Kind	TOTAL
Personnel:						\$0
Operating:	111,839					111,839
Capital Equipment:						0
Indirect Costs:						0
Total:	\$111,839	\$0	\$0	\$0	\$0	\$111,839
FTEs:	0.00					0.00

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

Performance Measures	Projected FY 11 Measure	Progress To Date:				Projected FY 12 Measure
Applicable Depart. Measures		12/31/10	3/31/11	6/31/11	9/30/11	
# of Households receiving utility assistance	12,392	3,113	3,093 projected	3,093 projected	3,093 projected	12,392
Measures For Grant						
# of Households receiving utility assistance from the Emergency Food and Shelter Program	571	NA for this program period	143 projected	143 projected	143 projected	571

Outcome Impact Description	Assist households who are experiencing an economic emergency. The department assists these households by paying the highest one month amount still owed of each of the household's utility (electricity, gas, water or propane) bills.					
Outcome Impact Description						
Outcome Impact Description						

**PBO Recommendation:**

This grant application is for the continuation of the emergency utility assistance program. All the funds are spent on operating expenditures and require no county match.

This application has been reviewed by the County Auditor's Office and the County Attorney's Office. PBO concurs with this application.

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?

As an existing program, these funds will continue to be used to provide emergency utility assistance to qualified Travis County residents. These grant funds are sometimes used in conjunction with other utility assistance program providing a higher level of assistance to further the client's energy self-sufficiency.

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

Existing staff will perform eligibility determination and vendor payment processing. No additional funds are required.

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

No County match is required.

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

The application indicates that agencies are strongly encouraged to use all of the requested funds for direct client services. Keeping that intent, the funds awarded to Travis County in this Phase 29 will be used only for direct client assistance.

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.

Yes

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

N/A

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.

Travis County Health and Human Services & Veterans Service department Family Support Services division staff will continue to provide client interviews for eligibility determination of this program and the other programs available. This program funding assists the department in meeting the needs of clients who are experiencing an economic crisis and need assistance meeting their household utility obligations.





RECEIVED

11 FEB 18 PM 3:56

TRAVIS COUNTY  
PLANNING & BUDGET OFFICE

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

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

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

**Date:** February 17, 2011

**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:** Acceptance of 2011 Emergency Food and Shelter Program Phase 29 Application

**Proposed Motion:** Consider and take appropriate action to approve the 2011 renewal grant application for funding of the Emergency Food and Shelter Program Phase 29.

**Summary and Staff Recommendation:** Staff requests the acceptance and authorization to apply for \$111,839 in funding for the Phase 29 grant period. The requested amount equals the total award received in the 2010 grant period. The funds awarded for this grant are used to provide emergency utility assistance for Travis County's low-income individuals and families who have an income at or below 200% of the current Federal Poverty Income Guidelines.

**Budgetary and Fiscal Impact:** The awarded grant funds will be budgeted in the utility assistance line item established for this fund. No matching funds are required. We expect a decision to be made concerning our application in the next few months. The current contract period was 01-01-10 through 12-31-10.

**Issues and Opportunities:** The department has participated in this program for a number of years and within the current program period has assisted 571 households with their utility bills. Other agencies receiving funds for this program use their funding to provide food, shelter and rental assistance for clients. Through coordinating efforts

with these agencies with regard to their use of funding as well as ours, duplication of services is prevented and assistance is given in a more efficient and effective manner.

We will use all the Emergency Food and Shelter Program funds for direct assistance to clients. These funds are used to supplement the Federal, State, and local grant funds to enable the department to extend utility assistance to indigent individuals and families who seek aid from the department.

cc: Rodney Rhoades, Executive Manager, Planning and Budget Office  
Diana Ramirez, Budget Analyst, Planning and Budget Office  
Susan Spataro, CPA, CMA, Travis County Auditor  
Jose Palacios, Chief Assistant County Auditor  
Ellen Heath, Financial Analyst III, County Auditors  
Cyd Grimes, CPM, Travis County Purchasing Agent  
Mary Etta Gerhardt, Assistant County Attorney  
Jim Lehrman, Social Services Director, Family Support Services



Emergency Food &  
Shelter National  
Board Program

**EMERGENCY FOOD AND SHELTER PROGRAM  
PHASE 29  
AUSTIN/TRAVIS & WILLIAMSON COUNTIES**

**APPLICATION**

Agency:	Travis County Department: Travis County Health and Human Services & Veterans Service		
Physical Address:	100 N. IH 35; Austin, TX 78701		
Mailing Address:	P. O. Box 1748; Austin, TX 78767		
Contact Person for Application Questions:	Jim Lehrman		
Phone:	(512) 854-4100	Fax:	(512) 854-4115
Email:	<a href="mailto:Jim.lehrman@co.travis.tx.us">Jim.lehrman@co.travis.tx.us</a>		
Contact Person for EFSP if funded:	Jim Lehrman		
Phone:	(512) 854-4100	Fax:	(512) 854-4115
Email:	<a href="mailto:Jim.lehrman@co.travis.tx.us">Jim.lehrman@co.travis.tx.us</a>		
Organization's Total Operating Budget:	\$16,760,385.00		
Program Budget:	\$8,605,365.00		

Category	Funds Requested
A) Served Meals	
B) Other Food	
C) Mass Shelter	
D) Other Shelter	
E) Rent/Mortgage Assistance	
F) Utilities Assistance	\$111,839.00
G) Administration (2% maximum)	
H) Total	\$111,839.00





*Emergency Food &  
Shelter National  
Board Program*

*Note: Although a 2% administrative allocation is allowable, applicants are strongly encouraged to submit funding requests in which all funds are used for assistance to clients.*

I certify that the governing body of this organization has knowledge of and approved this grant application:

<b>BY: Samuel T. Biscoe, Travis County Judge</b>	<b>Date</b>
Samuel T. Biscoe, Travis County Judge	
<b>Printed Name</b>	



## Travis County Commissioners Court Agenda Request

RECEIVED  
COUNTY CLERK'S OFFICE  
11 FEB 30 AM 10:06

Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: Norman McRee, Human Resources Management, 854-4821

Elected/Appointed Official/Dept. Head: Diane Blankenship, HR Director

Sponsors: Judge Biscoe

### AGENDA LANGUAGE:

Review and approve the immediate release of reimbursement payment to United Health Care for claims paid for participants in the Travis County Employee Health Care Fund for payment of \$540,772.02, for the period of February 18 to February 24, 2011.

### BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

attached

### STAFF RECOMMENDATIONS:

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 \$540,772.02.

### FISCAL IMPACT AND SOURCE OF FUNDING:

Employee Health Benefit Fund (526) - \$540,772.02

### REQUIRED AUTHORIZATIONS:

Human Resources Management	Norman McRee	Completed	03/01/2011 2:02 PM
Human Resources Management	Dan Mansour	Pending	
Human Resources Management	Diane Blankenship	Pending	
Planning and Budget Office	Rodney Rhoades	Pending	
County Judge's Office	Cheryl Aker	Pending	
Commissioners Court	Cheryl Aker	Pending	

## Travis County Commissioners Court Agenda Request

Voting Session March 8, 2011  
(Date)

Work Session \_\_\_\_\_  
(Date)

**I. Request made by:**

  
Rodney Rhoades, Executive Manager, Planning and Budget Phone # 854-4718  
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 \$540,772.02, for the period of February 18 to February 24, 2011.

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)

TRAVIS COUNTY  
RECOMMENDATION FOR TRANSFER OF FUNDS

DATE: March 8, 2011

TO: Members of the Travis County Commissioners Court

FROM: Dan Mansour, Risk Manager

COUNTY DEPT. Human Resources Management Department (HRMD)

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

PERIOD OF PAYMENTS MADE: February 18, 2011 to February 24, 2011

REIMBURSEMENT REQUESTED  
FOR THIS PERIOD: \$540,772.02

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 \$540,772.02.

Please see the attached reports for supporting detail information.

TRAVIS COUNTY  
HOSPITAL AND INSURANCE FUND  
SUPPORTING DETAIL FOR THE  
WEEKLY REIMBURSEMENT REQUEST TO  
COMMISSIONERS COURT  
FOR THE PAYMENT PERIOD  
FEBRUARY 18, 2011 TO FEBRUARY 24, 2011

-

- 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: March 8, 2011  
 TO: Susan Spataro, County Auditor  
 FROM: Dan Mansour, Risk Manager  
 COUNTY DEPT.: Human Resources Management Department (HRMD)

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

PERIOD OF PAYMENTS PAID:  
 FROM: February 18, 2011  
 TO: February 24, 2011

**REIMBURSEMENT REQUESTED:** **\$ 540,772.02**

SUPPORTING DETAIL FOR REIMBURSEMENT REQUESTED:

NOTIFICATION OF AMOUNT OF REQUEST FROM UHC*:	\$ 1,429,244.73
bank withdrawal correction	\$ (2,850.00)
LESS: REIMBURSEMENTS PREVIOUSLY APPROVED BY	
COMMISSIONERS COURT: March 1, 2011	\$ (885,757.98)
October 5, 2010 adj	\$ 135.10
Adjust to balance per UHC	\$ 0.17
TOTAL REIMBURSEMENT REQUESTED BY UHC FOR THIS WEEK**:	\$ 540,772.02
PAYMENTS DEEMED NOT REIMBURSABLE	\$ -
TRANSFER OF FUNDS REQUESTED:	\$ 540,772.02

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 \$33,422.63) 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 (\$78,912.57) 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 \$200,000 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 (\$80,374.93).

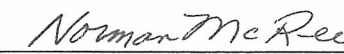
All claims submitted in this transfer have been audited to confirm accuracy of billing and legitimacy of claim under the service provisions of the health care contract and all are contractually legitimate, legally incurred and accurately billed claims.

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.

 2/28/11  
 Diane Blankenship, Director, HRMD Date

 2-25-2011  
 Dan Mansour, Risk Manager Date

 2/25/11  
 Cindy Purinton, Benefit Contract Administrator Date

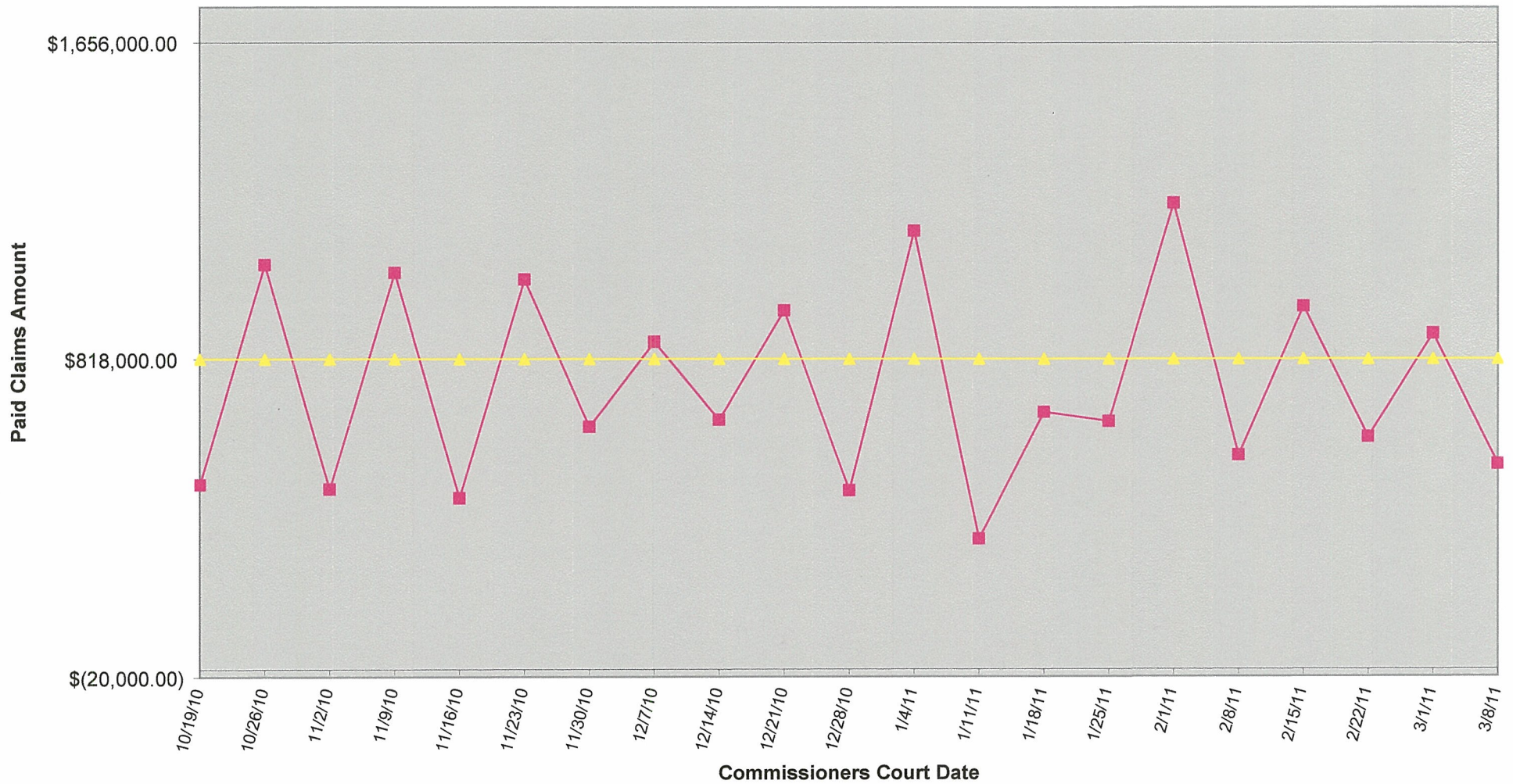
 2/25/11  
 Norman McRee, Financial Analyst Date

\*\* 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 Employee Benefit Plan FY11 Paid Claims vs Weekly Claims Budget of \$818,811.85

2







**From:** <SIFSFX@UHC.COM>  
**To:** <NORMAN.MCREE@CO.TRAVIS.TX.US>  
**Date:** 2/25/2011 9:42 AM  
**Subject:** UHC BANKING REPTS/C

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

NOTIFICATION OF AMOUNT OF REQUEST FOR: TRAVIS COUNTY

DATE: 2011-02-25 REQUEST AMOUNT: \$1,429,244.73

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

CALCULATION OF REQUEST AMOUNT

+ ENDING BANK ACCOUNT BALANCE FROM: 2011-02-24	\$605,625.37
- REQUIRED BALANCE TO BE MAINTAINED:	\$1,938,718.00
+ PRIOR DAY REQUEST:	\$00.00
= UNDER DEPOSIT:	\$1,333,092.63
+ CURRENT DAY NET CHARGE:	\$96,152.10
+ FUNDING ADJUSTMENTS:	\$00.00
REQUEST AMOUNT:	\$1,429,244.73

ACTIVITY FOR WORK DAY: 2011-02-21

CUST PLAN	CLAIM	NON CLAIM	NET CHARGE
0632	\$43,887.07	\$00.00	\$43,887.07
TOTAL:	\$43,887.07	\$00.00	\$43,887.07

ACTIVITY FOR WORK DAY: 2011-02-22

CUST PLAN	CLAIM	NON CLAIM	NET CHARGE
0632	\$362,270.04	\$00.00	\$362,270.04

Page: 1 of 2

## UNITED HEALTHCARE CHECK REGISTER FOR TRAVIS COUNTY SUBMITTED 2011\_02\_24

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	(50.88)	RB	60218380	AH		5 2/17/2011	50	2/23/2011	2/24/2011
701254	632	(51.21)	RB	60218380	AH		5 2/17/2011	50	2/23/2011	2/24/2011
701254	632	(51.73)	RB	30706180	AH		5 2/17/2011	50	2/23/2011	2/24/2011
701254	632	(53.68)	RB	30707060	AH		5 2/17/2011	50	2/23/2011	2/24/2011
701254	632	(72.61)	RB	21044700	AH		5 2/17/2011	50	2/23/2011	2/24/2011
701254	632	(77.00)	RK	45942900	AA		5 2/17/2011	50	2/23/2011	2/24/2011
701254	632	(83.63)	RB	70344730	AH		5 2/17/2011	50	2/23/2011	2/24/2011
701254	632	(87.36)	U4	80773530	A		3 2/16/2011	50	2/23/2011	2/24/2011
701254	632	(97.80)	RL	58066270	AA		5 2/17/2011	50	2/23/2011	2/24/2011
701254	632	(122.80)	U4	60676760	AE		1 10/4/2010	50	2/23/2011	2/24/2011
701254	632	(139.20)	RL	12594200	AA		5 2/17/2011	50	2/23/2011	2/24/2011
701254	632	(217.07)	RB	60218380	AH		5 2/17/2011	50	2/23/2011	2/24/2011
701254	632	(316.50)	RL	47837640	AA		5 2/17/2011	50	2/23/2011	2/24/2011
701254	632	(587.25)	RL	80452480	AA		1 12/3/2010	50	2/23/2011	2/24/2011
701254	632	(3,410.36)	NN	SSN0000C	AL		0 2/18/2011	600	2/24/2011	2/24/2011
701254	632	(7,161.88)	NN	SSN0000C	AL		0 2/17/2011	600	2/23/2011	2/24/2011
701254	632	(7,735.00)	NN	SSN0000C	AL		0 2/18/2011	600	2/24/2011	2/24/2011
701254	632	(10,524.75)	NN	SSN0000C	AL		0 2/21/2011	600	2/25/2011	2/24/2011
701254	632	(49,135.68)	NN	SSN0000C	AL		0 2/17/2011	600	2/23/2011	2/24/2011

540,772.02

# *Travis County Hospital and Insurance Fund - County Employees*

## *UHC Payments Deemed Not Reimbursable*

For the payment week ending: 02/24/2011

<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

6

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

## Journal Entry for the Reimbursement to United Health Care

For the payment week ending: 2/24/2011

TYPE	MEMBER TYPE	TRANS_AMT
<b>CEPO</b>		
	EE	
	526-1145-522.45-28	92,179.98
	RR	
	526-1145-522.45-29	7,253.50
Total CEPO		\$99,433.48
<b>EPO</b>		
	EE	
	526-1145-522.45-20	162,009.70
	RR	
	526-1145-522.45-21	-43,593.49
Total EPO		\$118,416.21
<b>PPO</b>		
	EE	
	526-1145-522.45-25	304,028.19
	RR	
	526-1145-522.45-26	18,894.14
Total PPO		\$322,922.33
Grand Total		\$540,772.02



## **Travis County Commissioners Court Agenda Request**

Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: Cynthia Lam-Roldan, Human Resources Management, 854-4822

Elected/Appointed Official/Dept. Head: Diane Blankenship, HR Director

Sponsors: Judge Biscoe

### **AGENDA LANGUAGE:**

Consider and take appropriate action on proposed routine personnel amendments.

### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

Attached are Personnel Amendments for Commissioners Court approval.

Routine Personnel Actions - Pages 2 - 4.

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

### **FISCAL IMPACT AND SOURCE OF FUNDING:**

None.

### **REQUIRED AUTHORIZATIONS:**

Human Resources Management	Todd Osburn	Pending
Human Resources Management	Diane Blankenship	Pending
Planning and Budget Office	Rodney Rhoades	Pending
County Judge's Office	Cheryl Aker	Pending
Commissioners Court	Cheryl Aker	Pending



# 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

**March 8, 2011**

**ITEM # :**

**DATE:** February 25, 2011

**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:** Rodney Rhoades, Executive Manager, Planning and Budget

**FROM:** Diane Blankenship, Director, HRMD

**SUBJECT:** Weekly Personnel Amendments

Attached are Personnel Amendments for Commissioners Court approval.

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

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

RR/DB/TLO

Attachments

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

<b>WEEKLY PERSONNEL AMENDMENTS --- ROUTINE</b>
--

<b>NEW HIRES</b>				
<b>Dept.</b>	<b>Slot</b>	<b>Position Title</b>	<b>Dept. Requests Level/Salary</b>	<b>HRMD Recommends Level/Salary</b>
<b>County Atty</b>	165	Legal Secretary	15 / Level 4 / \$38,750.40	15 / Level 4 / \$38,750.40
<b>Fac Mgmt</b>	158	Custodian*	5 / \$24,960.00	5 / \$24,960.00
<b>Juvenile Probation</b>	292	Cook	8 / \$22,880.00	8 / \$22,880.00
<b>Sheriff</b>	1624	Security Coord	12 / Level 4 / \$31,657.60	12 / Level 4 / \$31,657.60
<b>Sheriff</b>	1740	Cadet**	80 / Step 1 / \$34,594.77	80 / Step 1 / \$34,594.77
<b>* Temporary to Regular</b>			<b>** Actual vs Authorized</b>	

<b>TEMPORARY APPOINTMENTS</b>					
<b>Dept.</b>	<b>Slot</b>	<b>Position Title</b>	<b>Dept. Requests Grade/Salary</b>	<b>HRMD Recommends Grade/Salary</b>	<b>**Temporary Status Type Code</b>
<b>District Atty</b>	50038 (2 <sup>nd</sup> Job)	Attorney III	24 / \$32.80	24 / \$32.80	05
<b>Tax Collector</b>	50067	Administrative Asst I	11 / \$12.70	11 / \$12.70	05
<b>**Temporary Status Type Codes:</b> (Temporary less than 6 mos. = 02) (Project Worker more than 6 mos. = 05, includes Retirement Benefits).					

<b>TEMPORARY PROMOTIONS / SALARY ADJUSTMENTS / LATERAL TRANSFERS / VOLUNTARY REASSIGNMENTS / TEMPORARY ASSIGNMENTS</b>				
<b>Dept. (From)</b>	<b>Slot – Position Title – Salary</b>	<b>Dept. (To)</b>	<b>Slot – Position Title – Salary</b>	<b>Comments</b>
<b>HHS</b>	Slot 20049 / Office Specialist / Grd 10 / \$13.46	<b>HHS</b>	Slot 50049 / Office Specialist / Grd 10 / \$13.46	Status changed from Temporary Worker (02) to Project Worker (05).

<b>PROMOTIONS / SALARY ADJUSTMENTS / LATERAL TRANSFERS / VOLUNTARY REASSIGNMENTS / TEMPORARY ASSIGNMENTS</b>				
<b>Dept. (From)</b>	<b>Slot – Position Title – Grade – Salary</b>	<b>Dept. (To)</b>	<b>Slot – Position Title – Grade – Salary</b>	<b>Comments</b>
<b>Constable 3</b>	Slot 6 / Court Clerk II Sr / Grd 16 / \$46,280.00	<b>Constable 3</b>	Slot 6 / Court Clerk II Sr / Grd 16 / \$50,908.00	Salary adjustment. Pay is between midpoint and max of pay grade.
<b>District Atty</b>	Slot 21 / Attorney V* / Grd 27 / \$77,956.58	<b>District Atty</b>	Slot 165 / Attorney V* / Grd 27 / \$77,956.58	Lateral transfer. Employee transferred to different slot, same position, same department, same pay grade, retains current pay.
<b>Juvenile Probation</b>	Slot 229 / Juvenile Probation Ofcr III / Grd 16 / \$47,074.40	<b>Juvenile Probation</b>	Slot 194 / Juvenile Probation Ofcr III / Grd 16 / \$47,074.40	Lateral transfer. Employee transferred to different slot, same position, same department, same pay grade, retains current pay.
<b>PBO</b>	Slot 14 / Investment Manager / Grd 23 / \$71,955.00	<b>PBO</b>	Slot 14 / Investment Manager / Grd 23 / \$81,877.00	Salary adjustment. Pay is between midpoint and max of pay grade.
<b>Probate Court</b>	Slot 3 / Probate Court Admin / Grd 27 / \$99,490.63	<b>Probate Court</b>	Slot 3 / Probate Court Admin / Grd 27 / \$108,150.00	Salary adjustment. Pay is between midpoint and max of pay grade.
<b>Probate Court</b>	Slot 5 / Court Operations Officer / Grd 16 / \$46,900.88	<b>Probate Court</b>	Slot 5 / Court Operations Officer / Grd 16 / \$48,304.00	Salary adjustment. Pay is between midpoint and max of pay grade.
<b>Sheriff</b>	Slot 335 / Detective Law Enforcement / Grd 75 / \$81,275.38	<b>Sheriff</b>	Slot 119 / Sergeant Law Enforcement / Grd 76 / \$89,203.71	Promotion. Peace Officer Pay Scale (POPS).
<b>Sheriff</b>	Slot 1467 / Deputy Sheriff Sr Law Enfrmnt / Grd 74 / \$65,804.96	<b>Sheriff</b>	Slot 335 / Detective Law Enforcement / Grd 75 / \$78,490.46	Promotion. Peace Officer Pay Scale (POPS).
<b>* Actual vs Authorized</b>				



<b>PROMOTIONS / SALARY ADJUSTMENTS / LATERAL TRANSFERS / VOLUNTARY REASSIGNMENTS / TEMPORARY ASSIGNMENTS</b>				
<b>Dept. (From)</b>	<b>Slot – Position Title – Grade – Salary</b>	<b>Dept. (To)</b>	<b>Slot – Position Title – Grade – Salary</b>	<b>Comments</b>
<b>Tax Collector</b>	Slot 106 / Tax Specialist I / Grd 12 / \$30,686.70	<b>Tax Collector</b>	Slot 43 / Tax Specialist II* / Grd 14 / \$32,345.46	Promotion. Pay is at minimum of pay grade.
<b>* Actual vs Authorized</b>				

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

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

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

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

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

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



## **Travis County Commissioners Court Agenda Request**

Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: John Carr, Facilities Management, 854-4772

Elected/Appointed Official/Dept. Head: Roger El-Khoury, Director

Sponsors: Commissioner Davis

### **AGENDA LANGUAGE:**

Consider and take appropriate actions related to completion of the new Precinct One office building located at 4717 Heflin Lane:

- A. Approve the Richard E. Scott Building dedication plaque; and
- B. Request to set April 21, 2011 at 1:30 PM as the date and time for the Grand Opening and Dedication Ceremony of the Richard E. Scott Building.

### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

The new Richard E. Scott Building at 4717 Heflin Lane is 15,783 square feet and will provide space for the Travis County Precinct One Justice of the Peace, Constables offices and a 1,607 square foot community meeting room. The facility is under construction and is on schedule for substantial completion in March 2011. The users will be moving to the new building during the second week of April 2011.

### **STAFF RECOMMENDATIONS:**

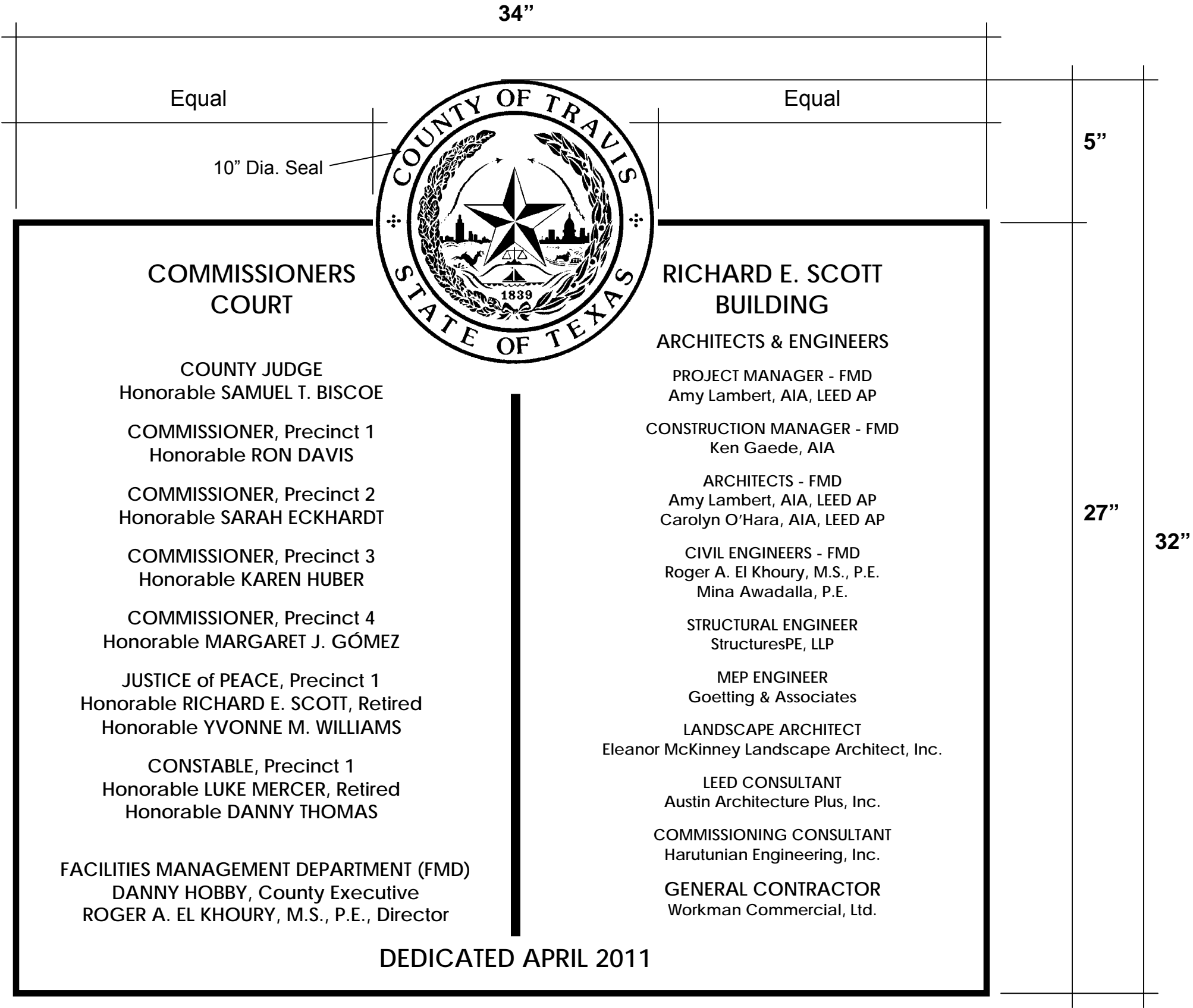
Facilities Management Department (FMD) recommends approval of the dedication plaque layout and description as attached. This plaque will be permanently displayed at the new Richard E. Scott Building. FMD also recommends setting April 21, 2011 at 1:30 PM as the time and date for the Grand Opening and Dedication Ceremony of the Richard E. Scott Building.

### **FISCAL IMPACT AND SOURCE OF FUNDING:**

N/A

### **REQUIRED AUTHORIZATIONS:**

Facilities Management	John Carr	Completed	03/01/2011 10:16 AM
Facilities Management	Roger El-Khoury	Completed	03/01/2011 1:15 PM
Emergency Services	Danny Hobby	Pending	
Commissioner Precinct 1 Office	Ron Davis	Pending	
County Judge's Office	Cheryl Aker	Pending	
Commissioners Court	Cheryl Aker	Pending	



**NOTES:**

1. Drawing is approximate but final layout should be as close as possible in size, layout and style as the drawing.
2. Submit final layout for approval and commence fabrication only upon receipt of written confirmation of approval.

**TRAVIS COUNTY  
FACILITIES  
MANAGEMENT  
DEPARTMENT**

**Roger A. El Khoury, P.E.,  
Director**

**Precinct 1  
Office Building  
Dedication Plaque**

**Date: Mar 1, 2011**

**Scale: 3" = 12"**

**EXHIBIT  
1**



## **Travis County Commissioners Court Agenda Request**

Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: John Carr, Facilities Management, 854-4772

Elected/Appointed Official/Dept. Head: Roger El-Khoury, Director

Sponsors: Commissioner Davis

### **AGENDA LANGUAGE:**

Consider and take appropriate action regarding a proposed sidewalk easement for the City of Austin at the new Richard E. Scott Building located at 4717 Heflin Lane.

### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

Facilities Management Department (FMD) has worked with John Hille with the County Attorney's Office to develop a sidewalk easement for .012 acres located along Heflin Lane. The purpose of the easement would be to provide a sidewalk easement to the City of Austin for the construction, operation, maintenance, replacement, upgrade, and repair of sidewalk structure on the land as described in Exhibit "A" of the proposed easement. Travis County constructed the sidewalk structure as part of the Richard E. Scott Building project.

### **STAFF RECOMMENDATIONS:**

Facilities Management Department recommends approval of the sidewalk easement for the City of Austin for the 0.12 acres tract as identified at Exhibit "A" of the easement.

### **ISSUES AND OPPORTUNITIES:**

Granting this easement will allow the City of Austin to maintain and repair the sidewalk that was constructed along Heflin Lane adjacent to the new Richard E. Scott Building.

### **FISCAL IMPACT AND SOURCE OF FUNDING:**

N/A - No financial impact associated with granting this easement

### **REQUIRED AUTHORIZATIONS:**

Facilities Management	John Carr	Completed	03/01/2011 11:21 AM
Facilities Management	Roger El-Khoury	Completed	03/01/2011 12:54 PM
Emergency Services	Danny Hobby	Pending	
County Attorney's Office	John Hille	Pending	
Commissioner Precinct 1 Office	Ron Davis	Pending	
County Judge's Office	Cheryl Aker	Pending	
Commissioners Court	Cheryl Aker	Pending	

## **SIDEWALK EASEMENT**

**DATE:**

**GRANTOR:** Travis County

**GRANTOR'S  
MAILING ADDRESS:** P.O. Box 1748  
Austin, Texas 78767

**GRANTEE:** City of Austin

**GRANTEE'S  
MAILING ADDRESS:** P.O. Box 1088  
Austin, Texas 78767

**PROPERTY:** 2.153 Acre tract of land conveyed to Travis County by Special Warranty Deed on December 26, 2002 and filed at record in Document No. 2002250681 of the Official Public Records of Travis County, Texas.

**EASEMENT PROPERTY:** .012 of one acre identified in Exhibit A attached hereto and made a part hereof for all purposes.

**THAT**, GRANTOR, whether one or more, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, to GRANTOR in hand have this day **GRANTED, SOLD AND CONVEYED**, and by these presents do hereby **GRANT, SELL AND CONVEY**, unto GRANTEE, its successors and assigns, a Sidewalk Easement ("Easement") for the construction, operation, maintenance, replacement, upgrade, and repair of sidewalk structure in, under, upon and across the following described land, any and all rights and appurtenances pertaining to the Easement use; to-wit:

All that parcel of land, situated in Travis County, Texas, described in **EXHIBIT "A"** attached hereto and made a part hereof for all purposes, ("Easement Tract").

It is distinctly understood and agreed that the Easement granted herein does not constitute a conveyance in fee of the Easement Property, nor of the minerals therein and thereunder but grants only an easement. The Easement is made subject to any and all presently recorded matters that affect the Easement Property. The Easement is further made subject to all future easements, leases, and subleases to the extent the same do not interfere with GRANTEE's rights hereunder.

**TO HAVE AND TO HOLD** the same perpetually to the GRANTEE and it's successors and assigns, together with the right and privilege at any and all times to enter said premises, or any part thereof, for the purpose of construction, operation, maintenance, replacement, upgrade, and repair of a sidewalk therewith.

GRANTOR does hereby covenant and agree to **WARRANT AND FOREVER DEFEND** title to the Easement herein granted, unto the said GRANTEE in, its successors and assigns, against every person

whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise, and subject to the matters set forth herein.

GRANTOR reserves the right to use and enjoy the Easement Property insofar as the exercise thereof does not endanger or interfere with the existence and maintenance of the Property.

Executed on \_\_\_\_\_, 2011.

TRAVIS COUNTY:

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

STATE OF TEXAS           §

COUNTY OF TRAVIS       §

Before me \_\_\_\_\_, Notary Public, on this day personally appeared Samuel T. Biscoe, County Judge, Travis County, Texas, known to me to personally to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on \_\_\_\_\_, 2011.

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

**Easement Approved by Planning  
and Development Review Department**

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

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

Title: \_\_\_\_\_

APPROVED AS TO FORM:

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

AFTER RECORDING, RETURN TO:

City of Austin  
Planning and Development Review Department  
Attn: \_\_\_\_\_  
P.O. Box 1088  
Austin, Texas 78767

# **EXHIBIT A**



Field Notes

BEING 0.012 OF ONE ACRE (517 SF) 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 0.012 (517 SF) 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 1/2 inch iron rod found in the southwesterly right-of-way line of Heflin Lane (60' ROW), same being the most easterly corner of said 2.153 acre Travis County tract, and the most northerly corner of Lot 10, Block B, Murray Owens Subdivision recorded in Book 29, Page 37 of the Plat Records of Travis County, Texas, for the Point of Beginning and the most easterly corner of the herein described tract of land, having Coordinate (Texas State Plane, Central Zone, NAD 83(93)Harn, US Feet, Combined Scale Factor of 1.00006) values of N=10077386.63, E=3133645.32;

1) THENCE, South 28°00'01" West, a distance of 2.60 feet, leaving the southwesterly right-of-way line of Heflin Lane, with a southeasterly line of said 2.153 acre Travis County tract and the northwest line of said Lot 10, to a calculated point for the most southerly corner of the herein described tract of land, from which a 1/2 inch iron pipe found at the most southerly corner of said 2.153 acre Travis County tract and the most westerly corner of Lot 7, Block B, of said Murray Owens Subdivision, same being in the northeasterly line of Lot 6, Block A of Oaklawn Section One recorded in Book 9, Page 166 of the Plat Records of Travis County, Texas bears South 28°00'01" West, a distance of 307.08 feet;

2) THENCE, North 62°56'00" West, a distance of 198.96 feet, leaving a southeasterly line of said 2.153 acre Travis County tract and the northwest line of said Lot 10, and crossing said 2.153 acre Travis County tract to a calculated point for the most westerly corner of the herein described tract of land,

3) THENCE, North 27°04'00" East, a distance of 2.60 feet, to a calculated point in the southwesterly right-of-way line of Heflin Lane and in the northeast line of said 2.153 acre Travis County tract, for the most northerly corner of the herein described tract of land, from which a 5/8 inch iron rod with aluminum cap stamped 'MWM' found in the southwesterly right-of-way line of Heflin Lane, at the most northerly corner of said 2.153 acre Travis County tract and the most easterly corner of the 0.373 acre, 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, Texas 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 106.24 feet;

4) Thence, South 62°56'00" East, a distance of 199.00 feet, with the southwesterly right-of-way line of Heflin Lane and the northeast line of said 2.153 acre Travis County, tract, to the Point of Beginning and containing an area of 0.012 of one acre (517 sf) 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

Date

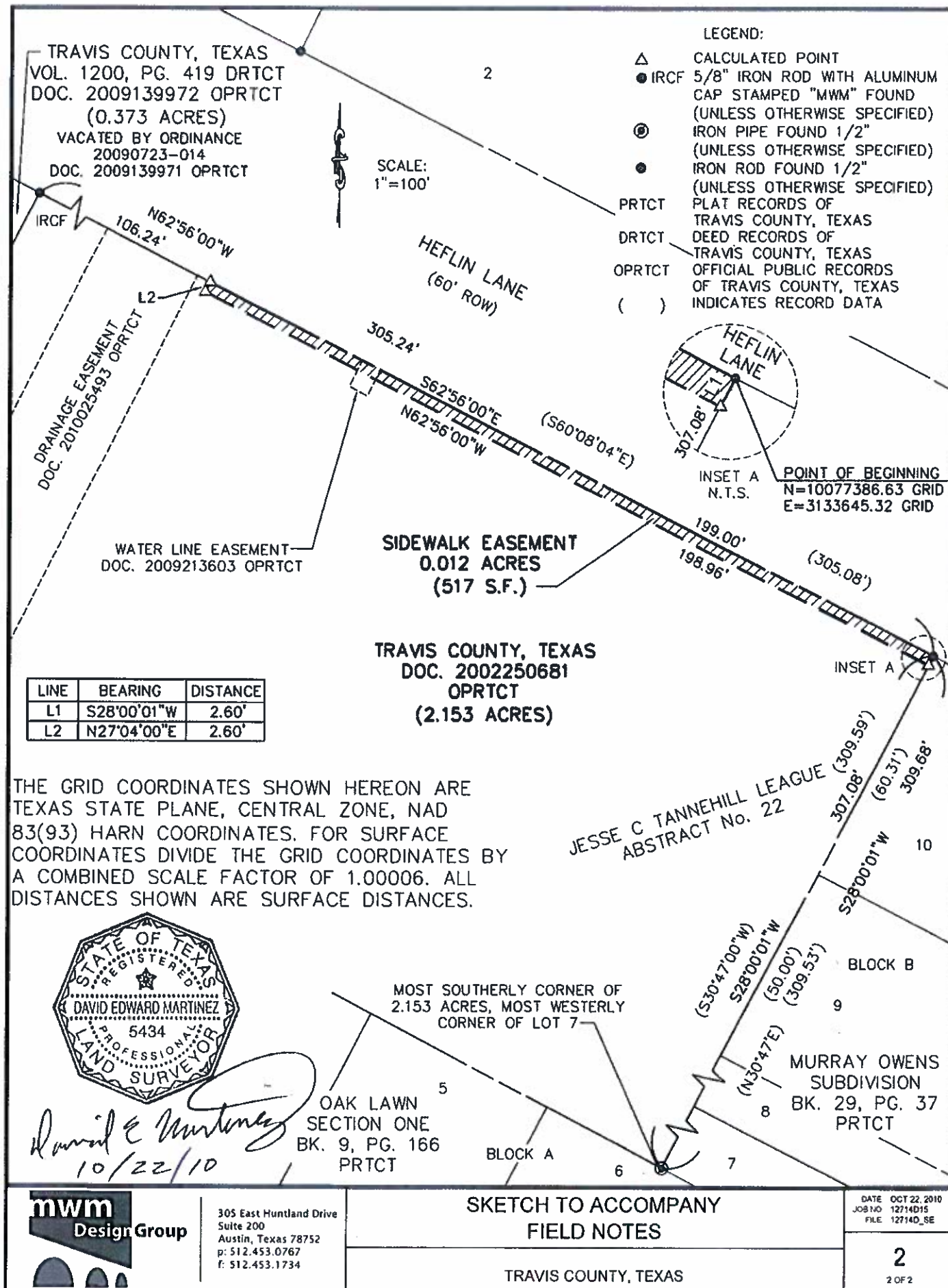
10/22/10



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 Commissioners Court Agenda Request**

Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: Donna Stirman, Human Resources Management, 854-9584

Elected/Appointed Official/Dept. Head: Diane Blankenship, HR Director

Sponsors: Judge Biscoe

### **AGENDA LANGUAGE:**

Consider and take appropriate action on the following auto liability bodily injury claim Jerry Marshall, Jr.

### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

Enter Background/Summary of Request and Attachments here

### **STAFF RECOMMENDATIONS:**

Enter Staff Recommendations here

### **ISSUES AND OPPORTUNITIES:**

Enter Issues and Opportunities here

### **FISCAL IMPACT AND SOURCE OF FUNDING:**

\$32,500.00 from 525-1140-522-4503 AR0302

### **REQUIRED AUTHORIZATIONS:**

Human Resources Management	Dan Mansour	Completed	03/02/2011 2:03 PM
Human Resources Management	Diane Blankenship	Completed	03/01/2011 2:23 PM
Planning and Budget Office	Rodney Rhoades	Completed	03/01/2011 12:50 PM
Human Resources Management	Diane Blankenship	Completed	03/01/2011 2:24 PM
County Judge's Office	Cheryl Aker	Completed	03/02/2011 3:23 PM
Commissioners Court	Cheryl Aker	Pending	

## RECOMMENDATION FOR PAYMENT

DATE: 2-22-2011

COUNTY DEPARTMENT: TCSO

CLAIM NUMBER: A10372501323102

THIRD PARTY CLAIMANT: Jerry Marshall, Jr.

DATE OF INCIDENT: 4-22-10

LOCATION OF INCIDENT: 300 block E. Slaughter Lane

BODILY INJURIES: Left shoulder, neck, back, chest

DESCRIPTION OF INCIDENT: Incident and damages were discussed with county supervisor Sgt. Robert Speer. He advised Deputy Edward Nocker, driving county unit 3214, was responding to a call and was eastbound on Slaughter Lane. He had no emergency lights or siren activated. Claimant, driving a 1995 Chevrolet Suburban, was exiting the driveway of an apartment complex turning left/westbound onto Slaughter Lane. The front of the county unit struck the left front fender of the claimant's vehicle, resulting in heavy damage to the county unit and rendering the claimant's vehicle a total loss. It was approximately 11:00 p.m. and Deputy Nocker's speed was determined to be around 64 mph. Posted speed limit is 45 mph. Claimant was factored for failure to yield right of way. Claimant alleged left shoulder, neck, back and chest injuries and is represented by attorney Charlsie Brown with Lorenz & Lorenz, LLP.

RECOMMENDATION: Sedgwick has reviewed the loss notice and claim and confirmed incident with county supervisor. The claimant's vehicle was a total loss. The property damage portion has already been settled and comparative negligence (75/25) was applied and a 25% reduction was taken.

Following the accident, Mr. Marshall was taken by EMS to South Austin Hospital ER for complaints of moderate swelling to left shoulder. X-rays showed a first-degree separation of left AC joint and he was placed in sling. Claimant went to Austin Total Healthcare and sought treatment for neck, mid/low back, left shoulder, chest and headaches from 4/29 through 7/1 for a total of ten visits. Due to his pain, claimant returned to the ER on 4/29 for treatment. On 5/12, claimant went to Dr. Joe Powell for continued neck, lumbar and shoulder pain, who confirmed restricted range of motion and recommended claimant continue his chiropractic treatments, ordered an MRI and suggested he see an orthopedic surgeon. An MRI on 6/28 indicated an AC joint separation and partial tear of coracoclavicular ligaments. On 8/13, claimant saw Dr. James Laughlin, D.O., for cervical, lumbar, headaches, left shoulder, right elbow and hand pain and surgery consultation. Exam of shoulder and cervical spine indicated range of motion restricted and decreased range of motion of lumbar spine. Dr. Laughlin recommended steroid injections, but due to the claimant's fear of needles, declined and was given a Medrol pack for his pain. On 10/15, claimant returned to Dr. Laughlin for continuous shoulder pain and exam confirmed range of motion is still restricted. Dr. Laughlin advised claimant he would benefit from the

steroid injections and in all probability avoid surgery. Claimant complied and allowed trigger point steroid injections. Claimant's last follow up appointment was with Dr. Powell on 10/27/10 who indicated his injuries appeared to have been resolved with the aforementioned treatments and chiropractic care. No further follow up was recommended.

The claimant's medical specials totaled \$13,022.30. He presented a lost wage claim in the amount of \$23,025.48, however, his only documentation was hand written pay stubs indicating he was paid in cash. Therefore, we allowed a reasonable amount in lost wages based on his medical records.

The plaintiff attorney made an initial demand of \$100,000.00, statutory limits. After taking relevant medical specials into consideration and applying the comparative negligence, we have reached a recommended compromise settlement of \$32,500.00, which plaintiff has agreed upon.

CLAIMS SPECIALIST: Wayne Scott

COUNTY'S RECOMMENDATIONS: The Risk and Benefits Manager has reviewed the claim submitted and concurs with the findings of the claims specialist and recommends a payment in the amount of \$32,500.00 from 525-1140-522-4503 AR0301 made payable to Jerry Marshall, Jr. and Lorenz & Lorenz, LLP.



## **Travis County Commissioners Court Agenda Request**

Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: Ron Dube, Purchasing, 854-6458

Elected/Appointed Official/Dept. Head: Cyd Grimes, Purchasing Agent

Sponsors: Judge Biscoe

### **AGENDA LANGUAGE:**

Pursuant to Section 263.151 (4) (B) of the Texas Local Government Code, Declare List of Certain Equipment as Surplus Property and Donate to Non-profit.

### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

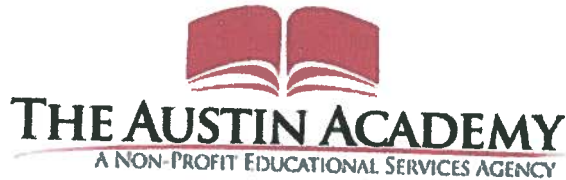
This procurement action meets the compliance requirements as outlined by the statutes.

The Court will note that the Austin Academy is requesting a total of 36 surplus chairs be donated to their non-profit Education Services Agency.

### **REQUIRED AUTHORIZATIONS:**

Purchasing	Bonnie Floyd	Completed	02/23/2011 10:20 AM
Purchasing	Cyd Grimes	Completed	02/23/2011 12:53 PM
Purchasing Admin Support Group	Juan Gonzalez	Completed	02/24/2011 3:29 PM
County Judge's Office	Cheryl Aker	Pending	
Commissioners Court	Cheryl Aker	Pending	

RECEIVED  
TRAVIS COUNTY  
2011 FEB -3 AM 11:34  
PURCHASING  
OFFICE



January 31, 2011

Ron Dube  
314 W. 11<sup>th</sup> Street, Rm 400  
Austin, TX 78767

Dear Ron,

I was given your name as a possible source for chairs for our school. We are an adult education non-profit 501 (c)(3) here in Austin. We have contracts with Travis County for Services through Health and Human Services area and Travis County Crime Victims.

We received some binders from Charles Williams who is the conservation coordinator for Travis County. He suggested that I follow up with Dan Rollie in your warehouse area. Dan researched it and said that I needed to write you a formal request for chairs.

Our school is in need of chairs for one of our classrooms and our front meeting room. We could use 24 office/task chairs and 12 arm chairs for our meeting room. The arm chairs can be on wheels or not.

Since 1995, we serve about 100 students every year. Our chairs get quite a work out. It would be great to have some newer chairs to make the learning experience more comfortable for our clients.

Please let me know if you have any questions regarding our school, our needs and so forth. We would appreciate your help.

Sincerely,

Becky Rhodes  
Program/Office Manager



## **Travis County Commissioners Court Agenda Request**

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Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: Lee Perry, Purchasing, 854-9724

Elected/Appointed Official/Dept. Head: Cyd Grimes, Purchasing Agent

Sponsors: Judge Biscoe

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### **AGENDA LANGUAGE:**

Approve Modification No. 4 to Contract No. 10K00250LP, STR Constructors, for Milton Reimers Ranch Park.

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### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

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

TNR requests the approval of Change Order number four (4) for the above contract. This Change Order is for additional park improvement needs, which include park entrance Road, relocation of a parking lot, additional footage of multi-use and hike & bike trail, sealed concrete floor for maintenance building, additional electrical services lines, and other miscellaneous items. This Change Order will increase the contract by \$388,029.03 from \$4,067,314.57 to 4,455,343.36.

Change Order number three (3) for the above contract, was for adjusting the unit price for the Pedestrian Trail (Item #6) for the addition of clearing and grubbing. This Change Order will increase the contract by \$80,052.50 from \$3,987,262.07 to \$4,067,314.57.

Change Order number two (2) for the above contract, was for additional drilling of the water well pilot hole. This Change Order will increase the contract by \$11,890.00 from \$3,975,372.07 to \$3,987,262.07.

Change Order number one (1) for the above contract, was for drilling a water well pilot hole, provide roadway modifications and adjust quantities for the pedestrian trail. This Change Order will increase the contract by \$175,460.89 from \$3,799,911.18 to \$3,975,372.07.

**Contract Expenditures:** Within the last 12 months \$1,310,751.44 has been spent against this contract.

### **Contract-Related Information:**

Award Amount: \$3,799,911.18

Contract Type: Construction

Contract Period: Through Completion



**Contract Modification Information:**

Modification Amount: \$388,029.03

Modification Type: Construction

Modification Period: Through Completion

**Solicitation-Related Information:** N/A

Solicitations Sent:

Responses Received:

HUB Information:

% HUB Subcontractor:

**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.: 523962

Funding Account(s): 514-4945-809-8120, 482-4945-631-8120

Comments:

**Statutory Verification of Funding:**Contract Verification Form: Funds Verified ☒ Not Verified ☐ by Auditor.**FISCAL IMPACT AND SOURCE OF FUNDING:**

See Summary

**REQUIRED AUTHORIZATIONS:**

Purchasing	Marvin Brice	Completed	02/28/2011 9:14 AM
Purchasing	Cyd Grimes	Completed	02/28/2011 3:08 PM
Purchasing Admin Support Group	Juan Gonzalez	Completed	02/28/2011 3:29 PM
County Judge's Office	Cheryl Aker	Pending	
Commissioners Court	Cheryl Aker	Pending	

**TRANSPORTATION AND NATURAL RESOURCES**

STEVEN M. MANILLA, P.E., EXECUTIVE MANAGER

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

February 15, 2011



RECEIVED  
TRAVIS COUNTY  
2011 FEB 22 PM 3:54  
PURCHASING  
OFFICE

**MEMORANDUM**

**TO:** Cyd Grimes, Purchasing Agent

**FROM:**  Steve Manilla, P.E., Executive Manager

**SUBJECT:** Milton Reimers Ranch Park Construction Change Order

The following information is provided for your use in preparing a request to Commissioners Court for the approval of Construction Change Order No. 4 for the Milton Reimers Ranch Park project. Please contact me at 854-9429 if you have any question or need further information.

**Proposed Motion:**

Consider and take appropriate action on a request to approve the Construction Change Order No. 4 for the Milton Reimers Ranch Park project in Precinct 3.

**Summary and Staff Recommendations:**

Milton Reimers Ranch Park is a voter approved bond project. In August 2006 Travis County entered into a Professional Service Agreement with Land Design Partners, Inc. to do the Master planning and Conservation Development Study for the park. This agreement was modified in November 2007 to include Design, Bidding and Construction Phase services for the recommended park improvements. In August 2010, the construction documents were completed and the construction contract was awarded to STR Constructors, Ltd. through a competitive bidding process. The contract award amount is \$3,799,911.18 which is substantially lower than the engineer's estimate of \$4,121,225.50. As the construction progresses, TNR Park staff has identified additional park improvement needs which include improving park entrance road, relocation of a parking lot, additional footage of multi-use and hike & bike trail, sealed concrete floor for the maintenance building, additional electrical services lines, and other misc. items. This change order No. 4 will provide the necessary quantities adjustments for these additional works. The amount of this change order is \$388,029.03.

**Budgetary and Fiscal Impact**

Funding for this construction contract is from the 2001 and 2005 bond funds and the Urban Outdoor Recreation Grant from the Texas Parks and Wildlife Department. Sources of funding required for this change order is provided in the following:

ID# ~~3766~~ 3766

Requisition #523962

Acct # 482-4945-631-8120	M09482	\$ 6,287.44
Acct # 514-4945-809-8120	0502PR	\$381,741.59
Total		\$388,029.03

**Background:**

Milton Reimers Ranch Park is a 2,421 acre rural park located at 23610-B Hamilton Pool Road. Proposed improvements for the park consist of a deceleration lane off Hamilton Pool Road, existing park road improvements, five separate parking lots of various sizes, a maintenance facility building, restrooms/shower facilities, and shade structures. Utility improvements include water, sanitary, and electrical components. Amenities include hike, bike, and multi-use trails, sidewalks, site walls (retaining and free standing walls), fencing (decorative and security), native plants (trees, shrubs, grasses), park signage (monument, interpretive, way finding, identification), entrance sign, vehicular gates and other site amenities. Utility services are to be provided by PEC and SW Bell.

Attachments:

Change Order Form

CC:

Charles Bergh, Robert Armistead, TNR Parks

Steve Sun, Roger Schuck, TNR Public Works

Cynthia McDonald, Donna Williams-Jones, Brunida Cruz, TNR Financial Services

TRAVIS COUNTY - TNR  
Change Order No. 4 Contract 10K00250LP

Approval of the following change in the Plans and/or Specifications is requested:

Field Change Request No.

Limits:

Plan Sheet No.

**Description:**

Change all stripping from Type I to Type II. Add regrade and realign park entrance road and add new roadway and parking at relocated ticket booth (FlexBase and 2" Asphalt surface) to existing and new fee booth roadway  
This field change is requested for the following reason(s):

CONTRACTOR:  
STR Constructors, Ltd.  
Milton Reimers Ranch Park

BID ITEM NO.	BID ITEM DESCRIPTION	UNIT TYPE	CURRENT CHANGE ORDER QUANTITIES			REVISED CONTRACT QUANTITIES			CURRENT CONTRACT QUANTITIES		
			C.O. QTY	UNIT PRICE(\$)	C.O. AMOUNT	QTY	UNIT PRICE(\$)	NEW AMOUNT	QTY	UNIT PRICE(\$)	PREVIOUS AMOUNT
4	Multi-Use Trail (14' width)	LF	3,357.00	\$3.04	\$10,205.28	27,514.00	\$3.04	\$83,642.56	24,157	\$3.04	\$73,437.28
5	Hike and Bike Trail (8' width)	LF	699.00	\$3.39	\$2,369.61	6,772.00	\$3.39	\$22,957.08	6,073	\$3.39	\$20,587.47
54	Excavation	CY	8,243.00	\$11.10	\$91,497.30	21,443.00	\$11.10	\$238,017.30	13,200	\$11.10	\$146,520.00
55	Embankment	CY	63.00	\$7.23	\$455.49	3,463.00	\$7.23	\$25,037.49	3,400	\$7.23	\$24,582.00
56	FlexiBase 12", Type A	SY	155.00	\$12.28	\$1,903.40	21,355.00	\$12.28	\$262,239.40	21,200	\$12.28	\$260,336.00
57	FlexiBase 10.5", Type A	SY	3,150.00	\$10.66	\$33,579.00	25,450.00	\$10.66	\$271,297.00	22,300	\$10.66	\$237,718.00
59	Asphalt Dense-Graded 2", Type C	SY	16,335.00	\$8.20	\$133,947.00	54,735.00	\$8.20	\$448,827.00	38,400	\$8.20	\$314,880.00
62	6" Conc Rip Rap	CY	4.00	\$354.06	\$1,416.24	82.00	\$354.06	\$29,032.92	78	\$354.06	\$27,616.68
64	Common Stone RipRap 12" Type R	CY	79.00	\$69.90	\$5,522.10	137.00	\$69.90	\$9,576.30	58	\$69.90	\$4,054.20
67	CMP, 18"	LF	109.00	\$50.93	\$5,551.37	1,018.00	\$50.93	\$51,846.74	909	\$50.93	\$46,295.37
72	Safety End Treatment, 18"	EA	4.00	\$1,964.92	\$7,859.68	6.00	\$1,964.92	\$11,789.52	2	\$1,964.92	\$3,929.84
74	RPM 4" W SLD Ty I	LF	(6,550.00)	\$1.40	(\$9,170.00)	-	\$1.40	\$0.00	6,550	\$1.40	\$9,170.00
74A	RPM 4" W SLD Type II	LF	7,900.00	\$0.93	\$7,347.00	7,900.00	\$0.93	\$7,347.00	-	\$0.93	\$0.00
75	RPM 4 Type I (Y) 4"	LF	(540.00)	\$2.13	(\$1,150.20)	-	\$2.13	\$0.00	540	\$2.13	\$1,150.20
75A	RPM 4 Type II (Y) 4"	LF	540.00	\$1.48	\$799.20	540.00	\$1.48	\$799.20	-	\$1.48	\$0.00
76	RPM Type I (W) 8"	LF	(200.00)	\$2.53	(\$506.00)	-	\$2.53	\$0.00	200	\$2.53	\$506.00
76A	RPM Type II (W) 8"	LF	200.00	\$2.03	\$406.00	200.00	\$2.03	\$406.00	-	\$2.03	\$0.00
77	RPM Type I (W) 12"	LF	(120.00)	\$11.17	(\$1,340.40)	-	\$11.17	\$0.00	120	\$11.17	\$1,340.40
77A	RPM Type II (W) 12"	LF	120.00	\$5.72	\$686.40	120.00	\$5.72	\$686.40	-	\$5.72	\$0.00
78	RPM Type I (W) Arrow Right Turn	EA	(2.00)	\$61.75	(\$123.50)	-	\$61.75	\$0.00	2	\$61.75	\$123.50
78A	RPM Type II (W) Arrow Right Turn	EA	2.00	\$51.75	\$103.50	2.00	\$51.75	\$103.50	-	\$51.75	\$0.00
79	RPM Type I (W) Word -ONLY	EA	(1.00)	\$98.81	(\$98.81)	-	\$98.81	\$0.00	1	\$98.81	\$98.81
79A	RPM Type II (W) Word -ONLY	EA	1.00	\$65.81	\$65.81	1.00	\$65.81	\$65.81	-	\$65.81	\$0.00
80	RPM Type I (W) Symbol-Handicap	EA	(26.00)	\$174.04	(\$4,525.04)	-	\$174.04	\$0.00	26	\$174.04	\$4,525.04
80A	RPM Type II (W) Symbol-Handicap	EA	26.00	\$104.04	\$2,705.04	26.00	\$104.04	\$2,705.04	-	\$104.04	\$0.00
88	Protecting Fencing Type C	LF	2,308.00	\$1.85	\$4,269.80	8,673.00	\$1.85	\$16,045.05	6,385	\$1.85	\$11,775.25
89	Removal Existing Trees	EA	2.00	\$392.98	\$785.96	35.00	\$392.98	\$13,754.30	33	\$392.98	\$12,968.34
91	Rock Berm	LF	68.00	\$19.09	\$1,298.12	523.00	\$19.09	\$9,984.07	455	\$19.09	\$8,685.95
95	Silt Fence for Erosion Control	LF	2,308.00	\$1.96	\$4,523.68	24,648.00	\$1.96	\$48,310.08	22,340	\$1.96	\$43,786.40
159	Seal Concrete Floors	LS	1.00	\$4,010.00	\$4,010.00	1.00	\$4,010.00	\$4,010.00	-	\$4,010.00	\$0.00
160	Electrical Service Line	LF	70.00	\$127.00	\$8,890.00	70.00	\$127.00	\$8,890.00	-	\$127.00	\$0.00
161	Drainage pipe	LS	1.00	\$1,306.00	\$1,306.00	1.00	\$1,306.00	\$1,306.00	-	\$0.00	\$0.00
162	Add Data & Phone lines to Bldg	LS	1.00	\$4,810.00	\$4,810.00	1.00	\$4,810.00	\$4,810.00	-	\$0.00	\$0.00
163	Wall stone 36"	LF	500.00	\$121.26	\$60,630.00	500.00	\$121.26	\$60,630.00	-	\$0.00	\$0.00
164	Entrance Road Base	TONS	500.00	\$16.00	\$8,000.00	500.00	\$16.00	\$8,000.00	-	\$0.00	\$0.00
TOTAL					\$388,029.03			\$1,642,115.76			\$1,254,086.73

Materials(\$)  
Services(\$)

TOTAL \$0.00

NET OVERRUN/(UNDERRUN)

\$ 388,029.03

TIME Extension:

0

**NOTICE to the CONTRACTOR:**

This is your authority to proceed with this work at the rates named above.

APPROVED:

TNR Executive Manager

REQUESTED BY:

Contractor

Date

RECOMMENDED FOR APPROVAL BY:

TNR Project Manager

Date

TNR Division Manager

Date

Purchasing Agent

Date

County Judge

Date

ID# 3766

TRAVIS COUNTY - TNR  
Change Order No. 4 Contract 10K00250LP

Approval of the following change in the Plans and/or Specifications is requested:

Field Change Request No.

Limits:

Plan Sheet No.

**Description:**

Change all stripping from Type I to Type II. Add regrade and realign park entrance road and add new roadway and parking at relocated ticket booth (FlexBase and 2" Asphalt surface) to existing and new fee booth roadway  
**This field change is requested for the following reason(s):**

CONTRACTOR:  
STR Constructors, Ltd.  
Milton Reimers Ranch Park

BID ITEM NO.	BID ITEM DESCRIPTION	UNIT TYPE	CURRENT CHANGE ORDER QUANTITIES			REVISED CONTRACT QUANTITIES			CURRENT CONTRACT QUANTITIES		
			C.O. QTY	UNIT PRICE(\$)	C.O. AMOUNT	QTY	UNIT PRICE(\$)	NEW AMOUNT	QTY	UNIT PRICE(\$)	PREVIOUS AMOUNT
4	Multi-Use Trail (14' width)	LF	3,357.00	\$3.04	\$10,205.28	27,514.00	\$3.04	\$83,642.56	24,157	\$3.04	\$73,437.28
5	Hike and Bike Trail (8' width)	LF	699.00	\$3.39	\$2,369.61	6,772.00	\$3.39	\$22,957.08	6,073	\$3.39	\$20,587.47
54	Excavation	CY	8,243.00	\$11.10	\$91,497.30	21,443.00	\$11.10	\$238,017.30	13,200	\$11.10	\$146,520.00
55	Embankment	CY	63.00	\$7.23	\$455.49	3,463.00	\$7.23	\$25,037.49	3,400	\$7.23	\$24,582.00
56	FlexiBase 12" Type A	SY	155.00	\$12.28	\$1,903.40	21,355.00	\$12.28	\$262,239.40	21,200	\$12.28	\$260,336.00
57	FlexiBase 10.5" Type A	SY	3,150.00	\$10.66	\$33,579.00	25,450.00	\$10.66	\$271,297.00	22,300	\$10.66	\$237,718.00
59	Asphalt Dense-Graded 2" Type C	SY	16,335.00	\$8.20	\$133,947.00	54,735.00	\$8.20	\$448,827.00	38,400	\$8.20	\$314,880.00
62	6" Conc Rip Rap	CY	4.00	\$354.06	\$1,416.24	82.00	\$354.06	\$29,032.92	78	\$354.06	\$27,616.68
64	Common Stone RipRap 12" Type R	CY	79.00	\$69.90	\$5,522.10	137.00	\$69.90	\$9,576.30	58	\$69.90	\$4,054.20
67	CMP, 18"	LF	109.00	\$50.93	\$5,551.37	1,018.00	\$50.93	\$51,846.74	909	\$50.93	\$46,295.37
72	Safety End Treatment, 18"	EA	4.00	\$1,964.92	\$7,859.68	6.00	\$1,964.92	\$11,789.52	2	\$1,964.92	\$3,929.84
74	RPM 4" W SLD Ty I	LF	(6,550.00)	\$1.40	(\$9,170.00)	-	\$1.40	\$0.00	6,550	\$1.40	\$9,170.00
74A	RPM 4" W SLD Type II	LF	7,900.00	\$0.93	\$7,347.00	7,900.00	\$0.93	\$7,347.00	-	\$0.93	\$0.00
75	RPM 4 Type I (Y) 4"	LF	(540.00)	\$2.13	(\$1,150.20)	-	\$2.13	\$0.00	540	\$2.13	\$1,150.20
75A	RPM 4 Type II (Y) 4"	LF	540.00	\$1.48	\$799.20	540.00	\$1.48	\$799.20	-	\$1.48	\$0.00
76	RPM Type I (W) 8"	LF	(200.00)	\$2.53	(\$506.00)	-	\$2.53	\$0.00	200	\$2.53	\$506.00
76A	RPM Type II (W) 8"	LF	200.00	\$2.03	\$406.00	200.00	\$2.03	\$406.00	-	\$2.03	\$0.00
77	RPM Type I (W) 12"	LF	(120.00)	\$11.17	(\$1,340.40)	-	\$11.17	\$0.00	120	\$11.17	\$1,340.40
77A	RPM Type II (W) 12"	LF	120.00	\$5.72	\$686.40	120.00	\$5.72	\$686.40	-	\$5.72	\$0.00
78	RPM Type I (W) Arrow Right Turn	EA	(2.00)	\$61.75	(\$123.50)	-	\$61.75	\$0.00	2	\$61.75	\$123.50
78A	RPM Type II (W) Arrow Right Turn	EA	2.00	\$51.75	\$103.50	2.00	\$51.75	\$103.50	-	\$51.75	\$0.00
79	RPM Type I (W) Word -ONLY	EA	(1.00)	\$98.81	(\$98.81)	-	\$98.81	\$0.00	1	\$98.81	\$98.81
79A	RPM Type II (W) Word -ONLY	EA	1.00	\$65.81	\$65.81	1.00	\$65.81	\$65.81	-	\$65.81	\$0.00
80	RPM Type I (W) Symbol-Handicap	EA	(26.00)	\$174.04	(\$4,525.04)	-	\$174.04	\$0.00	26	\$174.04	\$4,525.04
80A	RPM Type II (W) Symbol-Handicap	EA	26.00	\$104.04	\$2,705.04	26.00	\$104.04	\$2,705.04	-	\$104.04	\$0.00
88	Protecting Fencing Type C	LF	2,308.00	\$1.85	\$4,269.80	8,673.00	\$1.85	\$16,045.05	6,365	\$1.85	\$11,775.25
89	Removal Existing Trees	EA	2.00	\$392.98	\$785.96	35.00	\$392.98	\$13,754.30	33	\$392.98	\$12,968.34
91	Rock Berm	LF	68.00	\$19.09	\$1,298.12	523.00	\$19.09	\$9,984.07	455	\$19.09	\$8,685.95
95	Silt Fence for Erosion Control	LF	2,308.00	\$1.96	\$4,523.68	24,648.00	\$1.96	\$48,310.08	22,340	\$1.96	\$43,786.40
159	Seal Concrete Floors	LS	1.00	\$4,010.00	\$4,010.00	1.00	\$4,010.00	\$4,010.00	-	\$4,010.00	\$0.00
160	Electrical Service Line	LF	70.00	\$127.00	\$8,890.00	70.00	\$127.00	\$8,890.00	-	\$127.00	\$0.00
161	Drainage pipe	LS	1.00	\$1,306.00	\$1,306.00	1.00	\$1,306.00	\$1,306.00	-	\$0.00	\$0.00
162	Add Data & Phone lines to Bldgs	LS	1.00	\$4,810.00	\$4,810.00	1.00	\$4,810.00	\$4,810.00	-	\$0.00	\$0.00
163	Wall stone 36"	LF	500.00	\$121.26	\$60,630.00	500.00	\$121.26	\$60,630.00	-	\$0.00	\$0.00
164	Entrance Road Base	TONS	500.00	\$16.00	\$8,000.00	500.00	\$16.00	\$8,000.00	-	\$0.00	\$0.00
TOTAL					\$388,029.03			\$1,642,115.76			\$1,254,086.73

Materials(\$)  
Services(\$)

TOTAL \$0.00

NET OVERRUN/(UNDERRUN)

\$ 388,029.03

TIME Extension:

0

**NOTICE to the CONTRACTOR:**

This is your authority to proceed with this work at the rates named above.

APPROVED:

TNR Executive Manager

Date

REQUESTED BY:

Contractor

Date

RECOMMENDED FOR APPROVAL BY:

TNR Project Manager

Date

TNR Division Manager

Date

Purchasing Agent

Date

County Judge

Date

TRAVIS COUNTY - TNR  
Change Order No. 4 Contract 10K00250LP

Approval of the following change in the Plans and/or Specifications is requested:

Field Change Request No.

Limits:

Plan Sheet No.

**Description:**

Change all stripping from Type I to Type II. Add regrade and realign park entrance road and add new roadway and parking at relocated ticket booth (FlexBase and 2" Asphalt surface) to existing and new fee booth roadway  
**This field change is requested for the following reason(s):**

CONTRACTOR:  
STR Constructors, Ltd.  
Milton Reimers Ranch Park

BID ITEM NO.	BID ITEM DESCRIPTION	UNIT TYPE	CURRENT CHANGE ORDER QUANTITIES			REVISED CONTRACT QUANTITIES			CURRENT CONTRACT QUANTITIES		
			C.O. QTY	UNIT PRICE(\$)	C.O. AMOUNT	QTY	UNIT PRICE(\$)	NEW AMOUNT	QTY	UNIT PRICE(\$)	PREVIOUS AMOUNT
4	Multi-Use Trail (14' width)	LF	3,357.00	\$3.04	\$10,205.28	27,514.00	\$3.04	\$83,642.56	24,157	\$3.04	\$73,437.28
5	Hike and Bike Trail (8' width)	LF	699.00	\$3.39	\$2,369.61	6,772.00	\$3.39	\$22,957.08	6,073	\$3.39	\$20,587.47
54	Excavation	CY	8,243.00	\$11.10	\$91,497.30	21,443.00	\$11.10	\$238,017.30	13,200	\$11.10	\$146,520.00
55	Embankment	CY	63.00	\$7.23	\$455.49	3,483.00	\$7.23	\$25,037.49	3,400	\$7.23	\$24,582.00
56	FlexiBase 12" Type A	SY	165.00	\$12.28	\$1,903.40	21,355.00	\$12.28	\$262,239.40	21,200	\$12.28	\$260,336.00
57	FlexiBase 10.5" Type A	SY	3,150.00	\$10.66	\$33,579.00	25,450.00	\$10.66	\$271,297.00	22,300	\$10.66	\$237,718.00
59	Asphalt Dense-Graded 2" Type C	SY	16,335.00	\$8.20	\$133,947.00	54,735.00	\$8.20	\$448,827.00	38,400	\$8.20	\$314,880.00
62	6" Conc Rip Rap	CY	4.00	\$354.06	\$1,416.24	82.00	\$354.06	\$29,032.92	78	\$354.06	\$27,616.68
64	Common Stone RipRap 12" Type R	CY	79.00	\$69.90	\$5,522.10	137.00	\$69.90	\$9,576.30	58	\$69.90	\$4,054.20
67	CMP, 18"	LF	109.00	\$50.93	\$5,551.37	1,018.00	\$50.93	\$51,846.74	909	\$50.93	\$46,295.37
72	Safety End Treatment, 18"	EA	4.00	\$1,964.92	\$7,859.68	6.00	\$1,964.92	\$11,789.52	2	\$1,964.92	\$3,929.84
74	RPM 4" W SLD Tv I	LF	(6,550.00)	\$1.40	(\$9,170.00)	-	\$1.40	\$0.00	6,550	\$1.40	\$9,170.00
74A	RPM 4" W SLD Type II	LF	7,900.00	\$0.93	\$7,347.00	7,900.00	\$0.93	\$7,347.00	-	\$0.93	\$0.00
75	RPM 4 Type I (Y) 4"	LF	(540.00)	\$2.13	(\$1,150.20)	-	\$2.13	\$0.00	540	\$2.13	\$1,150.20
75A	RPM 4 Type II (Y) 4"	LF	540.00	\$1.48	\$799.20	540.00	\$1.48	\$799.20	-	\$1.48	\$0.00
76	RPM Type I (W) 8"	LF	(200.00)	\$2.53	(\$506.00)	-	\$2.53	\$0.00	200	\$2.53	\$506.00
76A	RPM Type II (W) 8"	LF	200.00	\$2.03	\$406.00	200.00	\$2.03	\$406.00	-	\$2.03	\$0.00
77	RPM Type I (W) 12"	LF	(120.00)	\$11.17	(\$1,340.40)	-	\$11.17	\$0.00	120	\$11.17	\$1,340.40
77A	RPM Type II (W) 12"	LF	120.00	\$5.72	\$686.40	120.00	\$5.72	\$686.40	-	\$5.72	\$0.00
78	RPM Type I (W) Arrow Right Turn	EA	(2.00)	\$61.75	(\$123.50)	-	\$61.75	\$0.00	2	\$61.75	\$123.50
78A	RPM Type II (W) Arrow Right Turn	EA	2.00	\$51.75	\$103.50	2.00	\$51.75	\$103.50	-	\$51.75	\$0.00
79	RPM Type I (W) Word -ONLY	EA	(1.00)	\$98.81	(\$98.81)	-	\$98.81	\$0.00	1	\$98.81	\$98.81
79A	RPM Type II (W) Word -ONLY	EA	1.00	\$65.81	\$65.81	1.00	\$65.81	\$65.81	-	\$65.81	\$0.00
80	RPM Type I (W) Symbol-Handicap	EA	(26.00)	\$174.04	(\$4,525.04)	-	\$174.04	\$0.00	26	\$174.04	\$4,525.04
80A	RPM Type II (W) Symbol-Handicap	EA	26.00	\$104.04	\$2,705.04	26.00	\$104.04	\$2,705.04	-	\$104.04	\$0.00
88	Protecting Fencing Type C	LF	2,308.00	\$1.85	\$4,269.80	8,673.00	\$1.85	\$16,045.05	6,365	\$1.85	\$11,775.25
89	Removal Existing Trees	EA	2.00	\$392.98	\$785.96	35.00	\$392.98	\$13,754.30	33	\$392.98	\$12,968.34
91	Rock Berm	LF	68.00	\$19.09	\$1,298.12	523.00	\$19.09	\$9,984.07	455	\$19.09	\$8,685.95
95	Silt Fence for Erosion Control	LF	2,308.00	\$1.96	\$4,523.68	24,648.00	\$1.96	\$48,310.08	22,340	\$1.96	\$43,786.40
159	Seal Concrete Floors	LS	1.00	\$4,010.00	\$4,010.00	1.00	\$4,010.00	\$4,010.00	-	\$4,010.00	\$0.00
160	Electrical Service Line	LF	70.00	\$127.00	\$8,890.00	70.00	\$127.00	\$8,890.00	-	\$127.00	\$0.00
161	Drainage pipe	LS	1.00	\$1,306.00	\$1,306.00	1.00	\$1,306.00	\$1,306.00	-	\$0.00	\$0.00
162	Add Data & Phone lines to Bldgs	LS	1.00	\$4,810.00	\$4,810.00	1.00	\$4,810.00	\$4,810.00	-	\$0.00	\$0.00
163	Wall stone 36"	LF	500.00	\$121.26	\$60,630.00	500.00	\$121.26	\$60,630.00	-	\$0.00	\$0.00
164	Entrance Road Base	TONS	500.00	\$16.00	\$8,000.00	500.00	\$16.00	\$8,000.00	-	\$0.00	\$0.00
TOTAL					\$388,029.03			\$1,642,115.76			\$1,254,086.73

Materials(\$)

Services(\$)

TOTAL \$0.00

NET OVERRUN(UNDERRUN)

\$ 388,029.03

TIME Extension:

0

**NOTICE to the CONTRACTOR:**

This is your authority to proceed with this work at the rates named above.

REQUESTED BY:

*Robert Baly* 2/10/11  
Contractor Date

RECOMMENDED FOR APPROVAL BY:

*B. Schuck* 2/14/11  
TNR Project Manager Date

*John D. Jinn* 02/14/2011  
TNR Division Manager Date

APPROVED:

*John D. Jinn* 2/17/11  
TNR Executive Manager Date

Purchasing Agent

Date

County Judge

Date



**TRAVIS COUNTY TNR  
CHANGE ORDER LOG**

PROJECT NAME: Milton Reimers ranch

CONTRACT NUMBER: 10K00250LP

CONTRACTOR: STR Constructors, Ltd.

ORIGINAL CONTRACT AMOUNT: \$ 3,799,911.18

C.O. No.	C.O. Date	DESCRIPTION	\$+/-	CUMULATIVE C.O. AMOUNTS	(%)	ADJUSTED CONTRACT AMOUNT	CUM (%)	Time Extention Days +/-	Court/Purchasing Approval Date
1	10/20/2010	test well,rdwy mod.,trail,data wire	\$ 175,460.89	\$ 175,460.89	4.62%	\$ 3,975,372.07	4.62%	0	
2	11/19/2010	Additional Well testing	\$ 11,068.00	\$ 186,528.89	0.29%	\$ 3,986,440.07	4.91%	0	
3	12/8/2010	Pedestrian Trail clearing & grub	80,052.50	\$ 266,581.39	2.11%	\$ 4,066,492.57	7.02%	0	
4	1/7/2010	Additional Field Item Quantities	388,029.03	\$ 654,610.42	10.21%	\$ 4,454,521.60	17.23%	0	
5								0	
6								0	
7								0	
8								0	

GM200I13

## TRAVIS COUNTY

2/23/11

Fiscal Year 2011

## Account Balance Inquiry

10:41:39

Account number . . . : 482-4945-631.81-20  
Fund . . . . . : 482 REIMER PARK REC. TRAIL  
Department . . . . . : 49 TNR (TRANS & NATRL RESRC)  
Division . . . . . : 45 PARK SERVICES  
Activity basic . . . . : 63 COMM-ECON DEV (PKS & REC)  
Sub activity . . . . . : 1 PITD (PARKS)  
Element . . . . . : 81 CAPITAL OUTLAY  
Object . . . . . : 20 PURCHASED SVCS PARK IMPRV

Project Req'd

Original budget . . . . .	:	0	
Revised budget . . . . .	:	817,425	10/29/2010
Actual expenditures - current . . .	:	20,239.39	
Actual expenditures - ytd . . . .	:	377,003.73	
Unposted expenditures . . . . .	:	.00	
Encumbered amount . . . . .	:	232,973.72	
Unposted encumbrances . . . . .	:	.00	
Pre-encumbrance amount . . . . .	:	.00	
Total expenditures & encumbrances:		630,216.84	77.1%
Unencumbered balance . . . . .	:	187,208.16	22.9

F5=Encumbrances

F7=Project data

F8=Misc inquiry

F10=Detail trans

F11=Acct activity list

F12=Cancel

F24=More keys



GM200I13

## TRAVIS COUNTY

2/23/11

Fiscal Year 2011

## Account Balance Inquiry

10:41:57

Account number . . . : 514-4945-809.81-20  
Fund . . . . . : 514 L/T PERM IMPRVMT BDS 2009  
Department . . . . . : 49 TNR (TRANS & NATRL RESRC)  
Division . . . . . : 45 PARK SERVICES  
Activity basic . . . . : 80 CAPITAL PROJECTS  
Sub activity . . . . . : 9 COMM&ECON DEV (PKS & REC)  
Element . . . . . : 81 CAPITAL OUTLAY  
Object . . . . . : 20 PURCHD SERV-PARK IMPRVMNT

Original budget . . . . .	:	0	
Revised budget . . . . .	:	3,140,408	02/02/2011
Actual expenditures - current . . .	:	112.50	
Actual expenditures - ytd . . . .	:	14,963.39	
Unposted expenditures . . . . .	:	.00	
Encumbered amount . . . . .	:	849,316.06	
Unposted encumbrances . . . . .	:	.00	
Pre-encumbrance amount . . . . .	:	1,500,575.00	
Total expenditures & encumbrances:	:	2,364,966.95	75.3%
Unencumbered balance . . . . .	:	775,441.05	24.7

F5=Encumbrances

F7=Project data

F8=Misc inquiry

F10=Detail trans

F11=Acct activity list

F12=Cancel

F24=More keys

**TRAVIS COUNTY  
Purchase Requisition**

2/23/11  
10:45:05

Number . . . . . : 0000523962  
 Type . . . . . : 1 PURCHASE REQUISITION  
 Status . . . . . : DEPARTMENT APPROVAL  
 Reason . . . . . : 53936 PARK-CIP MOD PO#454796 CONT 10K00250LP  
 By . . . . . : BRUNILDA CRUZ 854-7679  
 Date . . . . . : 2/15/11  
 Vendor . . . . . : 77568 STR CONSTRUCTORS LTD  
 Contract nbr . . . . . :  
 Ship to . . . . . : AI AS INDICATED BELOW  
 Deliver by date . . . . : 2/15/11  
 Buyer . . . . . :  
 Fiscal year code . . . : C C=Current year, P=Previous year, F=Future year

**Type options, press Enter.**

**5=Display 8=Item extended description**

Opt	Line#	Quantity	UOM	Description
—	1	362654.52	DOL	REIMERS RANCH PARK CONSTRUCTION
				CO #4. TO CHANGE STRIPING FROM TYPE I TO TYPE II.
				ADD REGRADE AND REALIGN PARK ENTRANCE ROAD

+

**COMMENTS EXIST**

Total: 388029.03

**F3=Exit F7=Alternate view**

**F9=Print**

**F10=Approval info F12=Cancel F20=Comments**



## **Travis County Commissioners Court Agenda Request**

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Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: Lee Perry, Purchasing, 854-9724

Elected/Appointed Official/Dept. Head: Cyd Grimes, Purchasing Agent

Sponsors: Judge Biscoe

---

### **AGENDA LANGUAGE:**

Approve Modification No. 3 to Contract No. 09K00058LP, Joe Bland Construction, for Howard Lane I Project.

---

### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

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

TNR requests the approval of Change Order number three (3) for the above contract. This Change Order is for various changes, which includes some pavement and major retaining wall redesign, additional safety provisions, drainage revisions, and field condition change. This Change Order will increase the contract by \$512,517.21 from \$8,566,577.92 to \$9,079,095.13.

Change Order number two (2) for the above contract, was for additional City of Austin water and wastewater utility relocation work to accommodate proposed roadway improvements. This Change Order increased the contract by \$9,610.20 from \$8,556,967.72 to \$8,566,577.92.

Change Order number one (1) for the above contract, was for additional City of Austin water and wastewater utility relocation work to accommodate proposed roadway improvements. This Change Order increased the contract by \$188,822.90 from \$8,368,144.82 to \$8,556,967.72.

**Contract Expenditures:** Within the last 12 months \$3,832,992.75 has been spent against this contract.

### **Contract-Related Information:**

Award Amount: \$8,368,144.82

Contract Type: Construction

Contract Period: Through Completion

### **Contract Modification Information:**

Modification Amount: \$512,517.21

Modification Type: Construction

Modification Period: Through Completion

**Solicitation-Related Information: N/A**

Solicitations Sent:

Responses Received:

HUB Information:

% HUB Subcontractor:

**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.: 524267

Funding Account(s): 508-4931-808-8164,475-4993-750-6099

Comments:

Statutory Verification of Funding:

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

**FISCAL IMPACT AND SOURCE OF FUNDING:**

See Summary

**REQUIRED AUTHORIZATIONS:**

Purchasing	Marvin Brice	Completed	02/28/2011 9:17 AM
Purchasing	Cyd Grimes	Completed	02/28/2011 3:13 PM
Purchasing Admin Support Group	Juan Gonzalez	Completed	02/28/2011 3:30 PM
County Judge's Office	Cheryl Aker	Pending	
Commissioners Court	Cheryl Aker	Pending	

## **TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT**

STEVEN M. MANILLA, P.E., EXECUTIVE MANAGER

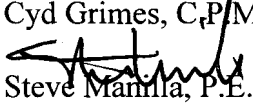
411 W. 13th St.  
Eleventh Floor  
P.O. Box 1748  
Austin, Texas 78767  
(512) 854-9383  
FAX (512) 854-4626



RECEIVED  
TRAVIS COUNTY  
2011 FEB 22 PM 3:51  
PURCHASING  
OFFICE

### **MEMORANDUM**

February 16, 2011

TO: Cyd Grimes, C.P.M., Purchasing Agent  
FROM:  Steve Manilla, P.E., Executive Manager  
SUBJECT: Construction Change Order #3  
Howard Lane I Road and Drainage Improvement Project (AKA Gregg Lane)  
IFB No. B090058-LP  
Contract No. 09K00058LP

---

#### **Project Description**

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

#### **Requested Agenda Item**

TNR hereby requests the Purchasing Department to place the following item on the Commissioners Court Agenda for the March 8, 2011 session.

#### **Requested Motion**

**Consider and take appropriate action on the recommendation to approve a construction contract change request from Joe Bland Construction for the Howard Lane I Road and Drainage Improvements Project.**

#### **Summary and Recommendations**

Upon review of the change order request, TNR recommends the approval of Change Order #3 in the amount of \$512,517.21 for various changes (including some pavement and major retaining wall redesign, additional safety provisions, drainage revisions, and field condition change). This is a 6.12% change, with a cumulative contract change of 9%, bringing the total contract amount to \$9,079,095.13. A copy of the change order request summary is attached to this memorandum as Exhibit "B"; Change Order Request Summary.

### **Budgetary And Fiscal Impact**

The Howard Lane I Road and Drainage Improvements project is funded with money from the 1984 and 2005 Bond Projects Funds. A copy of the budgetary and tracking information is attached as Exhibit "C"; Funding

This project was bid in partnership with the City of Austin for the relocation and extension of an existing waterline within the County's right-of-way under the authority of an interlocal agreement between the City and the County. The design and construction cost for this waterline relocation is being paid for by the City under the provisions of the interlocal agreement.

The original total contract amount is \$8,368,144.82; \$7,890,183.62 by the County and \$477,961.20 by the City. With change order #1 and #2 totaling \$198,433.10 (both funded solely by the City of Austin), the revised contract amount is \$8,566,577.92. With this change request, the new contract amount will be \$9,079,095.13. The funds have been encumbered. A copy of the budgetary and tracking information is provided as Exhibit "C" – Funding

### **Project Background Summary**

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

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

#### **Attachments:**

1. Exhibit "A" - Project Location Map
2. Exhibit "B"- Change Order Request Summary
3. Exhibit "C" – Funding

Copy: Marvin Bryce, CPPB, Assistant Purchasing Agent

Lee Perry, Purchasing Agent Assistant

Cynthia McDonalds, Financial

Donna Williams-Jones, Financial

Brunilda Cruz, Financial

Steve Sun, PE, CIP

Chiddi N'Jie, PE, CIP

## **List of Attachments:**

- **EXHIBIT “A”**
  - **PROJECT LOCATION MAP**
  
- **EXHIBIT “B”**
  - **CHANGE ORDER REQUEST SUMMARY**
  
- **EXHIBIT “C”**
  - **FUNDING**

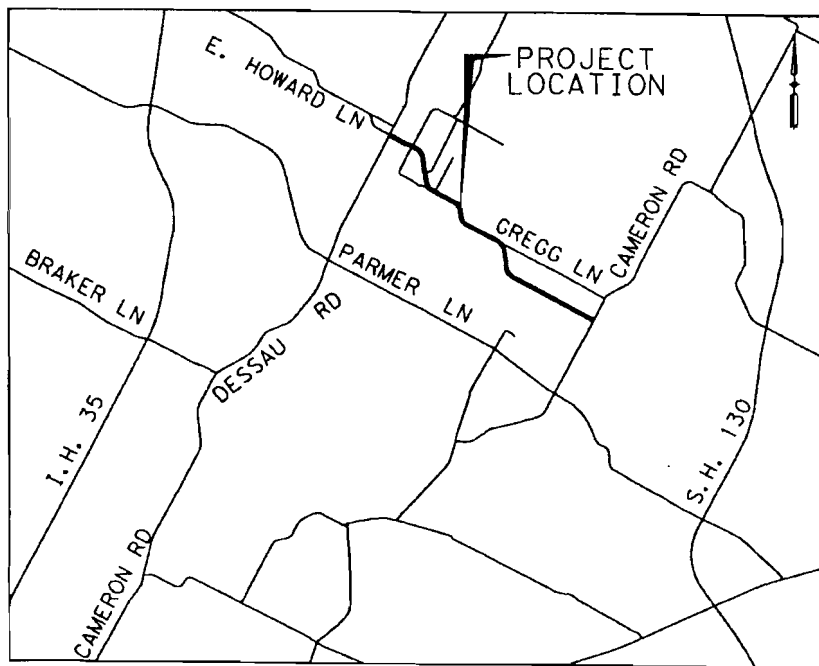
**EXHIBIT “A”**  
**Project Location Map**



# **EXHIBIT "A"**

## **HOWARD LANE I IMPROVEMENT PROJECT**

### **LOCATION MAP**



LOCATION MAP

M. T. S.

**EXHIBIT "A" – LOCATION MAP**

**EXHIBIT “B”**  
**CHANGE ORDER REQUEST SUMMARY**

TRAVIS COUNTY - TNR  
Howard Ln I  
Change Order No. 3 Contract 09K00058LP

Approval of the following change in the Plans and/or Specifications is requested:

Field Change Request No. 3

Limits: Dessau to Cameron Rd

Plan Sheet No.  
Various

Description: miscellaneous changes

CONTRACTOR: Joe Bland Constr

This field change is requested for the following reason(s): Additional safety items and Misc quantity changes

			PROPOSED CHANGES			REVISED CONTRACT			EXISTING CONTRACT		
NO.	BID ITEM DESCRIPTION	UNIT TYPE	C.O. QTY	UNIT PRICE(\$)	C.O. AMOUNT	QTY	UNIT PRICE(\$)	NEW AMOUNT	QTY	UNIT PRICE(\$)	PREVIOUS AMOUNT
CO3-1	Underdrain for ground water at Canterra	lf	250.00	19.15	4,787.50	250.00	\$ 19.15	\$ 4,787.50	0.00	\$ -	\$ -
CO3-2	Design 3 (19"x28") CMP to miss water line lat. D2	lf	72.00	14.64	1,053.73	72.00	\$ 14.64	\$ 1,053.73	0.00		\$ -
CO3-3	Revise height of Wing Walls(x,x,x)	ls	1.00	3,437.72	3,437.72	1.00	\$ 3,437.72	\$ 3,437.72	0.00		\$ -
CO3-4	Modified inlet, wing walls, and Conc. Channel at Emanual	ls	1.00	7,233.96	7,233.96	1.00	\$ 7,233.96	\$ 7,233.96	0.00		\$ -
CO3-5	Modify Headwall @ Culvert J	ls	1.00	960.00	960.00	1.00	\$ 960.00	\$ 960.00	0.00		\$ -
CO3-6	Channel F Revised slope 1:1 TO 3:1	cy	600.00	6.00	3,600.00	600.00	\$ 6.00	\$ 3,600.00	0.00		\$ -
	Jetter's Property Inlet and Revised grading		0.00	-		0.00	\$ -	\$ -	0.00		\$ -
CO3-7	Extend Box, Inlet with grate, and conc rip rap	ls	1.00	17,750.00	17,750.00	1.00	\$ 17,750.00	\$ 17,750.00	0.00		
CO3-8	Containment Berm	cy	150.00	5.20	780.00	150.00	\$ 5.20	\$ 780.00	0.00		
CO3-9	42" RCP	lf	150.00	105.00	15,750.00	150.00	\$ 105.00	\$ 15,750.00	0.00		
CO3-10	42" SET	ea	1.00	4,500.00	4,500.00	1.00	\$ 4,500.00	\$ 4,500.00	0.00		
	Sect H revisions		0.00	-	-		\$ -	\$ -	0.00		
CO3-11	Replace backfill to cover expose waterline	cy	6600.00	5.20	34,320.00	6600.00	\$ 5.20	\$ 34,320.00	0.00		\$ -
CO3-12	Median channel excavation	cy	452.00	7.00	3,164.00	452.00	\$ 7.00	\$ 3,164.00	0.00		
CO3-13	30" conc end section	ea	1.00	3,750.00	3,750.00	1.00	\$ 3,750.00	\$ 3,750.00	0.00		
CO3-14	Regrade ditch to accommodate modified inlets	ls	1.00	1,051.00	1,051.00	1.00	\$ 1,051.00	\$ 1,051.00	0.00		
CO3-15	Conc Retard/cutoff walls around exist waterline	ea	2.00	2,000.00	4,000.00	2.00	\$ 2,000.00	\$ 4,000.00	0.00		
CO3-16	Pavement repair around waterline	sy	93.30	17.50	1,632.75	93.30	\$ 17.50	\$ 1,632.75	0.00		
CO3-17	Median Conc riprap on portion of ditch over waterline	cy	8.36	350.00	2,926.00	8.36	\$ 350.00	\$ 2,926.00	0.00		
CO3-18	Section H Inlet modifications	ea	3.00	576.00	1,728.00	3.00	\$ 576.00	\$ 1,728.00	0.00		\$ -
CO3-19	Lazy Ridge drainage modification		0.00	-	-		\$ -	\$ -	0.00		
CO3-20	Lazy Ridge 18" RCP Culvert	lf	125.00	25.60	3,200.00	125.00	\$ 25.60	\$ 3,200.00	0.00		\$ -
CO3-21	Lazy Ridge SET	ea	2.50	1,699.00	4,247.50	2.50	\$ 1,699.00	\$ 4,247.50	0.00		
CO3-22	Lazy Ridge Channel	ls	1.00	750.00	750.00	1.00	\$ 750.00	\$ 750.00	0.00		
CO3-23	Lazy Ridge special traffic control and setup	ls	1.00	1,500.00	1,500.00	1.00	\$ 1,500.00	\$ 1,500.00	0.00		

CO3-24	Howard Ln @ Lazy Ridge pavement repair	sy	31.00	17.50	542.50	31.00	\$ 17.50	\$ 542.50	0.00		
	Bridge revisions		0.00	-	-		\$ -	\$ -	0.00		
CO3-25	Revise Bridge drainage inlets	ea	6.00	799.00	4,794.00	6.00	\$ 799.00	\$ 4,794.00	0.00	\$ -	\$ -
CO3-26	Bridge HMA Level up for beam deflections	sy	2394.00	3.39	8,115.66	2394.00	\$ 3.39	\$ 8,115.66	0.00		\$ -
	MSE wall change items				-		\$ -	\$ -	0.00		
CO3-27	MSE rock Material	ls	1.00	15,494.96	15,494.96	1.00	\$ 15,494.96	\$ 15,494.96	0.00		\$ -
CO3-28	MSE Redesign South Wall (increase depth)	sf	2754.00	65.58	180,607.32	2754.00	\$ 65.58	\$ 180,607.32	0.00		\$ -
CO3-29	Underdrain @ MSE wall	lf	180.00	29.49	5,308.20	180.00	\$ 29.49	\$ 5,308.20	0.00		\$ -
CO3-30	C.I.P. Wall Sta 0+50+/- ??? SY, unit \$	sf	185.00	88.50	16,372.50	185.00	\$ 88.50	\$ 16,372.50	0.00		\$ -
CO3-31	Temporary retaining wall (conc grout wall)	sf	180.00	40.00	7,200.00	180.00	\$ 40.00	\$ 7,200.00	0.00		
CO3-32	Remove exist signal foundation	ea	1.00	1,500.00	1,500.00	1.00	\$ 1,500.00	\$ 1,500.00	0.00		
CO3-33	Additional rebar for bridge	ls	1.00	646.17	646.17	1.00	\$ 646.17	\$ 646.17	0.00		
CO3-34	Revise Dowels for Substurtue Ext.????/	ls	1.00	179.97	179.97	1.00	\$ 179.97	\$ 179.97	0.00		\$ -
CO3-35	Shear Key Over Run	cy	42.40	435.00	18,444.00	42.40	\$ 435.00	\$ 18,444.00	0.00		\$ -
CO3-36	Sidewalk over run bridge thickness---where--sta to sta	cy	36.20	306.00	11,077.20	36.20	\$ 306.00	\$ 11,077.20	0.00		\$ -
CO3-37	Relocate Inlet @ Horse Ranch	ea	1.00	3,852.00	3,852.00	1.00	\$ 3,852.00	\$ 3,852.00	0.00		\$ -
CO3-38	Change Headwall SD D-4 Headwall 24 to 30 in ????	ls	1.00	1,580.25	1,580.25	1.00	\$ 1,580.25	\$ 1,580.25	0.00		\$ -
CO3-39	Excavate & Add 2" sand cushion E of Canterra	sf	2,100.00	3.50	7,350.00	2100.00	\$ 3.50	\$ 7,350.00	0.00		\$ -
CO3-40	Crack seal	lf	6600.00	0.64	4,224.00	6600.00	\$ 0.64	\$ 4,224.00	0.00		
CO3-41	SGT	ea	10.00	2,500.00	25,000.00	14.00	\$ 2,500.00	\$ 35,000.00	4.00	\$ 2,500.00	\$ 10,000.00
CO3-42	Terminal Section (Elephant ears)	ea	2.00	90.00	180.00	2.00	\$ 90.00	\$ 180.00	0.00	\$ -	\$ -
CO3-43	MBGF Metal posts	lf	25.00	30.00	750.00	25.00	\$ 30.00	\$ 750.00	0.00		
CO3-44	Combination rail C221	lf	88.00	105.49	9,283.12	88.00	\$ 105.49	\$ 9,283.12	0.00		
CO3-45	Combination rail C221 TAS	ea	1.00	495.00	495.00	1.00	\$ 495.00	\$ 495.00	0.00		
	Extend embankment 2' for MBGF	cy	5.20	384.00	1,996.80	5.20	\$ 384.00	\$ 1,996.80	0.00		
64	Driveways, Asphalt Sect	sf	2621.00	15.00	39,315.00	3421.00	\$ 15.00	\$ 51,315.00	800.00	\$ 15.00	\$ 12,000.00
72	MBGF Timber posts	lf	1172.00	21.20	24,846.40	1422.00	\$ 21.20	\$ 30,146.40	250.00	\$ 21.20	\$ 5,300.00
73	TAS	ea	1.00	1,240.00	1,240.00	5.00	\$ 1,240.00	\$ 6,200.00	4.00	\$ 1,240.00	\$ 4,960.00
					\$ 512,517.21			\$ 544,777.21			\$ 32,260.00

Materials(\$)

NET OVERRUN/(UNDERRUN)

\$ 512,517.21

Services(\$)

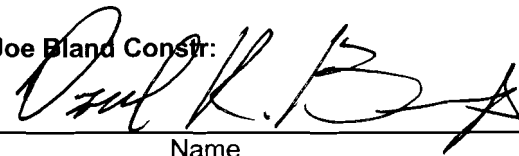
TOTAL

TIME Extension:

Days

The compensation and/or time extension provided by this Change Order constitutes full and complete satisfaction for all direct and indirect costs, and interest related thereto, which has been or may be incurred in connection with this change to the Contract. By affixing my signature to this Change Order, as the Contractor's duly appointed representative, on behalf of the Contractor I hereby waive any rights to seek additional funds or relief of any nature for any event or circumstance arising from this Change Order.

REQUESTED BY Joe Bland Constr:



Name

Signature

Date

FEB 1-2011

**NOTICE to the CONTRACTOR:**

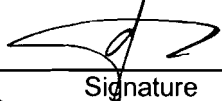
This is your authority to proceed with this work at the rates named above.


**RECOMMENDED FOR APPROVAL BY:****For City of Austin:**

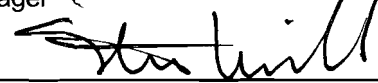
Name	Signature	Date
------	-----------	------

Name	Signature	Date
------	-----------	------


**For Travis County:**

CHIDI N'JIE		2/14/11
Project Manager	Signature	Date

	Signature	02/16/2011
CIP Div Manager	Signature	Date

	Signature	2/17/11
Public Works Director	Signature	Date

**APPROVED:**

	Signature	2/17/11
TNR Executive Manager	Signature	Date

Cyd V Grimes	Signature	Date
Purchasing Agent	Signature	Date

<u>Samuel T Biscoe</u>	Signature	Date
County Judge	Signature	Date

**TRAVIS COUNTY - TNR**  
**Howard Ln I**  
**Change Order No. 3 Contract 09K00058LP**

Approval of the following change in the Plans and/or Specifications is requested:

Field Change Request No. 3

**Limits:** Dessau to Cameron Rd

**Plan Sheet No.**  
Various

**Description:** miscellaneous changes

**CONTRACTOR:** Joe Bland Constr

**This field change is requested for the following reason(s):** Additional safety items and Misc quantity changes

			PROPOSED CHANGES			REVISED CONTRACT			EXISTING CONTRACT		
NO.	BID ITEM DESCRIPTION	UNIT TYPE	C.O. QTY	UNIT PRICE(\$)	C.O. AMOUNT	QTY	UNIT PRICE(\$)	NEW AMOUNT	QTY	UNIT PRICE(\$)	PREVIOUS AMOUNT
CO3-1	Underdrain for ground water at Canterra	lf	250.00	19.15	4,787.50	250.00	\$ 19.15	\$ 4,787.50	0.00	\$ -	\$ -
CO3-2	Design 3 (19"x28") CMP to miss water line lat. D2	lf	72.00	14.64	1,053.73	72.00	\$ 14.64	\$ 1,053.73	0.00		\$ -
CO3-3	Revise height of Wing Walls(x,x,x)	ls	1.00	3,437.72	3,437.72	1.00	\$ 3,437.72	\$ 3,437.72	0.00		\$ -
CO3-4	Modified inlet, wing walls, and Conc. Channel at Emanuel	ls	1.00	7,233.96	7,233.96	1.00	\$ 7,233.96	\$ 7,233.96	0.00		\$ -
CO3-5	Modify Headwall @ Culvert J	ls	1.00	960.00	960.00	1.00	\$ 960.00	\$ 960.00	0.00		\$ -
CO3-6	Channel F Revised slope 1:1 TO 3:1	cy	600.00	6.00	3,600.00	600.00	\$ 6.00	\$ 3,600.00	0.00		\$ -
	Jetter's Property Inlet and Revised grading		0.00	-		0.00	\$ -	\$ -	0.00		\$ -
CO3-7	Extend Box, Inlet with grate, and conc rip rap	ls	1.00	17,750.00	17,750.00	1.00	\$ 17,750.00	\$ 17,750.00	0.00		
CO3-8	Containment Berm	cy	150.00	5.20	780.00	150.00	\$ 5.20	\$ 780.00	0.00		
CO3-9	42" RCP	lf	150.00	105.00	15,750.00	150.00	\$ 105.00	\$ 15,750.00	0.00		
CO3-10	42" SET	ea	1.00	4,500.00	4,500.00	1.00	\$ 4,500.00	\$ 4,500.00	0.00		
	Sect H revisions		0.00	-	-		\$ -	\$ -	0.00		
CO3-11	Replace backfill to cover expose waterline	cy	6600.00	5.20	34,320.00	6600.00	\$ 5.20	\$ 34,320.00	0.00		\$ -
CO3-12	Median channel excavation	cy	452.00	7.00	3,164.00	452.00	\$ 7.00	\$ 3,164.00	0.00		
CO3-13	30" conc end section	ea	1.00	3,750.00	3,750.00	1.00	\$ 3,750.00	\$ 3,750.00	0.00		
CO3-14	Regrade ditch to accommodate modified inlets	ls	1.00	1,051.00	1,051.00	1.00	\$ 1,051.00	\$ 1,051.00	0.00		
CO3-15	Conc Retard/cutoff walls around exist waterline	ea	2.00	2,000.00	4,000.00	2.00	\$ 2,000.00	\$ 4,000.00	0.00		
CO3-16	Pavement repair around waterline	sy	93.30	17.50	1,632.75	93.30	\$ 17.50	\$ 1,632.75	0.00		
CO3-17	Median Conc riprap on portion of ditch over waterline	cy	8.36	350.00	2,926.00	8.36	\$ 350.00	\$ 2,926.00	0.00		
CO3-18	Section H Inlet modifications	ea	3.00	576.00	1,728.00	3.00	\$ 576.00	\$ 1,728.00	0.00		\$ -
CO3-19	Lazy Ridge drainage modification		0.00	-	-		\$ -	\$ -	0.00		
CO3-20	Lazy Ridge 18" RCP Culvert	lf	125.00	25.60	3,200.00	125.00	\$ 25.60	\$ 3,200.00	0.00		\$ -
CO3-21	Lazy Ridge SET	ea	2.50	1,699.00	4,247.50	2.50	\$ 1,699.00	\$ 4,247.50	0.00		
CO3-22	Lazy Ridge Channel	ls	1.00	750.00	750.00	1.00	\$ 750.00	\$ 750.00	0.00		
CO3-23	Lazy Ridge special traffic control and setup	ls	1.00	1,500.00	1,500.00	1.00	\$ 1,500.00	\$ 1,500.00	0.00		

CO3-24	Howard Ln @ Lazy Ridge pavement repair	sy	31.00	17.50	542.50	31.00	\$ 17.50	\$ 542.50	0.00		
	Bridge revisions		0.00	-	-		\$ -	\$ -	0.00		
CO3-25	Revise Bridge drainage inlets	ea	6.00	799.00	4,794.00	6.00	\$ 799.00	\$ 4,794.00	0.00	\$ -	\$ -
CO3-26	Bridge HMAC Level up for beam deflections	sy	2394.00	3.39	8,115.66	2394.00	\$ 3.39	\$ 8,115.66	0.00		\$ -
	MSE wall change items				-		\$ -	\$ -	0.00		
CO3-27	MSE rock Material	ls	1.00	15,494.96	15,494.96	1.00	\$ 15,494.96	\$ 15,494.96	0.00		\$ -
CO3-28	MSE Redesign South Wall (increase depth)	sf	2754.00	65.58	180,607.32	2754.00	\$ 65.58	\$ 180,607.32	0.00		\$ -
CO3-29	Underdrain @ MSE wall	lf	180.00	29.49	5,308.20	180.00	\$ 29.49	\$ 5,308.20	0.00		\$ -
CO3-30	C.I.P. Wall Sta 0+50+/- ??? SY, unit \$	sf	185.00	88.50	16,372.50	185.00	\$ 88.50	\$ 16,372.50	0.00		\$ -
CO3-31	Temporary retaining wall (conc grout wall)	sf	180.00	40.00	7,200.00	180.00	\$ 40.00	\$ 7,200.00	0.00		
CO3-32	Remove exist signal foundation	ea	1.00	1,500.00	1,500.00	1.00	\$ 1,500.00	\$ 1,500.00	0.00		
CO3-33	Additional rebar for bridge	ls	1.00	646.17	646.17	1.00	\$ 646.17	\$ 646.17	0.00		
CO3-34	Revise Dowels for Substurctue Ext.????/	ls	1.00	179.97	179.97	1.00	\$ 179.97	\$ 179.97	0.00		\$ -
CO3-35	Shear Key Over Run	cy	42.40	435.00	18,444.00	42.40	\$ 435.00	\$ 18,444.00	0.00		\$ -
CO3-36	Sidewalk over run bridge thickness---where--sta to sta	cy	36.20	306.00	11,077.20	36.20	\$ 306.00	\$ 11,077.20	0.00		\$ -
CO3-37	Relocate Inlet @ Horse Ranch	ea	1.00	3,852.00	3,852.00	1.00	\$ 3,852.00	\$ 3,852.00	0.00		\$ -
CO3-38	Change Headwall SD D-4 Headwall 24 to 30 in ????/	ls	1.00	1,580.25	1,580.25	1.00	\$ 1,580.25	\$ 1,580.25	0.00		\$ -
CO3-39	Excavate & Add 2" sand cusion E of Canterra	sf	2,100.00	3.50	7,350.00	2100.00	\$ 3.50	\$ 7,350.00	0.00		\$ -
CO3-40	Crack seal	lf	6600.00	0.64	4,224.00	6600.00	\$ 0.64	\$ 4,224.00	0.00		
CO3-41	SGT	ea	10.00	2,500.00	25,000.00	14.00	\$ 2,500.00	\$ 35,000.00	4.00	\$ 2,500.00	\$ 10,000.00
CO3-42	Terminal Section (Elephant ears)	ea	2.00	90.00	180.00	2.00	\$ 90.00	\$ 180.00	0.00	\$ -	\$ -
CO3-43	MBGF Metal posts	lf	25.00	30.00	750.00	25.00	\$ 30.00	\$ 750.00	0.00		
CO3-44	Combination rail C221	lf	88.00	105.49	9,283.12	88.00	\$ 105.49	\$ 9,283.12	0.00		
CO3-45	Combination rail C221 TAS	ea	1.00	495.00	495.00	1.00	\$ 495.00	\$ 495.00	0.00		
	Extend embankment 2' for MBGF	cy	5.20	384.00	1,996.80	5.20	\$ 384.00	\$ 1,996.80	0.00		
64	Driveways, Asphalt Sect	sf	2621.00	15.00	39,315.00	3421.00	\$ 15.00	\$ 51,315.00	800.00	\$ 15.00	\$ 12,000.00
72	MBGF Timber posts	lf	1172.00	21.20	24,846.40	1422.00	\$ 21.20	\$ 30,146.40	250.00	\$ 21.20	\$ 5,300.00
73	TAS	ea	1.00	1,240.00	1,240.00	5.00	\$ 1,240.00	\$ 6,200.00	4.00	\$ 1,240.00	\$ 4,960.00
					\$ 512,517.21			\$ 544,777.21			\$ 32,260.00

Materials(\$)		NET OVERRUN/(UNDERRUN)	\$ 512,517.21
Services(\$)			
TOTAL		TIME Extension:	Days

The compensation and/or time extension provided by this Change Order constitutes full and complete satisfaction for all direct and indirect costs, and interest related thereto, which has been or may be incurred in connection with this change to the Contract. By affixing my signature to this Change Order, as the Contractor's duly appointed representative, on behalf of the Contractor I hereby waive any rights to seek additional funds or relief of any nature for any event or circumstance arising from this Change Order.

REQUESTED BY Joe Bland Constr:

David R Burroughs

David R Bland

FEB 1, 2011

Name




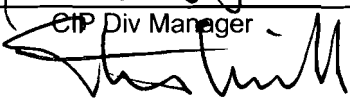
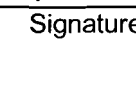
Signature

Date

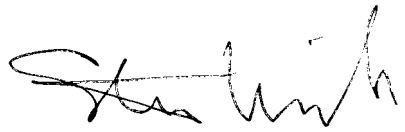
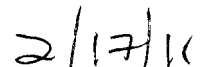
**NOTICE to the CONTRACTOR:**  
This is your authority to proceed with this work at the rates named above.

## RECOMMENDED FOR APPROVAL BY:

For City of Austin:

Name	Signature	Date
<u>For Travis County:</u>		
CHIPDI N' JIF		2/14/11
Project Manager	Signature	Date
		02/16/2011
CIP Div Manager	Signature	Date
		2/17/11
Public Works Director	Signature	Date

## APPROVED:

	
TNR Executive Manager	Signature Date

Cyd V Grimes	
Purchasing Agent	Signature Date

Samuel T Biscoe	
County Judge	Signature Date



**TRAVIS COUNTY - TNR**  
**Howard Ln I**  
**Change Order No. 3 Contract 09K00058LP**

Approval of the following change in the Plans and/or Specifications is requested:

Field Change Request No. 3

**Limits:** Dessau to Cameron Rd

**Plan Sheet No.**  
Various

**Description:** miscellaneous changes

**CONTRACTOR:** Joe Bland Constr

**This field change is requested for the following reason(s):**

Additional safety items and Misc quantity changes

NO.	BID ITEM DESCRIPTION	UNIT TYPE	PROPOSED CHANGES			REVISED CONTRACT			EXISTING CONTRACT		
			C.O. QTY	UNIT PRICE(\$)	C.O. AMOUNT	QTY	UNIT PRICE(\$)	NEW AMOUNT	QTY	UNIT PRICE(\$)	PREVIOUS AMOUNT
CO3-1	Underdrain for ground water at Canterra	lf	250.00	19.15	4,787.50	250.00	\$ 19.15	\$ 4,787.50	0.00	\$ -	\$ -
CO3-2	Design 3 (19"x28") CMP to miss water line lat. D2	lf	72.00	14.64	1,053.73	72.00	\$ 14.64	\$ 1,053.73	0.00		\$ -
CO3-3	Revise height of Wing Walls(x,x,x)	ls	1.00	3,437.72	3,437.72	1.00	\$ 3,437.72	\$ 3,437.72	0.00		\$ -
CO3-4	Modified inlet, wing walls, and Conc. Channel at Emanuel	ls	1.00	7,233.96	7,233.96	1.00	\$ 7,233.96	\$ 7,233.96	0.00		\$ -
CO3-5	Modify Headwall @ Culvert J	ls	1.00	960.00	960.00	1.00	\$ 960.00	\$ 960.00	0.00		\$ -
CO3-6	Channel F Revised slope 1:1 TO 3:1	cy	600.00	6.00	3,600.00	600.00	\$ 6.00	\$ 3,600.00	0.00		\$ -
	Jetter's Property Inlet and Revised grading		0.00	-		0.00	\$ -	\$ -	0.00		\$ -
CO3-7	Extend Box, Inlet with grate, and conc rip rap	ls	1.00	17,750.00	17,750.00	1.00	\$ 17,750.00	\$ 17,750.00	0.00		
CO3-8	Containment Berm	cy	150.00	5.20	780.00	150.00	\$ 5.20	\$ 780.00	0.00		
CO3-9	42" RCP	lf	150.00	105.00	15,750.00	150.00	\$ 105.00	\$ 15,750.00	0.00		
CO3-10	42" SET	ea	1.00	4,500.00	4,500.00	1.00	\$ 4,500.00	\$ 4,500.00	0.00		
	Sect H revisions		0.00	-	-		\$ -	\$ -	0.00		
CO3-11	Replace backfill to cover expose waterline	cy	6600.00	5.20	34,320.00	6600.00	\$ 5.20	\$ 34,320.00	0.00		\$ -
CO3-12	Median channel excavation	cy	452.00	7.00	3,164.00	452.00	\$ 7.00	\$ 3,164.00	0.00		
CO3-13	30" conc end section	ea	1.00	3,750.00	3,750.00	1.00	\$ 3,750.00	\$ 3,750.00	0.00		
CO3-14	Regrade ditch to accommodate modified inlets	ls	1.00	1,051.00	1,051.00	1.00	\$ 1,051.00	\$ 1,051.00	0.00		
CO3-15	Conc Retard/cutoff walls around exist waterline	ea	2.00	2,000.00	4,000.00	2.00	\$ 2,000.00	\$ 4,000.00	0.00		
CO3-16	Pavement repair around waterline	sy	93.30	17.50	1,632.75	93.30	\$ 17.50	\$ 1,632.75	0.00		
CO3-17	Median Conc riprap on portion of ditch over waterline	cy	8.36	350.00	2,926.00	8.36	\$ 350.00	\$ 2,926.00	0.00		
CO3-18	Section H Inlet modifications	ea	3.00	576.00	1,728.00	3.00	\$ 576.00	\$ 1,728.00	0.00		\$ -
CO3-19	Lazy Ridge drainage modification		0.00	-	-		\$ -	\$ -	0.00		
CO3-20	Lazy Ridge 18" RCP Culvert	lf	125.00	25.60	3,200.00	125.00	\$ 25.60	\$ 3,200.00	0.00		\$ -
CO3-21	Lazy Ridge SET	ea	2.50	1,699.00	4,247.50	2.50	\$ 1,699.00	\$ 4,247.50	0.00		
CO3-22	Lazy Ridge Channel	ls	1.00	750.00	750.00	1.00	\$ 750.00	\$ 750.00	0.00		
CO3-23	Lazy Ridge special traffic control and setup	ls	1.00	1,500.00	1,500.00	1.00	\$ 1,500.00	\$ 1,500.00	0.00		

**TRAVIS COUNTY - TNR**  
**Howard Ln I**  
**Change Order No. 3 Contract 09K00058LP**

Approval of the following change in the Plans and/or Specifications is requested:

Field Change Request No. 3

Limits: Dessau to Cameron Rd

Plan Sheet No. Various

Description: miscellaneous changes

CONTRACTOR: Joe Bland Constr

**This field change is requested for the following reason(s):** Additional safety items and Misc quantity changes

			PROPOSED CHANGES			REVISED CONTRACT			EXISTING CONTRACT		
	BID ITEM	UNIT	C.O.	UNIT	C.O.		UNIT	NEW		UNIT	PREVIOUS
NO.	DESCRIPTION	TYPE	QTY	PRICE(\$)	AMOUNT	QTY	PRICE(\$)	AMOUNT	QTY	PRICE(\$)	AMOUNT
CO3-1	Underdrain for ground water at Canterra	lf	250.00	19.15	4,787.50	250.00	\$ 19.15	\$ 4,787.50	0.00	\$ -	\$ -
CO3-2	Design 3 (19"x28") CMP to miss water line lat. D2	lf	72.00	14.64	1,053.73	72.00	\$ 14.64	\$ 1,053.73	0.00		\$ -
CO3-3	Revise height of Wing Walls(x,x,x)	ls	1.00	3,437.72	3,437.72	1.00	\$ 3,437.72	\$ 3,437.72	0.00		\$ -
CO3-4	Modified inlet, wing walls, and Conc. Channel at Emanuel	ls	1.00	7,233.96	7,233.96	1.00	\$ 7,233.96	\$ 7,233.96	0.00		\$ -
CO3-5	Modify Headwall @ Culvert J	ls	1.00	960.00	960.00	1.00	\$ 960.00	\$ 960.00	0.00		\$ -
CO3-6	Channel F Revised slope 1:1 TO 3:1	cy	600.00	6.00	3,600.00	600.00	\$ 6.00	\$ 3,600.00	0.00		\$ -
	Jetter's Property Inlet and Revised grading		0.00	-		0.00	\$ -	\$ -	0.00		\$ -
CO3-7	Extend Box, Inlet with grate, and conc rip rap	ls	1.00	17,750.00	17,750.00	1.00	\$ 17,750.00	\$ 17,750.00	0.00		
CO3-8	Containment Berm	cy	150.00	5.20	780.00	150.00	\$ 5.20	\$ 780.00	0.00		
CO3-9	42" RCP	lf	150.00	105.00	15,750.00	150.00	\$ 105.00	\$ 15,750.00	0.00		
CO3-10	42" SET	ea	1.00	4,500.00	4,500.00	1.00	\$ 4,500.00	\$ 4,500.00	0.00		
	Sect H revisions		0.00	-	-		\$ -	\$ -	0.00		
CO3-11	Replace backfill to cover expose waterline	cy	6600.00	5.20	34,320.00	6600.00	\$ 5.20	\$ 34,320.00	0.00		\$ -
CO3-12	Median channel excavation	cy	452.00	7.00	3,164.00	452.00	\$ 7.00	\$ 3,164.00	0.00		
CO3-13	30" conc end section	ea	1.00	3,750.00	3,750.00	1.00	\$ 3,750.00	\$ 3,750.00	0.00		
CO3-14	Regrade ditch to accommodate modified inlets	ls	1.00	1,051.00	1,051.00	1.00	\$ 1,051.00	\$ 1,051.00	0.00		
CO3-15	Conc Retard/cutoff walls around exist waterline	ea	2.00	2,000.00	4,000.00	2.00	\$ 2,000.00	\$ 4,000.00	0.00		
CO3-16	Pavement repair around waterline	sy	93.30	17.50	1,632.75	93.30	\$ 17.50	\$ 1,632.75	0.00		
CO3-17	Median Conc riprap on portion of ditch over waterline	cy	8.36	350.00	2,926.00	8.36	\$ 350.00	\$ 2,926.00	0.00		
CO3-18	Section H Inlet modifications	ea	3.00	576.00	1,728.00	3.00	\$ 576.00	\$ 1,728.00	0.00		\$ -
CO3-19	Lazy Ridge drainage modification		0.00	-	-		\$ -	\$ -	0.00		
CO3-20	Lazy Ridge 18" RCP Culvert	lf	125.00	25.60	3,200.00	125.00	\$ 25.60	\$ 3,200.00	0.00		\$ -
CO3-21	Lazy Ridge SET	ea	2.50	1,699.00	4,247.50	2.50	\$ 1,699.00	\$ 4,247.50	0.00		
CO3-22	Lazy Ridge Channel	ls	1.00	750.00	750.00	1.00	\$ 750.00	\$ 750.00	0.00		
CO3-23	Lazy Ridge special traffic control and setup	ls	1.00	1,500.00	1,500.00	1.00	\$ 1,500.00	\$ 1,500.00	0.00		

\$ 512,517.21

**TOTAL**

## Days

This is your authority to proceed with this work  
at the rates named above.

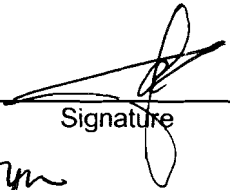
Bland Constr: DAVID R. BURROUGHS DRB FEB 1, 2011  
Name Signature Date

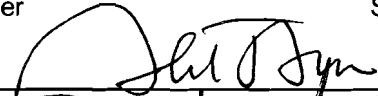
**RECOMMENDED FOR APPROVAL BY:****For City of Austin:**

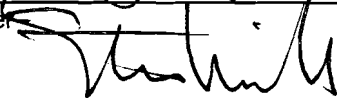
Name	Signature	Date
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Name	Signature	Date
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**For Travis County:**

CHIDI N'JIE		2/14/11
Project Manager	Signature	Date

	Signature	02/16/2011
CIP Div Manager	Signature	Date

	Signature	2/17/11
Public Works Director	Signature	Date

**APPROVED:**

	Signature	2/17/11
TNR Executive Manager	Signature	Date

Cyd V Grimes	Signature	Date
Purchasing Agent	Signature	Date

Samuel T Biscoe	Signature	Date
County Judge	Signature	Date

**EXHIBIT “C”  
FUNDING**

## EXHIBIT "C" FUNDING

### Howard Lane I Improvement Project IFB No. B090058-LP

Below is a summary table with the change order funding information:

<b>Howard Lane I Improvement Project IFB No. B090058-LP</b>		
<b>Requisition #</b> 524267		
<b>Funding Agency</b>	<b>Description</b>	<b>Amount</b>
Travis County (Road Construction)	Comm/Sub-Comm 968/054 (Road Construction)	\$486,891.34
	Comm/Sub-Comm 968/098 (Retainage Road Construction)	\$25,625.87
	Account 508-4931-808-8164	\$512,517.21
<b>County Total Encumbrances</b>		<b>\$512,517.21</b>
City of Austin (Waterline Construction)	Comm/Sub-Comm 968/048 (Road Non-Capital Reimbursement)	\$
	Comm/Sub-Comm 968/048 (Road Retainage Non-Capital Reimbursement)	\$
	Account 475-4993-750-6099	\$
<b>City Total Encumbrances</b>		<b>\$</b>
<b>Total for Change Order #3</b>		<b>\$512,517.21</b>



PI625I02

**TRAVIS COUNTY**  
**Purchase Requisition**

2/23/11  
 10:47:57

Number . . . . . : 0000524267  
 Type . . . . . : 1 PURCHASE REQUISITION  
 Status . . . . . : AUDITOR APPROVAL  
 Reason . . . . . : 53933 ROADS-CIP MOD PO#414705 CONT 09K00058LP  
 By . . . . . : BRUNILDA CRUZ 854-7679  
 Date . . . . . : 2/17/11  
 Vendor . . . . . : 73241 JOE BLAND CONSTRUCTION, LP  
 Contract nbr . . . . . :  
 Ship to . . . . . : AI AS INDICATED BELOW  
 Deliver by date . . . : 2/17/11  
 Buyer . . . . . :  
 Fiscal year code . . : C C=Current year, P=Previous year, F=Future year

**Type options, press Enter.**

**5=Display 8=Item extended description**

<b>Opt Line#</b>	<b>Quantity</b>	<b>UOM</b>	<b>Description</b>
1	486891.35	DOL	CONSTRUCTION SERVICES
			FOR THE HOWARD LANE I PROJECT
			PROJECT MANAGER: CHIDDI N'JIE

+

**COMMENTS EXIST**

Total: 512517.21

**F3=Exit F7=Alternate view**

**F9=Print**

**F10=Approval info F12=Cancel F20=Comments**



GM200I13

## TRAVIS COUNTY

2/23/11

Fiscal Year 2011

## Account Balance Inquiry

10:48:59

Account number . . . : 508-4931-808.81-64  
 Fund . . . : 508 U/T ROAD BONDS, 2007  
 Department . . . : 49 TNR (TRANS & NATRL RESRC)  
 Division . . . : 31 RD CAPACITY/BRIDGE REPLMT  
 Activity basic . . . : 80 CAPITAL PROJECTS  
 Sub activity . . . : 8 INFRA&ENV SVS (TRANS&RDS)  
 Element . . . : 81 CAPITAL OUTLAY  
 Object . . . : 64 PURCH SVC-INFRASTRCTR RDS

Project Req'd

Original budget . . . . .	0	
Revised budget . . . . .	10,657,426	11/01/2010
Actual expenditures - current . . .	2,699.95	
Actual expenditures - ytd . . .	136,532.94	
Unposted expenditures . . . . .	.00	
Encumbered amount . . . . .	6,498,345.84	
Unposted encumbrances . . . . .	.00	
Pre-encumbrance amount . . . . .	512,517.21	
Total expenditures & encumbrances:	7,150,095.94	67.1%
Unencumbered balance . . . . .	3,507,330.06	32.9

F5=Encumbrances

F7=Project data

F8=Misc inquiry

F10=Detail trans

F11=Acct activity list

F12=Cancel

F24=More keys

GM200I13

## TRAVIS COUNTY

2/23/11

Fiscal Year 2011

## Account Balance Inquiry

10:49:21

Account number . . . : 475-4993-750.60-99  
Fund . . . . . : 475 CONTRACTUAL CAPITAL PROJ  
Department . . . . . : 49 TNR (TRANS & NATRL RESRC)  
Division . . . . . : 93 INTERGOV AGREEMNTS-ROADS  
Activity basic . . . . : 75 CHARGES FOR SERVICES  
Sub activity . . . . . : 0 INFRA-ENV SCVS (TRNS&RDS)  
Element . . . . . : 60 OTHER PURCHASED SERVICES  
Object . . . . . : 99 CONTRACTED SERVICES

Project Req'd

Original budget . . . . .	:	0	
Revised budget . . . . .	:	1,697,236	11/01/2010
Actual expenditures - current . . . . .	:	48,860.42	
Actual expenditures - ytd . . . . .	:	53,493.86-	
Unposted expenditures . . . . .	:	.00	
Encumbered amount . . . . .	:	962,769.07	
Unposted encumbrances . . . . .	:	.00	
Pre-encumbrance amount . . . . .	:	20,377.73	
Total expenditures & encumbrances:		978,513.36	57.7%
Unencumbered balance . . . . .	:	718,722.64	42.3

F5=Encumbrances

F7=Project data

F8=Misc inquiry

F10=Detail trans

F11=Acct activity list

F12=Cancel

F24=More keys



## **Travis County Commissioners Court Agenda Request**

Meeting Date: 3/8/2011, 9:00 AM, Voting Session  
 Prepared By: Bonnie Floyd, Purchasing, 854-4173  
 Elected/Appointed Official/Dept. Head: Cyd Grimes, Purchasing Agent  
 Sponsors: Judge Biscoe

### **AGENDA LANGUAGE:**

Discuss and take appropriate action to approve revised Travis County Fixed Assets Policy and Procedures Manual, to replace Chapter 33 of the Travis County Code.

### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

The Purchasing Office, Auditor's Office, and the County Attorney's Office have worked together to revise the Travis County Fixed Assets Policy and Procedures manual, which will replace the 2006 version. The court also approved a revision in November 2009, replacing section 4.6.1 only, incorporating changes relating to notice requirements for a county selling surplus or salvage property on an auctioneer's Internet auction site.

This revision adds sections 3.14 and 4.8, to address title and licensing requirements for aircraft, which were suggested by the County Attorney's Office.

There were also revisions made to sections 1.1, 1.5, 3.8, and Appendix A that were requested by the County Auditor's Office, dealing with the new intangible assets accounting rule. These revisions are necessary to align the Fixed Assets Policy and Procedures Manual with the Capital Assets Guide.

The Purchasing Office recommends approval of the Fixed Assets Policy and Procedures Manual at this time.

### **REQUIRED AUTHORIZATIONS:**

Purchasing	Bonnie Floyd	Completed	02/24/2011 3:49 PM
Purchasing	Cyd Grimes	Completed	03/02/2011 3:14 PM
Purchasing Admin Support Group		Pending	
County Judge's Office	Cheryl Aker	Pending	
Commissioners Court	Cheryl Aker	Pending	

**ORDER OF THE TRAVIS COUNTY  
COMMISSIONERS COURT  
AMENDING CHAPTER 33. FIXED ASSETS**

**STATE OF TEXAS** §  
**COUNTY OF TRAVIS** §

Pursuant to Sections 1.0051 and 1.0052 of the Travis County Code, the Travis County Commissioners Court makes the following order:

1. Chapter 33 of the Travis County Code (“Fixed Assets Policies and Procedures Manual”) is deleted in its entirety and is replaced by the Chapter 33 attached to this order.

Date of Order: \_\_\_\_\_

Travis County  
Commissioners Court

Samuel T. Biscoe, County Court

Ron Davis, Commissioner, Pct 1

Sarah Eckhardt, Commissioner, Pct 2

Karen Huber, Commissioner, Pct 3

Margaret Gomez, Commissioner, Pct 4



**Travis County  
Fixed Asset Policy and Procedures Manual  
March 2011**

**Office of the  
Travis County Purchasing Agent**

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Fixed Asset Policy and Procedures Manual

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## **1.0 General Information**

### **1.1 Introduction.**

Travis County owns thousands of items classified as fixed assets. These assets take many forms, from vehicles to land, buildings and computer systems. Fixed assets are classified as either capital assets (assets with a useful life greater than one year and a value greater than their asset class threshold as stated in the capital asset guide) or controllable assets (assets with a value less than their asset class threshold that must be secured and tracked because of liability issues). Together they represent millions of dollars. As public servants we are responsible for the care and custody of this large investment. Maintaining accountability for such a large and varied inventory is not an easy task. However, accountability is not only our inherent duty as county employees, it is also mandated by law. Every employee should assume a personal commitment to protect and account for all equipment, regardless of its temporary assignment.

The process of providing the tools needed to accomplish Travis County's mission involves many people and county departments, from the user, to financial, purchasing and fixed asset personnel. Accountability for these items involves an equally large number of people. All county employees should be responsible for and accountable to the taxpayers for this large investment in assets. With careful management of these assets, every tax dollar is stretched to its fullest and resources can be made available to afford more of the tools needed to accomplish the County's mission.

Please review this manual in connection with Chapter 27 Travis County Capital Asset Guide "Capital Asset Guide" and follow the procedures carefully. In so doing the management of resources and tax dollars is more effective and we remain accountable to the citizens of our community.

The following document is prepared to provide direction and establish responsibility for the various components of the fixed assets inventory system.

### **1.2 Authority.**

Travis County maintains a central system to account for all items classified as fixed assets. The Texas Local Government Code (LGC), Chapter 262 designates the Purchasing Agent as responsible for several duties related to the acquisition and management of assets. These include:

- 1.2.1 Section 262.011(i). On July 1 of each year, the county purchasing agent shall file with the county auditor and each of the members of the board that appoints the county purchasing agent an inventory of all the property on hand and belonging to the county and each subdivision, officer, and employee of the county. The county auditor shall carefully examine the inventory and make an accounting for all property purchased or previously inventoried and not appearing in the inventory.

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## Fixed Asset Policy and Procedures Manual

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- 1.2.2 Section 262.011 (j). To prevent unnecessary purchases, the county purchasing agent, with the approval of the Commissioners Court, shall transfer county supplies, materials, and equipment from a subdivision, department, officer, or employee of the county that are not needed or used to another subdivision, department, officer, or employee requiring the supplies or materials or the use of the equipment. The county purchasing agent shall furnish to the county auditor a list of transferred supplies, materials, and equipment.

In addition, the Purchasing Agent in Travis County is responsible for identifying and disposing of assets that are declared “surplus” or “salvage” in accordance with LGC Chapter 263, Subsection D, Disposition of Salvage or Surplus Property. The Travis County Purchasing Agent does this through a variety of actions including: the periodic conduct of competitive bids or auctions of assets that have been presented to Commissioners Court and designated as surplus or salvage; destruction if there was an attempt to sell the asset, but no bids were received and it was valued as worthless; trade-ins for new and upgraded assets or donations to charitable or other civic organizations in the county.


### **1.3 Department Responsibilities and Designation of Representative.**

Elected and appointed officials and department heads are responsible for the care and custody of fixed assets assigned to their departments. To assist the official in complying with this responsibility, each official or department head shall designate one or more employees within their department to coordinate receipt and tagging of new assets, conduct inventories, and maintain control of fixed assets. This is done by completing and submitting the Declaration of Representative Form to the Purchasing Office, Attention: Fixed Asset Manager. Figure 1-1 shows an example of a completed Designation of Representative Form.

Attachment 1 of this document contains a blank form. An electronic version of the form is available by contacting the Purchasing Fixed Asset Manager.



Figure 1-1: Example Designation of Representation Form



Travis County Purchasing Office  
Declaration of Representative Form

Date: [Redacted]

To: Travis County Purchasing Office  
Attention: Fixed Asset Manager

From: [Redacted]

The employees designated below are hereby designated as my representative to handle and control fixed assets for my department. I understand that I am ultimately responsible for the care and accurate accounting for all fixed assets assigned to my department.

Name	Title	Location	Phone Number
[Redacted]	[Redacted]	[Redacted]	[Redacted]

[Redacted]ent

[Redacted]

Elected/Appointed Official or Department Head Signature

Date

The official or department head shall designate the representative(s) annually by October 15 of each year, but shall update and file the designation if a change occurs through termination or re-assignment of the designated individual(s). It is recommended that the official or department head make designations for each physical location in order to expedite coordination of tagging and physical inventory conduct.

Although the official or department head designates the representative(s) to assist with compliance requirements, the official or department head still remains responsible for an accurate accounting of all fixed assets assigned to his or her department. This responsibility cannot be delegated.

1.4. Protection of Property.

The protection of property is outlined in Section 31.11(a) of the Penal Code of Texas. In accordance with this statute, a person commits an offense if he or she:

- Knowingly or intentionally removes or causes to be removed, alters or obliterates the serial number of a fixed asset tag number marking county property.
- Possesses, distributes, sells, or offers to sell county property knowing, or having reason to know that the serial number of fixed asset tag number has been removed, altered, or obliterated.

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Fixed Asset Policy and Procedures Manual

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A person convicted of violating the statute referenced above is subject to penalties according to the property values involved as follows:

- Class C Misdemeanor - Less than \$50
- Class B Misdemeanor - \$50 or more but less than \$500
- Class A Misdemeanor - \$500 or more but less than \$1,500
- State Jail Felony - \$1,500 or more, but less than \$20,000 or; less than \$1,500 and defendant has been convicted two or more times under referenced statute
- Third Degree Felony - \$20,000 or more but less than \$100,000
- Second Degree Felony - \$100,000 or more but less than \$200,000
- First Degree Felony - \$200,000 or more

### **1.5. Fixed Asset Definition and Fixed Asset Types.**

For purposes of this document, fixed assets that are capitalized (capital assets) by Travis County in accordance with a comprehensive basis of accounting consistent with state law as defined in the Capital Asset Guide. Capital assets include the following broad categories of items:

- **Land and land improvements;**
- **Building and building improvements;**
- **Improvements other than buildings;**
- **Infrastructure;**
- **Machinery, equipment and other assets, including intangible assets;**
- **Leasehold improvements; and**
- **Construction in progress**

Detailed rules concerning the accounting and reporting of capital assets can be found in the Capital Asset Guide developed by the Auditor's Office and other user departments to implement GASB 34 and GASB 51.

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## Fixed Asset Policy and Procedures Manual

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In addition to capital assets, Travis County also monitors and reports assets classified as “controlled assets”. Controlled assets are items that need to be inventoried and tracked because of liability, insurance, licensing or other factors that do not meet the definition of a fixed asset and are not capitalized because they are below the capitalization threshold for their asset class. Examples of the types of items that are tracked centrally in the Travis County H.T.E. fixed asset system include:

- Personal Computers
- Printers
- Televisions/VCRs
- Mobile, two way radios
- Weapons
- Cameras/Digital Cameras

The Purchasing Office shall work with user departments to determine which items need to be included in such an inventory. The elected/appointed official or department head shall remain responsible for accounting for these items. The Purchasing Office provides a listing for the department for inventory verification of controllable assets.

Travis County tags other assets such as office furniture (desks, chairs, small shredders, bookcases, credenzas, etc.) with a black “property of Travis County” tag, but does not bar code and enter these into inventory.

Travis County does not monitor and include items that are classified as “expendable supplies” in its inventory. Types of items that are considered as expendable supplies include: office supplies such as forms, pens, pencils, etc.; office items such as wastebaskets, staplers, stamps, pocket calculators, etc.; automotive spares such as tires, batteries, spare parts, and fuel; building maintenance items such as paint, bulbs, lamps, plumbing and electrical supplies, lumber, nails, etc.; data processing supplies such as tapes, diskettes, ribbons, cables, etc.; uniforms such as shoes, boots, hats, badges, etc.; hand tools such as hammers, wrenches, saws, small electric power tools etc.; recreation equipment such as balls, bats and small games; kitchen utensils such as pots, pans, trays and dishes; and health aid items such as those found in first aid kits.

### **1.6. H.T.E. System Overview and Access.**

The fixed assets inventory system is part of the H.T.E. Purchasing and Inventory module. User departments mainly use the system’s functions of requisition processing, purchase order generation, and receiving. The fixed asset module of the H.T.E. system is integrated with the requisition and receiving functions and receives information electronically from these modules. Because these functions are linked electronically, the accuracy of system information is vital.

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## Fixed Asset Policy and Procedures Manual

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When the fixed asset information is electronically transferred from the purchasing module to the fixed asset module, the asset is assigned a three-digit asset code that links the description of the type of asset and the accounting line item used. For example, a vehicle that was purchased would be coded as: AUT (Automobiles and Trucks). The accounting line item used is 8020 and the fixed asset category is Machinery, Equipment and Other. This classification assists the Purchasing Office in correctly assigning assets and reporting them to the Auditor's Office. A complete list of asset codes and their associated line items and fixed asset categories is found in Appendix B of this document.

To gain access to the purchasing module, the elected/appointed official or department head must request access to H.T.E. via the H.T.E. access form. An electronic version of this form is obtained from the Travis County Auditor's Office. Figure 1-2 shows an example of a completed version of form requesting purchasing module and fixed asset module access. The completed form should be returned to the Auditor's Office.

For fixed asset module access, the Auditor's Office forwards the H.T.E. access form to the Purchasing Office. The Purchasing Office fixed asset staff sets up access and security to the module. With access, the user department is able to inquire about assets in their department by asset number or tag number.

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Figure 1-2: Example H.T.E. Application(s) Access Form (TRAVISCO)

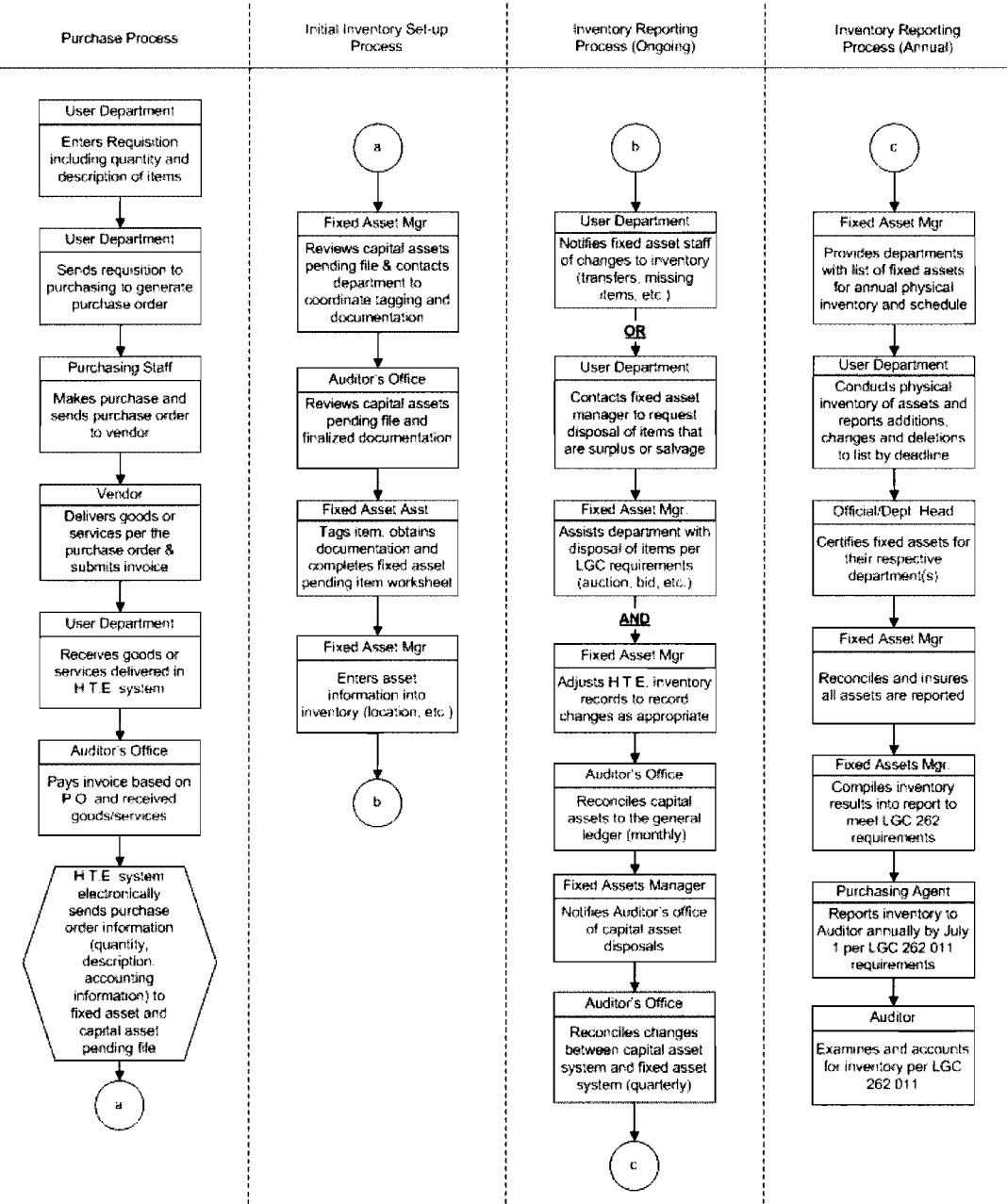
Check One (which applies)		USER ID _____	
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> CHANGE	<input type="checkbox"/> DELETE	(assigned by ITS)
<input type="checkbox"/> NAME CHANGE ONLY (Enter Social Security Number and New Last/First Name Information Below)			
SSN or Employee ID: <u>123-45-6789</u>		Phone: 854 - <u>1111</u>	Extension <u>0111</u>
Last Name: <u>Employee</u>		First Name: <u>Ima</u>	M/I: <u>G.</u>
Department Number: <u>98</u>		Department Name: <u>Travis County Example Department</u>	
Division Number(s): <u>All</u>		Fund Number(s): <u>General Fund Only</u>	
Functions: Check one from each of the functions that apply and indicate action (add/delete):			
<input type="checkbox"/> AT01: Applicant Tracking (Reviewing information)			
<input type="checkbox"/> CR01: Cash Receipts (Reviewing information)			
<input checked="" type="checkbox"/> FA01: Fixed Assets (Reviewing information/generating routine and custom reports)			
Fleet Management: (select only 1 of the following as applicable)			
<input type="checkbox"/> FM01: Reviewing information/generating routine and custom reports			
<input type="checkbox"/> FM02: Reviewing information/generating routine and custom reports and work order entry			
GMBA (Accounting): (select only 1 of the following as applicable)			
<input type="checkbox"/> GM01: Reviewing information/generating routine and custom reports			
<input type="checkbox"/> GM02: Reviewing information/generating routine and custom reports and entering budgets			
Purchasing/Inventory: (select only 1 of the following as applicable)			
<input type="checkbox"/> PI01: Reviewing information/generating routine and custom reports			
<input checked="" type="checkbox"/> PI02: Reviewing information/generating routine and custom reports/entering requisitions and receiving items electronically once they have been delivered to the County.			
<input type="checkbox"/> PI03: Reviewing information/generating routine and custom reports/entering requisitions/receiving items electronically once they've been delivered and department approval of requisitions			
<input type="checkbox"/> PI06: Department approval of requisitions only			
Personnel/Payroll: (select only 1 of the following as applicable)			
<input type="checkbox"/> PR01: Reviewing information/generating routine and custom reports			
<input type="checkbox"/> PR02: Reviewing information/generating routine & custom reports and entering timesheets and PAFs			
Work Orders/Facility Management: (select only 1 of the following as applicable)			
<input type="checkbox"/> WF01: Reviewing information/generating routine and custom reports			
<input type="checkbox"/> WF02: Reviewing information/generating routine and custom reports and entering work orders			
<input type="checkbox"/> Pass Through Only, Target System ID(s): <u>Identify Target System in this field (if applicable)</u>			
Comments:			
*Specific Division Number(s) Access:			
**Specific Fund Number(s) Access:			
Additional Security Requirements (used to specify unique requirements; e.g. Auditor personnel, Purchasing personnel, Fleet personnel, HRMD personnel, Business System Consultant, Application Administrator, etc.). Request access for inquiry to the Fixed Asset Module of H.T.E..			
Other: <u>None.</u>			
Department Authorized Signature: <u>John Q. Department Head</u>		Date: <u>9/30/2003</u>	
RETURN TO: JOSE PALACIOS, AUDITOR'S OFFICE			

2.0 Purchasing and Asset Inventory Process

2.1 Sub-Processes and Participants.

In the purchasing and asset inventory process, there are three main sub-processes as shown in **Figure 2-1**. These include the purchase process, the inventory set-up process and the ongoing and annual inventory reporting processes.

Figure 2-1: Purchasing and Asset Inventory Process Flowchart



### **3.0 User Department Responsibilities**

This section of the manual outlines the responsibilities of user department personnel and the procedures to be followed to meet these responsibilities.

#### **3.1. Assignment of Staff.**

Elected and appointed officials and department heads shall use the Declaration of Representative Form (Attachment 1) to designate one or more employees within their department to coordinate receipt and tagging of new assets, conduct inventories, and maintain control of fixed assets. The elected/appointed official or department head shall complete and submit the form by October 15 of each year to the Purchasing Office, Attention: Fixed Asset Manager. An electronic version of the form is available by contacting the Purchasing Fixed Asset Manager. It is recommended that the official or department head make designations for each physical location to expedite coordination of tagging and physical inventory conduct.

If a change to designated personnel occurs through termination or re-assignment, the official or department head shall promptly modify and file an updated Declaration of Representative Form with the Purchasing Office.

#### **3.2. Acknowledgement Form.**

To improve accountability and compliance with statutory requirements and Travis County policies and procedures regarding fixed assets, elected and appointed officials and each of their designees with fixed asset duties shall complete the Acknowledgement Form (Attachment 2) of this manual and return it to the Travis County Purchasing Office, Attention: Fixed Asset Manager. The acknowledgement certifies that the elected/appointed official or department head and their designees have read and understood the requirements of this manual. An acknowledgement form shall be submitted whenever there is a new official or department head or when new staff is designated by the official or department head.

#### **3.3. Ordering and Receiving Items in H.T.E.**

There are two main functions that the user department performs: ordering (requisitioning) and receiving items.

**3.3.1 Ordering.** There are three main types of information that are entered during the requisition process that are critical to the fixed assets module: quantity, description and warranty. Instructions to complete a requisition are found in Appendix C of this manual.

- **Quantity.** For the fixed asset system to work properly, the quantity of items must be in whole units. Please contact the Fixed Asset Manager with questions regarding proper input of the quantity of items.

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Fixed Asset Policy and Procedures Manual

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- **Description.** It is critical that description information entered for items ordered during the requisitioning process is complete, accurate and detailed enough to be transferred to the fixed asset system. It should be non-technical in nature and allow a lay person to identify an asset and locate it. If the item(s) ordered are on contract, then the system automatically pre-fills the description information for the user. The user must enter detailed description information when ordering items that are not on contract and purchased as “open market”.

Descriptions should be written with the following information sequence: Brief description / Manufacturer / Detail description. The detail description should include enough specific information to identify the item, such as size, color, model, composition (wood, metal, plastic, etc.) . Abbreviations should be commonly used or easily recognizable.

Note: repair parts, components, and sub-assemblies are not considered separate fixed assets. The description should contain both a description of the item being ordered, and a description of the larger asset to which it belongs. Descriptions of improvements to real property shall include the location of the property.

Examples of acceptable descriptions are shown below:

Desk/Hon/30"x60" Walnut veneer, 5 Drawer  
 Sedan/Chevy/2003 Caprice, bronze, 4 door, Police package  
 Computer/Dell/Dimension 4600C, 40 GB, 15” flat panel monitor and keyboard  
 Fax/Cannon/Model FAX-L770, plain paper  
 Printer/Hewlett Packard/Laserjet Series II  
 Printer/Panasonic/Model KXP1123  
 Intercom system/SW Bell/Model 36A/TCAB, Suite 550  
 Playscape/Moya Park/swing sets (6) with slide

- **Warranty Information.** It is critical that warranty information be entered into the “remarks” section of the purchase order in case an item malfunctions and needs to be returned. Some of the “remarks” information may be pulled into the fixed asset system and entered into “Miscellaneous Information”.

**3.3.2 Receiving Items in H.T.E.** Immediately upon receipt the ordering department shall code the item as “received” on the H.T.E. system via the Purchasing module. Instructions on how to receive an item on a purchase order in H.T.E. are found in Appendix D of this manual. Immediately receiving items is vital for two reasons: electronic receipt of items is necessary for the Auditor’s Office to pay the vendor’s invoice; and receipt of items notifies the Purchasing Office of assets that require tagging. A delay in receiving the asset in H.T.E. causes delay in inventory tagging, and consequently delay placing the item into service.



**3.4. Notifications to Purchasing for Special Acquisitions of Assets.**

The user department shall notify the Purchasing Office of assets that are obtained by non-traditional means such as donations or leases or that are purchased with funds that are non-County funds through grants, interlocal agreements and special funds such as commissary or forfeiture funds to ensure that assets are properly identified and accounted for.

**3.4.1 Donations.** Fixed assets received via donation or contribution, regardless of source, must be evaluated with respect to inclusion on the fixed asset inventory. With the exception of donated infrastructure and grant related items, the user department shall notify the Purchasing Office of the prospective items to be received as donated or contributed prior to the Commissioners Court voting session for formally accepting the items in accordance with LCG §81.032. To report these items, the user department shall complete and submit a Travis County Inventory Form (Attachment 3) to the Purchasing Office: Attention Fixed Asset Manager.

**3.4.2 Jointly funded assets with other entities (interlocals, grants, etc.).** Departments that are purchasing assets with other governmental entities via interlocal or grant agreements need to contact the Purchasing Office to plan for the tagging and tracking of the jointly owned assets. Jointly funded assets are tracked via special tags that include the name(s) of the entitie(s) that co-own the asset and are documented using the Travis County Inventory Form (Attachment 3).

**3.4.3 Leased, Rented and Lease-Purchased Assets.** The user department shall contact the Purchasing Agent regarding all equipment rented, leased, or purchased on a time-payment-plan so that its ownership status may be determined and the expiration date of such agreement made a part of each record.

Even though the County may not have title or own the equipment, it nonetheless remains responsible for its protection and accountability. The Purchasing Agent shall be responsible for monitoring such items and insuring appropriate action is taken upon expiration of applicable contracts.

**3.4.4 Property Received Upon Completion Of Consulting Contract.** In many cases an outside consulting contract may include equipment which is either purchased by the vendor or provided by the County and transferred to the County upon completion of the contract. The department shall report these items to the Purchasing Office immediately upon receipt using the Travis County Inventory Form (Attachment 3).

The user department shall coordinate with the Auditor's Office and Purchasing Office fixed asset staff to determine the value of the asset and use the Travis County Inventory Form (Attachment 3) to record the value and the asset. For financial reporting these assets shall be recorded at the stated contract value or cost. Recording should be at the time the title is transferred to the County. This amount is determined by the capital asset staff in the Auditor's office upon review of the consulting contract.

- 3.4.5 Assets Held in Trust (loaned to County by non-County entity – e.g. grant funded or federal property).** Capital assets held by the County on behalf of a non-county entity and under the temporary control of the County are called assets in trust. This includes assets owned by the federal government that have been loaned to the County or assets purchased with federal or state grant funds in which the asset remains the property of the granting agency. The user department shall work with the County Purchasing and Auditor staff to properly record the asset.
- 3.4.6 Assets Purchased with Discretionary Funds.** Several elected and appointed officials have statutory authority over the expenditure of certain discretionary funds. Examples of these types of funds include commissary funds and federal and state forfeiture funds. When assets are purchased using these types of funds, the department shall notify the Purchasing Office of the purchase and receipt of the items by completing and submitting the Travis County Inventory Form (Attachment 3). Note: these items are tagged with a Travis County Asset Tag number and with an additional tag stating the discretionary fund from which the asset was purchased. When the item is finally disposed of, then the net auction proceeds may be returned to the proper account from which it was purchased.
- 3.4.7 Community Supervision and Corrections Department (CSCD) Assets.** Items purchased by the CSCD are included in the Criminal Justice Assistance Division inventory and therefore, are not included in the inventory for Travis County and need not be tagged. However, to identify these items, CSCD shall coordinate with Travis County Fixed Asset staff to tag these assets with self-purchased tags. These items are tracked in H.T.E. as assets held in trust and Purchasing should be notified when these assets are retired.
- 3.4.8 Unclaimed or Abandoned Property.** On rare occasions, the County may acquire unclaimed or abandoned property. Generally, this property is temporarily held and disposed of at auction with the proceeds deposited in the County Treasury as outlined in Article 18.17 of the Code of Criminal Procedure. The Fixed Asset Manager is responsible for working with departments to identify, track and dispose of these assets.

### **3.5. Software Tracking.**

Travis County Fixed Assets tracks software that meets the capitalization criteria or is part of a capitalized hardware system on the H.T.E. fixed asset system. An example of this would be the Integrated Justice System. However, commercial, personal computer software that is not part of a larger system, such as Microsoft Office is not tracked. Customized applications/system developments that do not meet the capitalization criteria should be reported to the Purchasing Agent who determines the necessary tracking requirements. For software that is not tracked in H.T.E., all user departments must maintain copies of the appropriate licensing documentation in their department to ensure compliance with commercial license requirements as well as Travis County software use policies. User departments should contact the Information and Telecommunication Systems (ITS) department for assistance in establishing and maintaining a license tracking system.

3.6 Completion of the Travis County Inventory Form.

The Travis County Inventory Form (Attachment 3) is vital to promoting accountability for assets that are assigned to various departments. To promote accountability, assets should generally be assigned to an individual. However, for assets that are shared by multiple employees such as faxes or copy machines or that are located in a shared or common area such as a conference room, the elected/appointed official or department head or the department’s designated representative(s) is assigned and responsible for the shared asset. The Travis County Inventory Form has four sections including:

- **Section I (Assignment).** Identifies the individual’s name, their location, department and division and telephone number who is assigned the assets;
- **Section II (Description).** Provides descriptive information for the assigned asset(s) including: asset tag number, serial or VIN number, description of item, condition, purchase order number (if new) and remarks;
- **Section III (Transfers).** Provides information for assets that are transferred to either a different individual or different location; and
- **Section IV (Release of Responsibility).** This is the departmental clearance that assets assigned to an individual have been returned to the County when an individual terminates employment.

A copy of the form and instructions for its completion are found in Attachment 3 of this manual. The section(s) to be completed depend on the given situation. There are four situations in which a Travis County Inventory Form should be completed and submitted to the Purchasing Office, Attention: Fixed Asset Manager. The situations and instructions for completion are found in Figure 3-1.

Figure 3-1: County Inventory Situations and Instructions

Situation	Inventory Form Sections to Be Completed	Special Instructions/ Comments
Assets assigned to a new employee	Sections I, II	Inventory Form shall be completed and submitted to Purchasing Office within two weeks of employee’s start date with Travis County.
Additional assets are assigned to existing employee.	Sections I, II	Inventory Form shall be completed and submitted as soon as possible. All assets (those previously assigned and those newly assigned) shall be listed on the form.
Assets are transferred from an employee to another location or	Sections I, II, III	Inventory Form shall be completed and submitted as soon as possible. Assets

Fixed Asset Policy and Procedures Manual

employee (including transfer to the warehouse)		being transferred must be listed on form as well as the individual/location accepting the transfer of the asset(s).
Employee terminates from county and is released from responsibility for the asset.	Sections I, II, IV	Department's designated representative shall monitor process and ensure that Travis County assets are returned before the employee terminates.  This paperwork is crucial to an employee receiving their final paycheck.

An example of a completed Travis County Inventory Form for assets assigned to a new employee is shown in Figure 3-2.

Figure 3-2: Example Travis County Inventory Form - New Employee

TRAVIS COUNTY INVENTORY FORM										November 2002	
<b>I. ASSIGNMENT</b>											
Name (please type or print) Ima New Employee			Physical Address w/Room # 314 W. 11th Street, Room 999			Dept/Div 99/10		Phone/Extension 512-854-1234			
I understand that I am responsible for the equipment listed below, and in the event the property is stolen, lost or damaged due to my fault or negligence, I must reimburse Travis County. I am responsible for immediately notifying my supervisor when equipment is stolen, lost or damaged. I will complete an incident report and forward to Purchasing and Risk Management.											
I ma New Employee						1/2/2003					
Signature Employee Using Equipment						Date					
<b>II. DESCRIPTION</b>											
ASSET TAG N°.		SERIAL/VIN N°.		DESCRIPTION OF EQUIPMENT		CONDITION GOOD FAIR POOR			P.O. N°. IF NEW		REMARKS
1234567		HQV12345		Dell Personal Computer, Model xxxxyz		X			123456		
1234568		MON1234567		17" Flat Panel Monitor		X			123456		
23456789		HPRNTR845		HP Deskjet 500 Series Laserjet Printer with Tray		X			123456		
<b>III. TRANSFERS</b>											
Transfer from: Name			Physical Address w/ Room #		Loc. Code	Dept./Div		Phone		Loaner Equipment ITS _____ Other _____	
Transfer to: Name			Physical Address w/Room #		Loc. Code	Dept./Div.		Phone			
RECEIVING TRUCK DRIVER		Transferred by: _____		Date: _____		Entered: _____		Date: _____			
Name _____ Date _____		Signature _____		Date: _____		Fixed Asset Manager		Date: _____			
		Received by: _____		Signature _____		Date: _____					
<b>IV. RELEASE OF RESPONSIBILITY</b>											
I certify that the equipment listed above, and assigned to _____ has been accounted for.											
Signature-Employee _____				Date _____		Signature-Supervisor _____				Date _____	

3.7 Notification of Returns, Warranties and Trade-ins.

All warranty information received in the Purchasing Office for fixed-assets that are part of a contract remains in the Purchasing Office. However, warranty information is often delivered with the item when it is received at the user department. In this case, the user department is responsible for maintaining the appropriate warranty information in their department files.

If equipment malfunctions and before any equipment repair is initiated, the user department personnel shall research their acquisition records and warranty files to determine if the equipment is still under warranty. If the department is still uncertain, the department should contact the Purchasing staff that made the purchase for assistance. The Purchasing Office reviews warranty and maintenance records and, upon consultation with the user department and if appropriate, a support department such as Facilities Management or ITS, and take appropriate contractual action if necessary.

If it is determined that the malfunctioning equipment is defective and needs to be returned, it is crucial that the user department contact the Purchasing Office fixed asset staff immediately so that the asset records in H.T.E. can be updated to reflect the return of the asset so that it no longer appears on the department's inventory. Without this update, the user department is held accountable for the asset. In addition, the user department should contact the Purchasing Office fixed asset staff when the replacement asset is delivered so that it can be properly tagged and the records in H.T.E. updated.

**IMPORTANT (trade-ins and upgrades):** For items that are used for trade-in or upgrades, the user department shall contact the Purchasing Office fixed asset staff immediately to coordinate the preparation of the appropriate paperwork to update the records in the H.T.E. system, so that the item is no longer part of the department's inventory. It is crucial that this happen before the trade-in so that the inventory records may be adjusted and reconciled. At a minimum, the department needs to include the asset number and an asset description. If the trade-in or upgrade is for computer-related equipment, the department should also contact ITS. If the department does not notify Purchasing and ITS (as applicable), the department is held responsible for the equipment on their inventory.

**Note:** For computer-related malfunctions, the user department shall contact ITS staff through the help desk. ITS staff shall coordinate with purchasing staff on any warranty issues that require contract action.


### **3.8 Conduct of the Department's Annual Physical Inventory.**

A physical inventory is conducted for each department once each year. Each department assigns the necessary staff to conduct a physical inventory of their department by the required deadlines. The inventory includes fixed assets that meet the criteria for capitalization and controlled assets (computers, VCRs, etc).

The Purchasing Agent shall prepare and maintain a current inventory list and submit to each county official or department head that portion which includes equipment within each respective department by April 1 with a cover memorandum outlining the instructions for completion of the inventory. An example of the memorandum is shown in Figure 3-3.

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Figure 3-3: Example Physical Inventory Memorandum



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

314 W. 11th, Room 406 P.O. Box 1748 Austin, Texas 78768 (512) 854-9700X Fax (512) 854-9185

MEMORANDUM

TO: All Department Heads

FROM: Ronald Dube, Fixed Asset Manager

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

DATE: April 1, 200x

SUBJECT: **Annual Departmental Inventories/FY200x**

Attached is the current inventory listing for your Department. Please verify assets by placing an "X" in the "verified" column. If the asset has a different location than listed, please indicate the new location in the "misc." column. Individual assignment should be included on the inventory list under the "assignment" column and a copy of a completed Travis County Inventory Form submitted (if not already done so). If an asset is shared (i.e. network printer, fax machine, copier etc.) it should be assigned to the department head or designated representative identified by the department head annually.

If you have assets that are not on your list and either have met the costs for capitalization, or are controlled assets (TV, VCR, computer, printer, cellular telephone, etc.), please add them at the bottom of the list with the location, department and division information and complete a Travis County Inventory Form that shows the individual to whom the asset(s) are assigned.

If you are unable to verify an asset, please mark "unable to verify" in the "misc." column. If any assets have been transferred, but are still shown in your inventory, please provide copies of transfer papers and they will be removed.

Please return the completed form to me by e-mail or inter-office mail, no later than **May 15, 200x**. If you have any questions, please contact me at 512.854.6458 or 512.935.0043 (digital pager). Thank you for your cooperation.

The department shall review the inventory list and report its accuracy to the Purchasing Agent. Officials, Department Heads or their designated staff shall review the fixed assets list and complete it per the instructions in the memorandum noting any additions, changes, corrections, and/or additional comments. If any assets are found in the department's possession that have not been bar code tagged, the Purchasing Office's Fixed Asset Manager should be immediately notified to coordinate proper tagging and monitoring.

The elected/appointed official or department head shall sign and verify the entire inventory list using the Physical Inventory Acknowledgement Form (Attachment 4).

The department shall complete the physical inventory and verification and submit the updated list and signed Physical Inventory Acknowledgement Form to the Purchasing Office Fixed Asset Manager no later than May 15th of each year. The Purchasing Agent shall report to the Commissioners Court all offices and departments that do not timely submit a complete Physical Inventory Acknowledgement Form to the Purchasing Agent no later than the third Tuesday after the May 15<sup>th</sup> deadline. The department's physical inventory information is compiled into a countywide report and used by the Purchasing Agent to meet the requirements of LGC 262.011, which requires that the Purchasing Agent present an inventory listing of all Travis County fixed assets by July 1 of each year.

### **3.9 Coordination with Purchasing to Dispose of Assets.**

By law, only the Purchasing Agent with the approval of Commissioners Court can dispose of County property. Therefore, when a user department no longer uses an asset because duties, workloads, or personnel changes have occurred, or the condition of an asset deteriorates and it becomes unusable, the user department should immediately contact the Purchasing Office Fixed Asset staff to coordinate disposing of the asset and adjusting the fixed asset assignments to reflect the disposition. Without this coordination, the official or department head to whom the item is charged in the inventory list shall remain responsible for the care and custody of the item involved.

The Purchasing Agent bears the statutory obligation to determine appropriate disposal of fixed assets and shall grant approval for disposal upon recommendation by the user department and the appropriate support department; e.g. ITS for computers and computer equipment, Transportation and Natural Resources (TNR) for vehicles; and Facilities Management for certain types of equipment.

To coordinate the disposal of an asset, the user department completes documentation to request a transfer of the asset to the warehouse. To transfer an asset, the user department completes sections I, II and III of the Travis County Inventory Form (Attachment 3) or an electronic transfer document. As part of the disposition process, the user department shall note the condition of the equipment in Section II (Good, Fair, Poor) and provide specific descriptive information in the "Remarks" column of Section II; e.g. *TYPEWRITER, Electric – works but does not type the letter "e"*.

Once the Inventory Form is completed, the next step is to transport the asset to the warehouse or designated location (TNR Fleet Management for vehicles). Departments that can transport the asset directly need to contact the Fixed Asset Manager and warehouse staff to ensure staff is available to receive the asset at the warehouse. Assets are not accepted without a completed Travis County Inventory Form. The user department shall not drop off assets without fixed asset staff available to receive them. Note: large items, such as road machinery, remain at the original location until an auction date is determined. TNR transports its heavy equipment and road machinery to the staging site where it is transported by the auctioneer to the auction site.

If a department is unable to provide its own transportation for an asset, personnel shall contact the Facilities Management Department. Upon calling, a facilities work order is prepared by Facilities personnel. The user department is responsible for physically safeguarding assets until they are picked up by Facilities Management. Again, the Travis County Inventory Form must be completed before Facilities personnel transports the item. Facilities does not transport or accept any items which are not accounted for on the completed Inventory Form.

To ensure that the asset has been correctly transferred, the user department should retain copies of the Inventory Form indicating the transfer occurred. Note: the transfer is not complete until it has been approved by the Fixed Asset Manager.

**3.10 Reporting Damaged, Vandalized and/or Stolen Assets.**

The user department is responsible to maintain all fixed assets in a clean and neat condition and proper working order. Appropriate funding shall be requested in each fiscal year budget request to repair and maintain all fixed assets. The Purchasing Agent may transfer any item that remains in need of repair longer than six months. The user department shall use the following procedure(s) to report items that have been damaged, vandalized or are missing (stolen).

**3.10.1 Damaged/Replaced Items.** The user department shall contact the Travis County Risk Manager in the event asset(s) have been damaged to determine if the asset(s) qualify for reimbursement under Travis County's self-insurance or conventional insurance programs and a claim needs to be filed. The user department shall provide a copy of the filed claim and information regarding replacement assets for the damaged item to the Fixed Asset Manager so that inventory records may be adjusted depending on the outcome of the claim.

**3.10.2 Vandalized Items.** The user department shall contact the Travis County Sheriff's Office and file a report documenting the vandalized equipment. The user department shall send copies of the report to the Purchasing Fixed Asset Manager and the Risk Manager.

**3.10.3 Stolen Assets.** The elected/appointed official or department head shall report stolen items from their department immediately to the Travis County Sheriff's Office and shall complete an incident report. The user department shall send a copy of the incident report to the Fixed Asset Manager. Under normal circumstances, a replacement should not be requested until after 90 days to allow for item recovery. Requisitions may be submitted immediately for fixed assets which are essential to the department's operation and for which a replacement is not readily available. All replacement of stolen items must be approved in advance by Commissioners Court through the Purchasing Agent. An official or department head shall request an agenda item to report loss, request replacement if necessary, and seek approval to remove the item from office's fixed assets listing. Recovered items are similarly reported to Commissioners Court. The user department shall notify the Fixed Asset Manager if the item has/has not been recovered so that inventory records may be adjusted.

**3.10.4 Missing Assets.** The user department shall contact the Fixed Asset Manager when an item is identified as "missing" and the department cannot prove that theft occurred. Assets identified as "missing" shall not be immediately removed from the inventory listing, but shall be retained until a thorough search can be made to determine that the asset is not located elsewhere in the county. The user department is required to make a thorough and adequate search for the missing item and document steps taken to locate the asset.



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“Missing” assets are retained on the inventory list for a minimum of three years. For each inventory period during the “three year” period, the department is required to again make a thorough and adequate search for the missing item. After three successive inventories in which a missing item is not located, the responsible elected/appointed official or department head shall provide a memo to the Purchasing Agent and the Commissioners Court outlining the circumstances surrounding the missing item. The elected/appointed official or department head shall also jointly present to the Commissioners Court voting session in which the Purchasing Agent makes a request of the Commissioners Court to remove the item from inventory.

Under special circumstances, the Purchasing Agent works with the Auditor’s Office to waive or reduce the three-year limit to remove missing capital items from the department’s inventory.

### **3.11 Checking Status of Assets in H.T.E.**

The user department has the capability to check on the status of assets in its fixed asset inventory (whether they are still assigned to the department and the asset’s location) by using the fixed asset module inquiry function. The user can inquire by typing in either the asset/tag number or the VIN/Serial number. To gain access, the elected/appointed official or department head requests access via the H.T.E. access form (see section 1.6). A complete set of instructions with screen prints for performing fixed asset inquiry is provided in Appendix C of this manual.

### **3.12 Rules of Cannibalization.**

In general, assets should not be cannibalized for parts unless it is in the best interest of Travis County to do so because a need exists for the cannibalized parts or will exist within the near future. Before an item is cannibalized, the user department shall contact the Purchasing Fixed Asset Manager to identify and approve the appropriateness of cannibalization and to ensure that inventory documentation reflects that the asset has been cannibalized.

All parts which have a common use shall be considered recoverable and candidates for cannibalization. Examples of such items include: motors, chains, gears, and subassemblies commonly sold as reconditioned or rebuilt parts. The following types of parts shall be considered recoverable:

- automobile items such as engines, complete with all components e.g. starters, carburetors, alternators, water pumps, distributors, exhaust manifolds, power steering pumps, air conditioner compressors; transmission (complete with bell housing, torque converter and flywheel); driveshaft; differential; wheels and tires; radiator; instrument panel/cluster with gauges and speedometer; wiper motor assembly; heater and air conditioner motors; steering wheel and column; brake master cylinder; battery; and removable body parts including doors, hood, trunk lid, etc.

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- computer components including monitors, keyboards, central processing units, chips, terminals, modems and peripheral equipment, computer terminals and printers;
- telephones and related equipment; and
- general office machines and equipment.

When the asset is transferred for disposal, the user department shall indicate in the “remarks” column of the Travis County Inventory Form whether or not an item has been cannibalized and the component(s) that have been removed. This assists the Fixed Asset Manager in appropriately noting the condition of an asset when it is sold at auction or in determining whether or not it can be removed from the department’s inventory.

### **3.13 Ground Vehicle Titles and Licenses.**

The TNR Fleet Manager shall accept ground vehicles purchased by Travis County and shall provide the original title to the Fixed Asset Manager, which is filed in the Treasurer’s Office. If a title is accidentally sent to the user department, the user department shall immediately contact the Fixed Asset Manager to process the title, file it with the Treasurer’s Office and complete the appropriate paperwork to apply for exempt license plates.

Law enforcement departments that have purchased or acquired vehicles either through abandoned vehicle or forfeiture should contact the Fixed Asset Manager immediately to process the appropriate paperwork and acquire the correct license plates. License plates for undercover vehicles should also be coordinated with the Fixed Asset Manager.

When a vehicle is ready to be disposed of, the user department coordinates with the TNR Fleet Manager to transfer the vehicle to the pre-auction staging area. The TNR Fleet Manager shall coordinate appropriate documentation of vehicle transfer and the retrieval of county license plates with the Fixed Asset Manager before vehicles are transferred to the auction location.

### **3.14 Aircraft Titles and Licenses**

The *STAR Flight* Program Director shall accept aircraft purchased by Travis County and shall ensure that the transfer of title is submitted to the FAA Aircraft Registry for recording. The FAA Aircraft Registry is located at Federal Aviation Administration, Aircraft Registration Branch, AFS—750, P. O. Box 25504, Oklahoma City, Oklahoma 73125-0504. To be eligible for recoding, a transfer of the interest in ownership of an aircraft may be by a dated bill of sale which is signed in ink by the seller, which indicates the legal name of the owner which is “County of Travis” and describes the aircraft by manufacturer, model, serial number, and registration number. The request for recording must be accompanied by the FAA registration and recording fees.

A copy of the registration is sent to the *STAR Flight* Program Director by the FAA when the registration is complete. The *STAR Flight* Program Director shall provide a copy to the

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## Fixed Asset Policy and Procedures Manual

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Fixed Asset Manager, who is files it in the Treasurer's Office.

When an aircraft is ready to be disposed of, the *STAR Flight* Program Director works with the Purchasing Agent, who supervises the actions necessary to implement the directives of Commissioners Court related to disposal. Aircraft are often traded in as part of the purchase of a new aircraft but may also be sold by auction or competitive bid. The Purchasing Agent coordinates the appropriate documentation for aircraft transfer when the terms of sale are determined.

### **3.15 Asset Reuse.**

User departments can sometimes leverage scarce budget funds by requesting a transfer of surplus assets located in the warehouse rather than purchasing new assets. Items such as office furniture and equipment are available in the warehouse. Departments that are interested in leveraging budget funds by transferring existing assets shall contact the fixed asset staff to view the assets and make arrangements for the transfer.

## **4.0 Purchasing Office Responsibilities**

This section of the manual outlines the responsibilities of Purchasing personnel and the procedures to be followed to meet these responsibilities.

### **4.1 Adding Assets to Inventory.**

There are two methods by which an asset is initially added to inventory:

- through the electronic transfer of received items from the purchasing module into the fixed asset pending file, and
- through the notification of assets purchased or received through non-traditional means such as use of forfeiture or commissary funds or donations via the Travis County Inventory Form.

Once the asset has been identified in the fixed asset pending file or via the Inventory Form, the Purchasing Fixed Asset Manager coordinates with the Auditor's Office staff to ensure that the item(s) have been correctly identified and classified. Purchasing fixed asset staff prints the Pending Fixed Assets Worksheet (Attachment 5) and contact the designated department to arrange for tagging. Information obtained during the tagging is entered onto the worksheet for input into the fixed asset system. This sets up the asset by transferring the information from these worksheets to the permanent inventory record. If the item was purchased through the H.T.E. system, information from the "remarks" section of the purchase order shall be included in the "miscellaneous information" section of the asset file for the user department's reference.

## **4.2 Tagging Assets.**

All equipment shall be identified with a “Tag” or “Fixed Asset” number. It shall be a sequential, consecutive number as determined by the Purchasing Agent. All tagging is done by the Purchasing Office or those designated by the Purchasing Agent.

Consistent tagging practices ensure efficiency during the tagging process as well as subsequent inventory. When practical, tag numbers are to be placed adjacent to the equipment manufacturer’s I.D. plate. If there is not sufficient space or the surface is not smooth or appropriate, the tag number may be placed away from heavy exposure, wear areas, or at a place which does not detract from the equipment’s appearance and may be easily located during inventory. However, the tag must be easily located during inventory without moving or dismantling the item.

The following types of ‘tags’ are available for the various types of assets:

- Adhesive Labels - This is the major type of tag used to identify County property. The two types of adhesive labels are a bar code and a Property of Travis County tag.
- Indelible Ink Marker - To be used on all items on an adhesive label cannot be placed such as cloth products, or other similar materials.
- Tap and Die Metal Punches
- Electric Engraver
- Painted Numeral
- Metal Tags - May be used on equipment where oil and/or chemicals can damage other types of tags.

The Purchasing Fixed Asset Manager shall determine the type of ‘tag’ to be used on any given surface.

## **4.3 Monitoring Physical Inventory.**

Under the direction and with the approval of the Purchasing Agent, the Fixed Asset Manager shall monitor, review and report inventories performed by the County departments. The Fixed Asset Manager shall update H.T.E. Fixed Asset Inventory Records as a result of new acquisitions, transfers, corrections and updates caused by the conduct of physical inventories or the reporting of changes via the Travis County Inventory Form. The types of information most frequently updated include asset location, asset assignment (department, division and assigned individual) and asset status (disposed, active, etc.). The Fixed Asset Manager uses various forms of documentation to support changes to the inventory records. Assets are marked as disposed as a result of auctions, or because of reported vandalism or thefts with sufficient documentation such as copies of appropriate claims and/or incident reports (see 3.9). These changes shall be made by the Purchasing Office and reflected in the updated inventory records.

4.4 Conduct of Annual Physical Inventory.

By statute, the Purchasing Agent is required to present the County Auditor an inventory listing of all Travis County fixed assets by July 1 each year. To meet the statutory requirements, a physical inventory is conducted once each year of all capital and controllable assets. The Purchasing Fixed Asset Manager shall coordinate the conduct of the physical inventory under the direction of the Purchasing Agent.

The Fixed Asset Manager shall extract and print a physical inventory list of capital and controllable assets in H.T.E. by department. The list shall include identifying information such as the asset and tag number, asset description, location and assignment as shown in Figure 4-1.

Figure 4-1: Example Physical Inventory Listing

TAG	SERIAL	DEP	DIV	IMP	LOC	YEAR	DESC	CODE	MISC	COST	INS	TYPE	ASSET	P.O.#	VERIFIED	MISC/UPDATE INFO
89991	2FA71W6	99	1	0	AUC2	1997	FORD, CROWN VIC 1997	SLC	726-728	\$ 19,188.00	\$ -	AUT	40186	116680		
63333	74821102	99	2	0	XX0000	1988	RADIO-MOBILE, G.E.,	ATT	#75850	\$ -	\$ 1,480.00	RAD	23931			
88999	1S1L52W	99	1	0	XX0000	1996	CHEVY, CAPRICE 1996	SLC	999-999	\$ 16,010.24	\$ -	AUT	35851	75000		
84003	2FAXX71	99	1	0	XX0000	1996	FORD, CROWN VIC 1996	RLC	TPM-KV2	\$ 18,606.00	\$ -	AUT	35496	86555		
82931	1G1BL52	99	1	0	XX0000	1994	1994 CHEVY CAPRICE	SLC	630-999	\$ 13,147.72	\$ -	AUT	30449	55111		
92910	75231112	99	1	0	XX0000	1988	RADIO, 2 WAY GE DELTA			\$ -	\$ 1,481.00	RAD	22644			
54776	2143523	99	10	0	XX0100	1980	IBM TYPEWRITER			\$ -	\$ 864.00	TYP	12963	114065		
83433	990511	99	1	0	XX0100	1991	VCR, SHARP			\$ -	\$ 240.00	VCR	563	114072		
87650	707680	99	1	0	XX0100	1997	TV, G.E.			\$ -	\$ 350.00	TV	38151			
88429	402AWU3	99	1	0	XX0150	1996	RADIO, GE HX1000			\$ -	\$ 698.00	RAD	36954	105378		
88583	CA153MM	99	10	0	XX0150	1989	PRINTER, APPLE LASER			\$ -	\$ 2,100.00	PRT	44267			
98487	NONE	99	0	0	XX0150	1981	RADIO, VERTEX			\$ -	\$ 1,014.00	RAD	13342			
95551	XZ72KQK	99	10	0	XX0150	1998	PC, DELL 7300/180,			\$ -	\$ 4,192.20	PCM	42027	131028		
91178	9382C6L	99	10	0	XX0150	1998	MONITOR, DELL 17"	ASG	JAY DOE	\$ -	\$ 527.00	MON	44684	145302		
99999	1340464	99	1	0	XX0150	2000	CELL PHONE, T-200	PH#	512-111-1111	\$ -	\$ 134.00	CEL	51646			

The list shall be sent to each county official or department head as an attachment to a cover memorandum (Figure 3-3) that specifies the instructions and deadlines for completion of the physical inventory and submittal of the updated list and acknowledgement of inventory back to the Purchasing Office.

The Purchasing Fixed Asset Manager shall compile results of the individual physical inventory lists into a consolidated report of Travis County fixed assets and submit it to the Purchasing Agent for final review and approval.

The Purchasing Agent presents to the County Auditor an inventory listing of all Travis County fixed assets by July 1 of each year in accordance with LGC §262.011(i).

Once the physical inventory has been completed and reported, the Fixed Asset Manager shall compile a list of assets for removal that have been reported as missing or stolen and have met the three year requirement (Section 3.10.4). The affected user department(s) and the Purchasing Agent shall jointly present this list to the Commissioners Court for approval.

4.5 Receiving Property in Warehouse.

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The Purchasing Office is responsible for warehousing all surplus, excess or salvage items. Items no longer useful to the departments are stored by Purchasing at the warehouse for reuse by other departments or until sold.

All property delivered to the warehouse must be received by Purchasing Office staff. No property is to be accepted by Purchasing Office staff without proper completion of the transfer information and appropriate signatures on the Travis County Inventory Form or an electronic transfer document.

Once property has been received in the warehouse and its condition verified, the fixed asset record shall be updated to indicate the transfer is complete. The location code of the asset shall be changed to the warehouse location code.

On certain occasions, such as the purchase of a large number of assets that are distributed countywide (e.g. radio equipment), the Purchasing Office fixed asset staff “centrally” receives and tags assets, using the warehouse or other delivery site as a staging area. On these occasions, the Purchasing Office fixed asset staff shall coordinate the delivery, tagging and implementation of the assets with the main department responsible for implementation.

#### 4.6 Disposing of Property.

The Purchasing Agent bears the statutory obligation to determine appropriate disposal of fixed assets. When the Purchasing Office receives a departmental request to dispose of an asset, the Purchasing Agent shall grant approval for disposal upon recommendation from fixed asset staff and other support departments as to the condition of the property and repair or replacement alternatives. In examining the property for disposal the Purchasing Agent shall use the following definitions:

- **Salvage property** - Means personal property, other than items routinely discarded as waste, that because of use, time, accident, or any other cause is so worn, damaged, or obsolete that it has no value for the purpose for which it was originally intended.
- **Surplus property** - Means personal property that is not “Salvage” property or items routinely discarded as “Waste”, that is not currently needed by its user, is not required for the user’s foreseeable needs, and possesses some usefulness for the purpose for which it was intended.
- **Waste property** – Means property which is incapable of performing its intended function, and has no value for any other purpose. These materials are of no value to the County other than through recycling or disposal.

The type of asset often defines the disposal method used by the County. In disposing of property, LGC §263.152, specifies that the Commissioners Court of a County may:

- periodically sell the county's surplus or salvage property by competitive bid or auction, except that competitive bidding or an auction is not necessary if the purchaser is another county or a political subdivision within the county that is selling the surplus or salvage property;

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- offer the property as a trade-in for new property of the same general type if the Commissioners Court considers that action to be in the best interests of the county; or
- order any of the property to be destroyed or otherwise disposed of as worthless if the Commissioners Court undertakes to sell that property and is unable to do so because no bids are made; or
- dispose of the property by donating it to a civic or charitable organization located in the county if the Commissioners Court determines that trying to sell the property would result in no bids received or the bid price is less than the County's bidding-related expenses; the donation serves a public purpose; or the organization provides the County with adequate consideration related to transportation or disposal expenses related to the property.

If the property is earth-moving, material-handling, road maintenance, or construction equipment, the Commissioners Court may exercise a repurchase option in a contract in disposing of property. The repurchase price of equipment contained in a previously accepted purchase contract is considered a bid.

The Commissioners Court may dispose of property under Subsection 4.6.4 by donating the property to a civic or charitable organization located in the county.

**4.6.1 Auctions.** Auctions are the most frequent method for disposing of surplus and salvage property in Travis County. The Purchasing Agent conducts auctions of surplus or salvage items in accordance with LGC §263 requirements. In preparing items for disposal, the Purchasing Agent compiles a list of items to be declared as "surplus" or "salvage" for disposal and presents the list to the Commissioners Court for approval.

Once Commissioners Court approval is received, the Purchasing Fixed Asset Manager shall coordinate with Purchasing Office staff, the appropriate advertisement language and placement of the advertisement. LGC §263.153 specifies that *(a) The commissioners court shall publish notice of a sale of surplus or salvage property in at least one newspaper of general circulation in the county; and (b) The notice must be published on or after the 30th day but before the 10th day before the date of the sale. (c) county that contracts with an auctioneer licensed under Chapter 1802, Occupations Code, who uses an Internet auction site offering online bidding through the Internet to sell surplus or salvage property under this subchapter having an estimated value of not more than \$500 shall satisfy the notice requirement under this section by posting the property on the site for at least 10 days unless the property is sold before the 10th day.*

The Purchasing Office supervises the auction to ensure that it meets statutory requirements and may reject offers in accordance with LGC 263.154 which states: *"The commissioners court or its designated representative conducting the sale may reject any offer to purchase surplus or salvage property if the court or representative finds the rejection to be in the best interests of the county."*

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Once the auction is complete, the Purchasing Office keeps a record of each item of surplus or salvage property sold and the sale price of each item as dictated by LGC §263.155 Auction proceeds are collected as required by LGC §263.156 and deposited by the Treasurer in the revenue fund established in the Purchasing Office budget for equipment sales.

The Purchasing Fixed Asset Manager updates the asset disposition in H.T.E. to reflect the item(s) and property were sold at auction and the disposed property and items are removed from the inventory list.

The Purchasing Office forwards data to the Auditor's Office for inclusion in the County's capital asset system.

- 4.6.2 Competitive Bids.** The process for competitive bids is similar to that of auctions. The Purchasing Agent shall compile a list of items to be declared as "surplus" or "salvage" and request Commissioners Court approval of the items for disposal. Once approval is received, the Purchasing Fixed Asset Manager and Purchasing staff coordinate the appropriate advertisement language and placement of the advertisement. The Purchasing Agent supervises the competitive bidding process and again, may reject offers, if it is in the best interest of the County. Competitive bids are received as identified in the advertisement, opened, read and the best bid accepted.

Assets are transferred to the successful bidder upon receipt of payment specified in the bid. The bid proceeds are again collected and deposited by the Treasurer in the revenue fund established in the Purchasing Office budget for equipment sales.

The Purchasing Fixed Asset Manager updates the asset disposition in H.T.E. to reflect the item(s) and property were sold by competitive bid and the disposed property and items are removed from the inventory list.

The Purchasing Office forwards data to the Auditor's Office for inclusion in the County's capital asset system.

- 4.6.3 Recycling.** Waste property and some salvage property may be of greater value to the County when sold for materials or scrap rather than being disposed of as trash or sold at auction for a nominal sum. The Travis County Recycling Manager shall make such recommendations to the Purchasing Agent when this option is available. The Purchasing Agent shall then conduct competitive bidding to sell the items as scrap.

- 4.6.4 Donation to Other Civic or Charitable Organizations within County.** LGC § 263.152(a)(4) authorizes the Commissioners Court to dispose of personal property in the County inventory, by donating it to a civic or charitable organization in the County, if the Commissioners Court finds that selling the property does not financially benefit the County, donating the property serves a public purpose, and



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Fixed Asset Policy and Procedures Manual

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donating the property relieves the County of transportation and disposal expenses related to the property.

"Charitable Organization" means an organization, created and operated exclusively for charitable purposes, and exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code, where no part of the organization's net earnings inure to the benefit of any private shareholder or individual. A Charitable Organization does not include any unrelated business or trade of the organization, as prescribed in Sections 511 and 513 of the Internal Revenue Code.

"Civic Organization" means an organization, not organized for profit, but created and operated exclusively for the promotion of social welfare or common good of the community, and exempt from federal taxation, and where no part of the net earnings of such organization inure to the benefit of a private shareholder or individual. A Civic Organization does not include an unrelated business or trade of the organization, as prescribed by Sections 511 and 513 of the Internal Revenue Code. For purposes of this Policy, a "Civic Organization" includes a political subdivision located wholly or partly within Travis County.

In determining whether an undertaking to sell the property most likely would result in no bids, or whether the bid price for property most likely would be less than the administrative and other costs associated with selling the property, the County may consider, among other things, the occurrence of "no bid" responses to such property in the past, or the price(s) at which such property was sold in the past. To ascertain whether donation of the property serves a public purpose, the County asks that each organization submit a request letter stating the intended purpose of the property. To ascertain whether an entity is a Charitable or Civic Organization, the entity shall submit to the County Purchasing Agent a copy of the letter from the United States Internal Revenue Service, approving the organization's designation as a Civic Organization or a Charitable Organization, as applicable, exempt from federal taxation.

An organization in the County is selected to receive Surplus Property or Salvage Property, based on whether the organization is a Charitable Organization or Civic Organization located wholly or partly in the County; whether the donation serves a public purpose; and whether the organization gives consideration to the County for the donation of the property, such as relieving the County of transportation and disposal expenses related to the property or other consideration deemed appropriate by the County. Before the County donates an item, the Purchasing Office contacts multiple organizations to determine their interest in receiving the item, so as to distribute items to as many organizations as possible. The Purchasing Office submits the name or names of the interested organization or organizations to the Commissioners Court for approval. If multiple organizations express an interest in the item and meet the above criteria, a selection is made, based on which organization first offers to give appropriate consideration for the donation, such as relieving the County of transportation and disposal expenses related to the property or other consideration deemed appropriate by the County.

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Fixed Asset Policy and Procedures Manual

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Once the Commissioners Court approves a donation, the Purchasing Office, through the Purchasing Fixed Asset Manager, coordinates transportation of the item(s) to the selected organization, although that organization is responsible for transportation of the item(s) and the expenses connected therewith.

In most cases, the Commissioners Court order approving the donation of property to a Charitable or Civic Organization shall serve as a transfer of title in the property from the County to the receiving organization. For specialized title requirements, including but not limited to motorized vehicles, and weapons, the Purchasing Office follows the State of Texas requirements for transferring title. Once title has been transferred to the receiving organization, the organization is the owner of the property.

Once property is donated, the Fixed Asset Manager completes the Travis County Inventory Form to document the transfer and updates the inventory records in H.T.E. to reflect the transfer. The property donated is then removed from the County inventory list. Records of the donation shall be retained for at least one year.

The Purchasing Office forwards data to the Auditor's Office for inclusion in the County's capital asset system.

The receiving organization is responsible for the transportation of donated property from the County's site to the location specified by the receiving organization, including all expenses related thereto. The receiving organization is also responsible for any future disposal of the property, including all expenses related thereto.

In determining which Charitable or Civic Organization receives donated, County Surplus or Salvage Property, the County does not discriminate against any organization or individual based on race, religion, color, sex, national origin, age or handicap condition.

**4.6.5 Destruction of Property.** As per LGC §263.152, the Commissioners Court "*may order the property to be destroyed as worthless if it cannot sell the property...*". When this situation occurs, the Purchasing Agent compiles a list of property to be destroyed and presents the list to Commissioners Court for approval. This situation only occurs after extensive efforts have been made to dispose of the items by sale or donation to other organizations.

Once Commissioners Court has approved items for destruction, the Purchasing Fixed Asset Manager shall coordinate with other County staff to appropriately destroy the property, while meeting any special environmental or hazardous waste requirements. The Purchasing Fixed Asset Manager shall adjust H.T.E. inventory records to reflect the destruction and remove items from the inventory list.

The Purchasing Office forwards data to the Auditor's Office for inclusion in the County's capital asset system.

**4.6.6 Cannibalization.** The Purchasing Fixed Asset Manager shall receive department requests for cannibalization; evaluate the request based on countywide needs and present recommendations to the Purchasing Agent. The Purchasing Agent shall make the final decision on cannibalization and request disposition authority from the Commissioners Court.

All equipment shall remain in place within the department to which it is assigned until authority for cannibalization and disposal of the remaining item has been granted by the Commissioners Court. No item shall be removed from a department's fixed asset inventory until the department files the Travis County Inventory Form identifying the asset(s) that have been cannibalized and the component(s) removed.

The Purchasing Fixed Asset Manager shall update H.T.E. fixed asset records to reflect the cannibalization identified on the Travis County Inventory Form and if provided, shall document the asset that is to receive the cannibalized part(s).

The Purchasing Office forwards data to the Auditor's Office for inclusion in the County's capital asset system.

#### **4.7 Ground Vehicle Titles.**

The original title for ground vehicles and other titled fixed-assets is filed in the Treasurer's Office. Purchasing specifications includes instructions to the vendors to mail the manufacturer's certificate of origin and the bill of sale to the TNR Fleet Manager. The TNR Fleet Manager shall transfer the appropriate forms to the Purchasing Office. The Purchasing Office prepares the information and forms required by the Vehicle and License section of the Tax Assessor, and any other appropriate agency, and apply for exempt license plates, etc. After receipt of original title, the Fixed Asset Manager hand carries the title of the Treasurer.

Original titles are signed by the Travis County Purchasing Agent on behalf of Travis County. Upon disposal of fixed assets, the Purchasing Agent signs all necessary forms to transfer title to the buyer. All titles name "County of Travis" as the owner.

#### **4.8 Aircraft Titles**

The registration of the ownership for aircraft is recorded in the FAA Aircraft Registry, by submitting the bill of sale. The *STAR Flight* Program Director shall ensure that the appropriate forms are submitted to FAA Aircraft Registry which is located at Federal Aviation Administration, Aircraft Registration Branch, AFS—750, P. O. Box 25504, Oklahoma City, Oklahoma 73125-0504. The Purchasing Office prepares the information and forms required by the FAA Aircraft Registry and any other appropriate agency, and submits the required fees.

Original bills of sale are signed by the Travis County Purchasing Agent on behalf of Travis County. Upon disposal of aircraft, the Purchasing Agent signs all necessary forms to record transfer of title to the buyer. All titles name "County of Travis" as the owner.

Fixed Asset Policy and Procedures Manual

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Fixed Asset Policy and Procedures Manual

Attachment 1: Declaration of Representative Form



Travis County Purchasing Office  
Declaration of Representative Form

Date:

To:    Travis County Purchasing Office  
      Attention: Fixed Asset Manager

From:

The employees designated below are hereby designated as my representative to handle and control fixed assets for my department. I understand that I am ultimately responsible for the care and accurate accounting for all fixed assets assigned to my department.

Name	Title	Location	Phone Number
			, X
			, X
			, X
			, X
			, X
			, X
			, X
			, X
			, X
			, X
			, X
			, X
			, X
			, X
			, X

Elected/Appointed Official or Department Head Signature

Date

Fixed Asset Policy and Procedures Manual

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**Attachment 2: Acknowledgement Form**



Travis County Purchasing Office  
Acknowledgement Form

Date:

To: Travis County Purchasing Office  
Attention: Fixed Asset Manager

I certify that I have obtained, read and understood the contents of the Travis County Fixed Asset Procedures Manual as revised February 2006.

\_\_\_\_\_  
Designated Representative Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Elected/Appointed Official  
or Department Head Signature

\_\_\_\_\_  
Date

## Fixed Asset Policy and Procedures Manual

## Attachment 3: TRAVIS COUNTY INVENTORY FORM

November 2002

<b>I. ASSIGNMENT</b>			
Name (please type or print)	Physical Address w/Room #	Dept/Div	Phone/Extension
I understand that I am responsible for the equipment listed below, and in the event the property is stolen, lost or damaged due to my fault or negligence, I must reimburse Travis County. I am responsible for immediately notifying my supervisor when equipment is stolen, lost or damaged. I will complete an incident report and forward to Purchasing and Risk Management.			
Signature Employee Using Equipment		Date	

<b>II. DESCRIPTION</b>							
ASSET TAG N°.	SERIAL/VIN N°.	DESCRIPTION OF EQUIPMENT	CONDITION			P.O. N°. IF NEW	REMARKS
			GOOD	FAIR	POOR		

<b>III. TRANSFERS</b>							
Transfer from: Name	Physical Address w/ Room #	Loc. Code	Dept./Div	Phone		Loaner Equipment	
Transfer to: Name	Physical Address w/Room #	Loc. Code	Dept./Div.	Phone		ITS _____ Other _____	
<b>RECEIVING TRUCK DRIVER</b>		Transferred by:					
Name	Date	Signature		Date: _____	Entered: _____		Date: _____
		Received by:		Fixed Asset Manager			
		Signature		Date: _____			

<b>IV. RELEASE OF RESPONSIBILITY</b>			
I certify that the equipment listed above, and assigned to _____ has been accounted for.			
Signature-Employee	Date	Signature-Supervisor	Date

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Fixed Asset Policy and Procedures Manual

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**Attachment 4: Physical Inventory Acknowledgement Form**



Travis County Purchasing Office  
Physical Inventory Acknowledgement Form

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

To: Travis County Purchasing Office  
Attention: Fixed Asset Manager

From: \_\_\_\_\_

Attach: Completed Inventory List

I have reviewed the attached fixed assets inventory for my department and, except as noted on the inventory list and referenced below, hereby acknowledge all listed property to be accounted for and in proper working order.

\_\_\_\_\_  
Elected/Appointed Official or Department Head Signature

\_\_\_\_\_  
Date

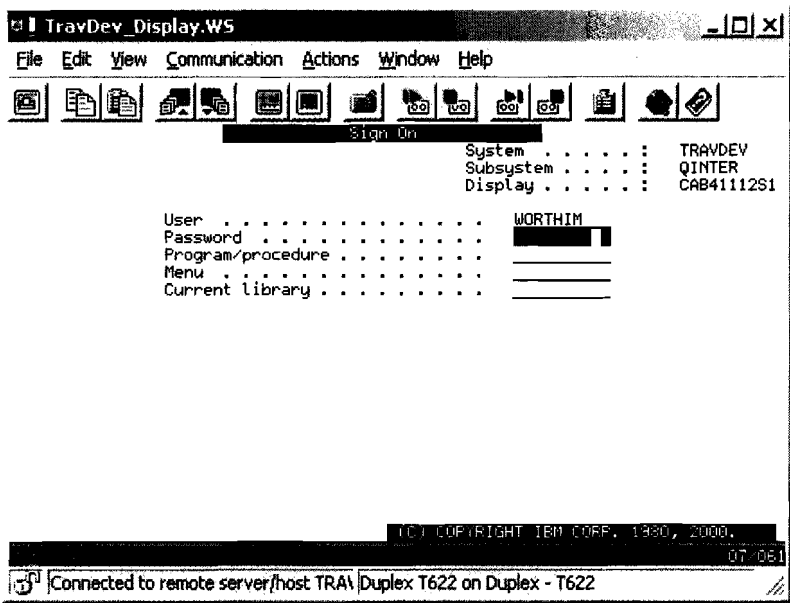
Comments:





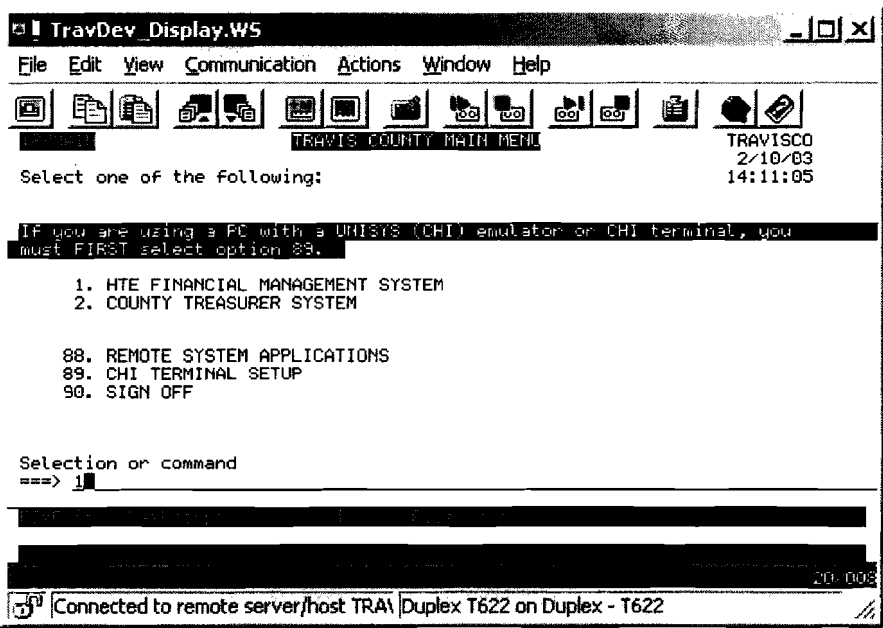
Appendix A: H.T.E. Fixed Asset Instructions

Step 1: Log into TRAVISCO system.



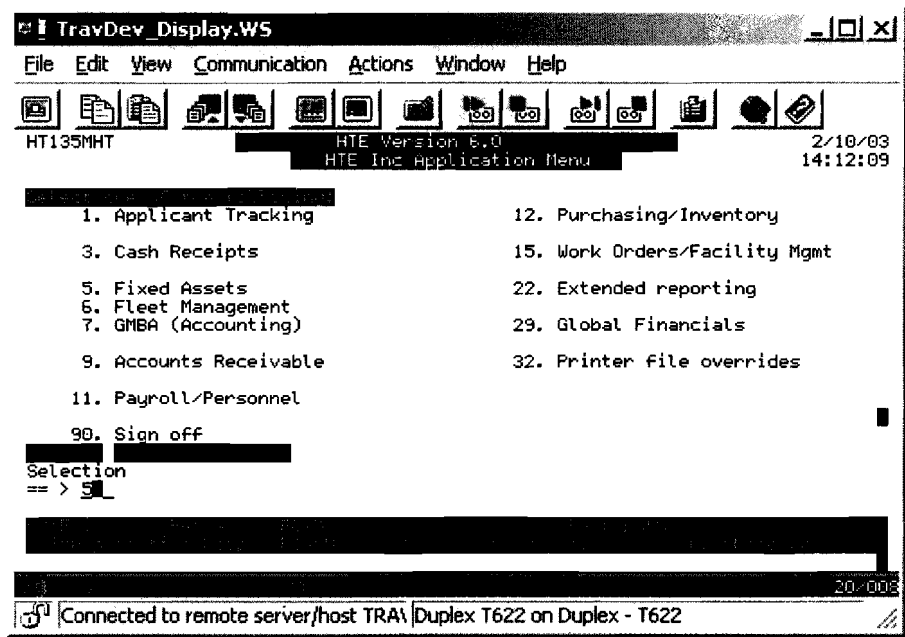
- Type in the 7-digit user ID. The first six digits are your last name and the seventh digit is the initial of your first name. Press the <Tab> key to advance to the password line.
- Type in your 6-digit password. Note: for security reasons the password should never be shared.
- Press <Enter> twice to get to the main H.T.E. user menu.

Step 2: Log into H.T.E. System.



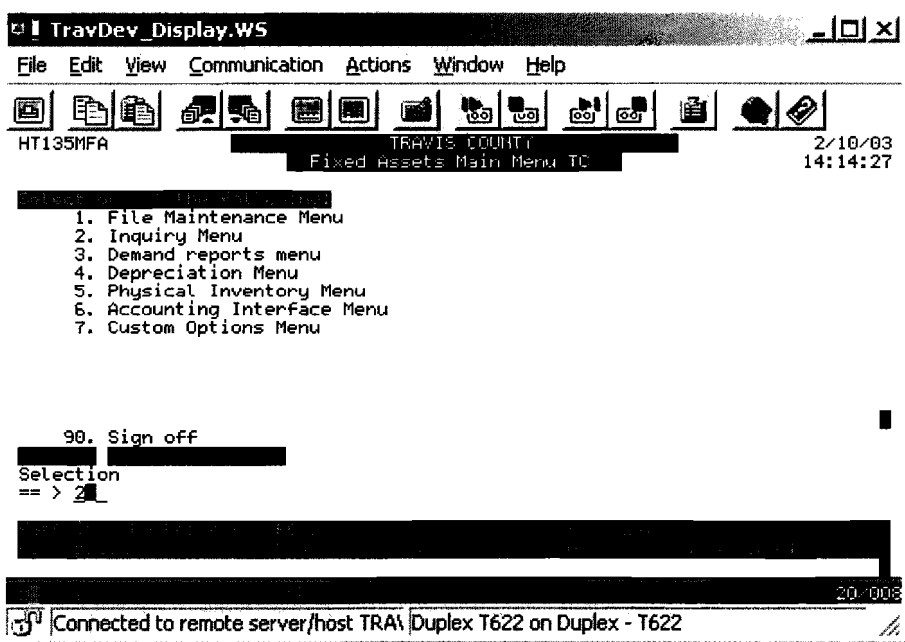
- Select option “1” from the main menu and type it on the prompt line.
- Press <Enter> twice to advance to the application menu.

Step 3: Select fixed assets application.



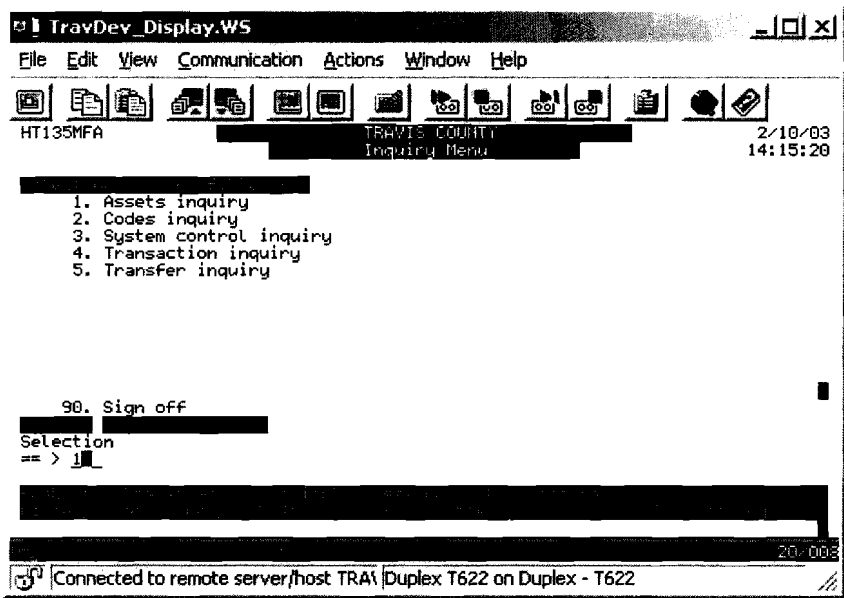
- Select option “5” from the main menu and type it on the prompt line.
- Press <Enter> to advance to menu options.

Step 4: Select fixed assets inquiry function.



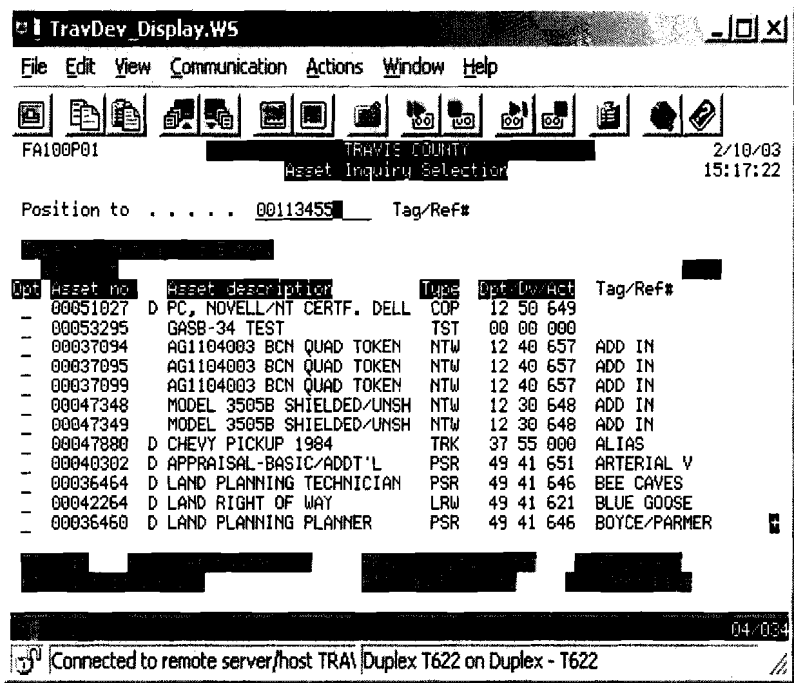
- Select option “2” from the fixed assets main menu and type it on the prompt line.
- Press <Enter>.

Step 5: Select asset inquiry function.



- Select option “1” from the fixed assets inquiry menu and type it on the prompt line.
- Press <Enter>.

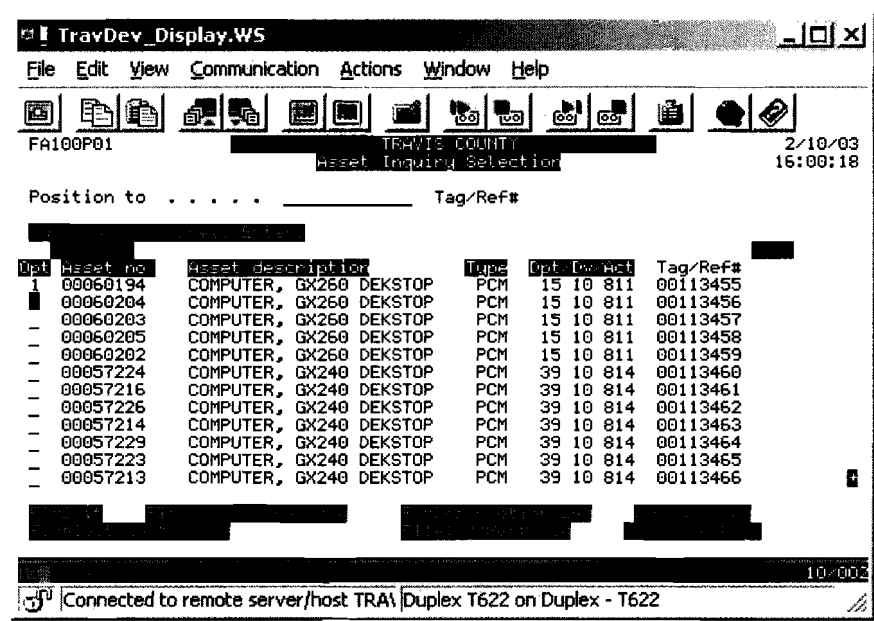
Step 6: Sort records by asset tag number and select record.



- The system default is to display records by asset number. Press F11 key to sort records by tag number. The screen looks like the example to the left.
- At the *Position to* line, type in the tag number with the correct number of zeros before the tag number for an 8-digit number.
- Press <Enter>.

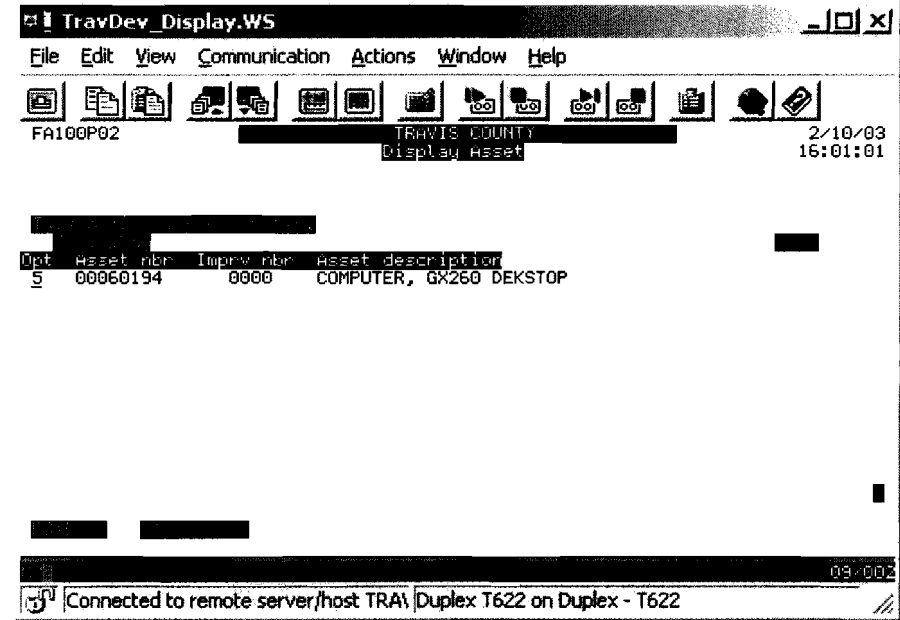
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Step 7: Select desired asset record to review.



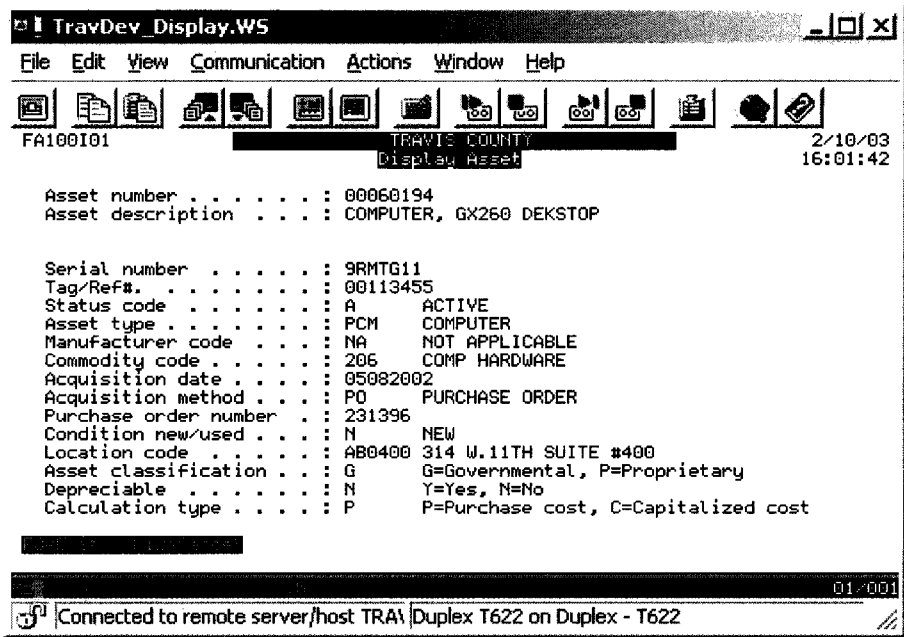
- At the *Option* line, type a “1” next to the record that you want to select.
- Press **<Enter>**.

Step 8: Display selected asset record.



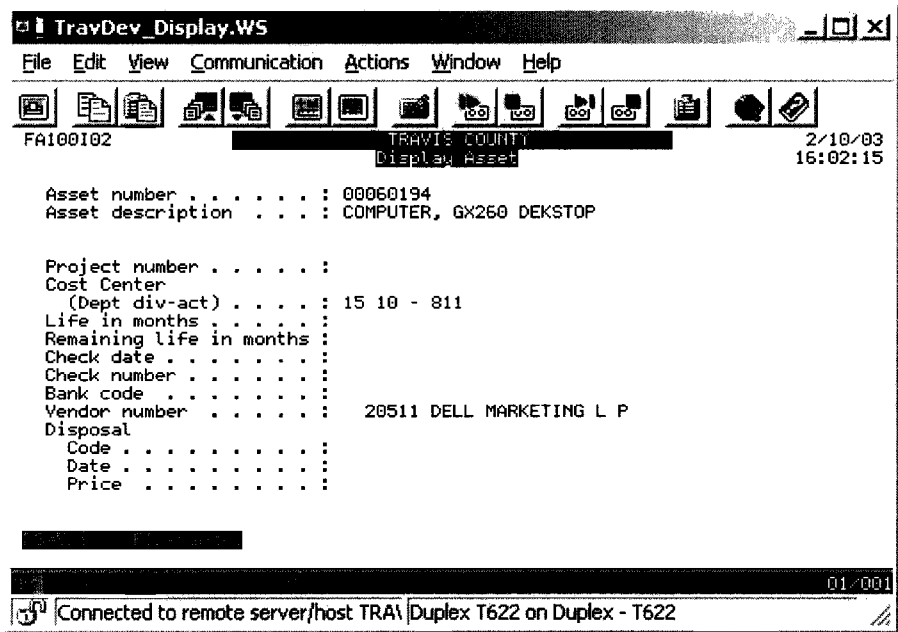
- At the *Option* line, type a “5” next to the record to display.
- Press **<Enter>**.

Step 9: Display selected asset record information.



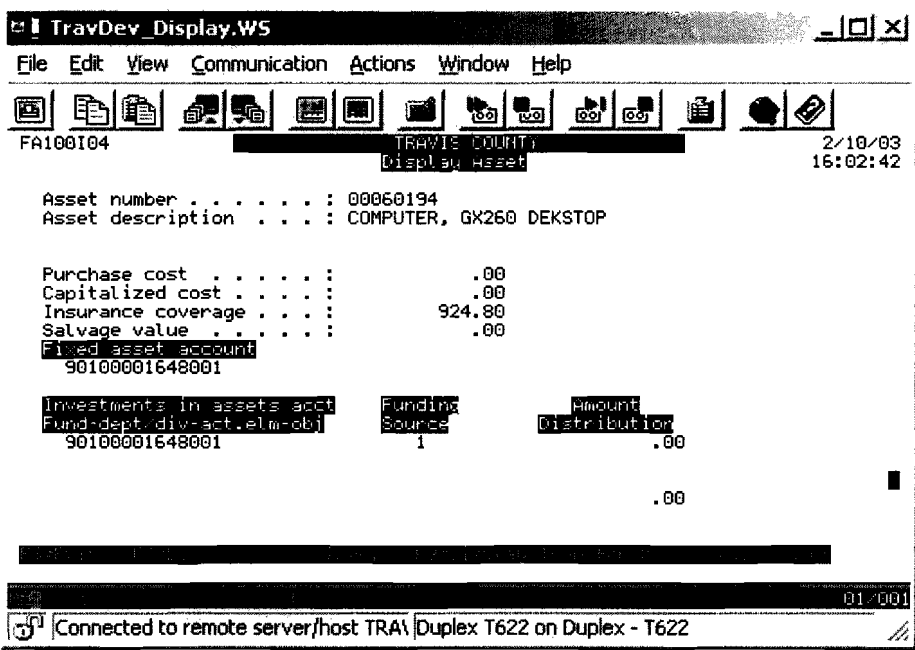
- Asset information is displayed as shown in the example to the left. Key information includes the asset type, date of acquisition, purchase order number and location.
- Press **<Enter>** to see additional information.

Step 9: Display selected asset record information (continued).



- Asset information is displayed as shown in the example to the left. Key information includes the cost center (department, division and activity) and vendor.
- Press **<Enter>** to see additional information.

Step 9: Display selected asset record information (continued).

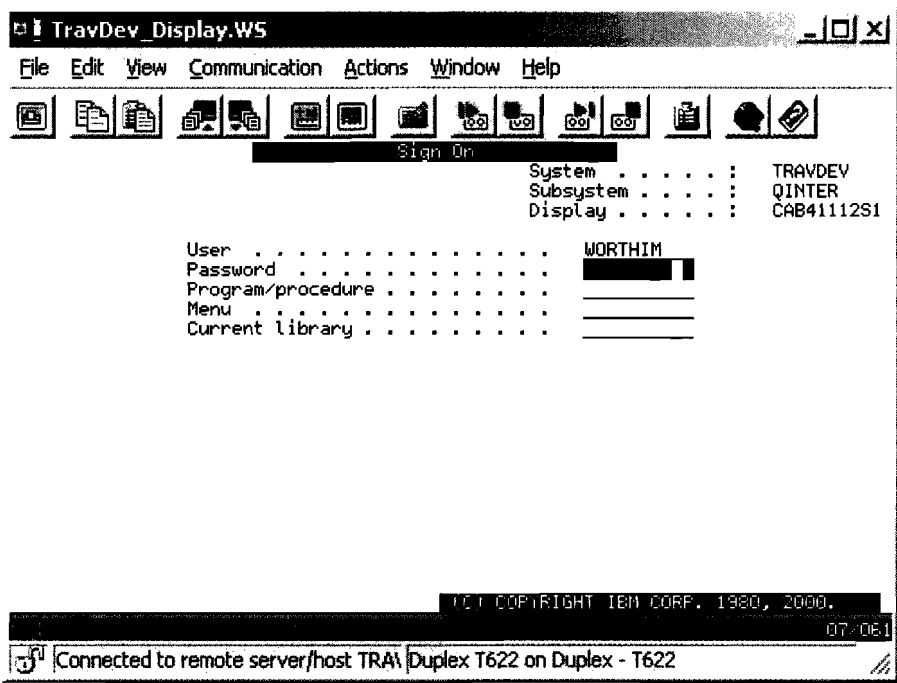


- Asset financial information is displayed. When the asset is not capitalized (cost does not meet capitalization thresholds) the cost is shown in insurance coverage.
- Press <Enter> to return to the asset selection menu.

Repeat these steps for additional asset inquiry.

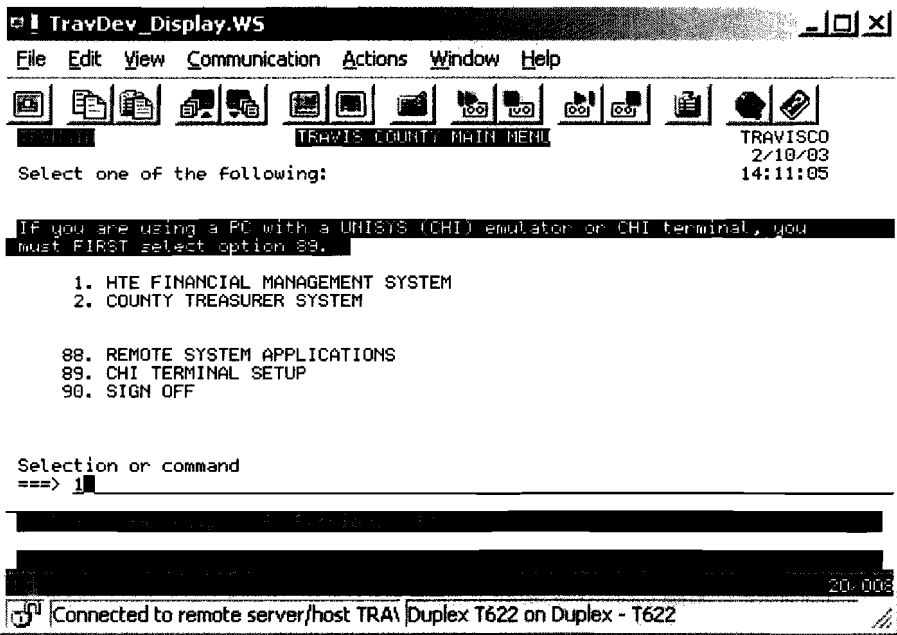
Appendix B: H.T.E. Receiving Instructions

Step 1: Log into TRAVISCO system.



- Type in the 7-digit user ID. The first six digits are your last name and the seventh digit is the initial of your first name. Press the <Tab> key to advance to the password line.
- Type in your 6-digit password. **Note:** for security reasons the password should **never** be shared.
- Press <Enter> **twice** to get to the main H.T.E. user menu.

Step 2: Log into H.T.E. System.

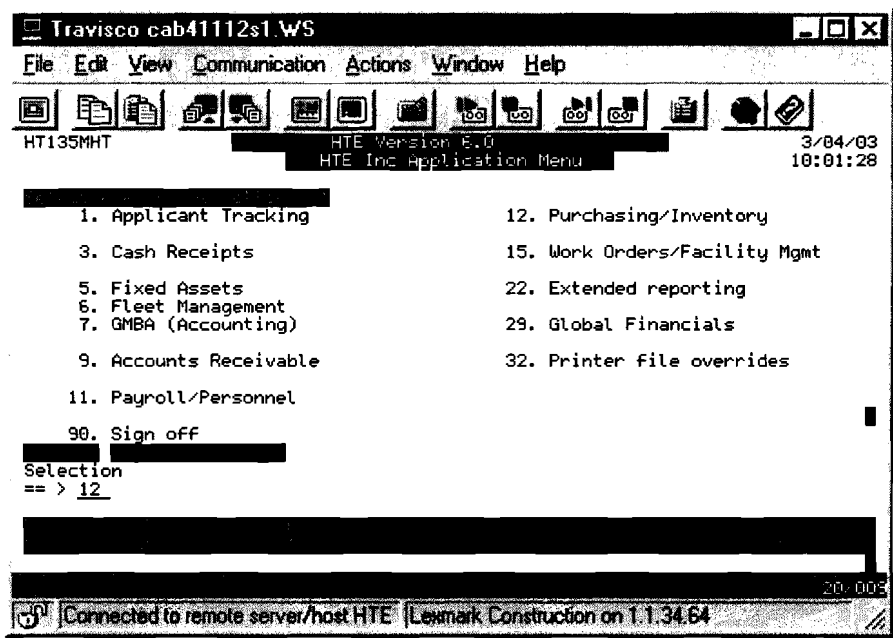


- Select option "1" from the main
- menu and type it on the prompt line.
- Press <Enter> **twice** to advance to
- the application menu.



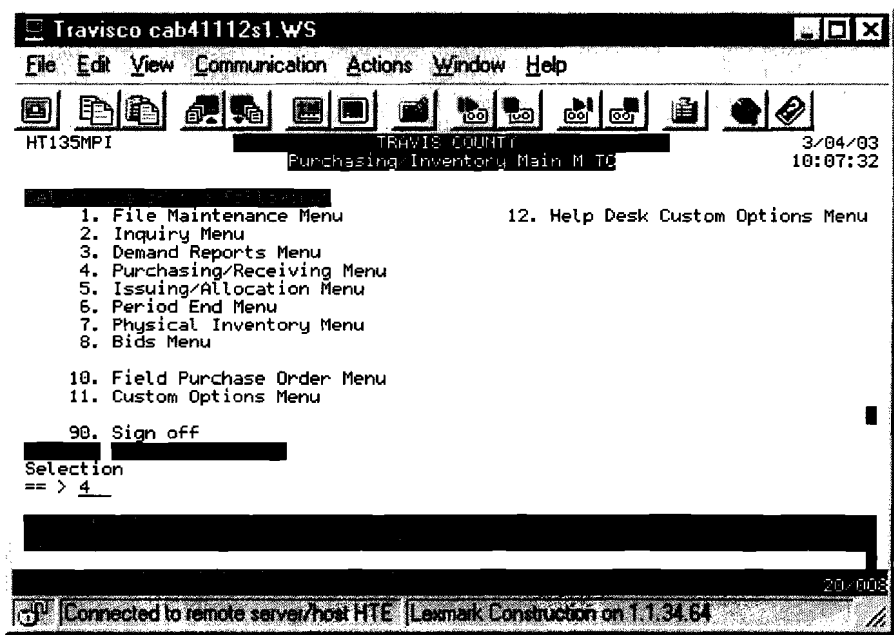
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Step 3: Log into the Purchasing/Inventory module from the application menu.



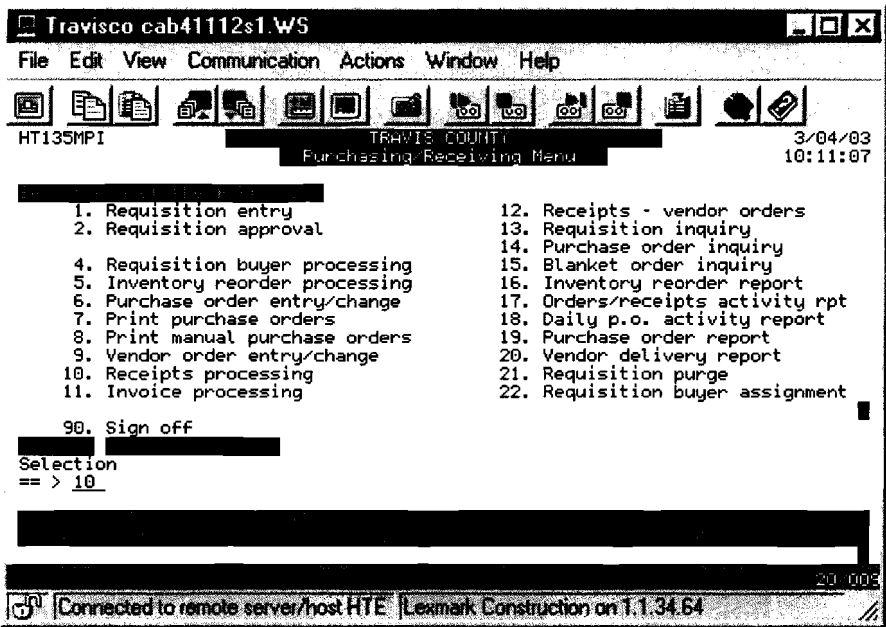
- Select option “12” from the application menu and type it on the prompt line.
- Press <Enter> to advance to the purchasing/inventory main menu.

Step 4: Log into the Purchasing/Receiving function from the main menu.



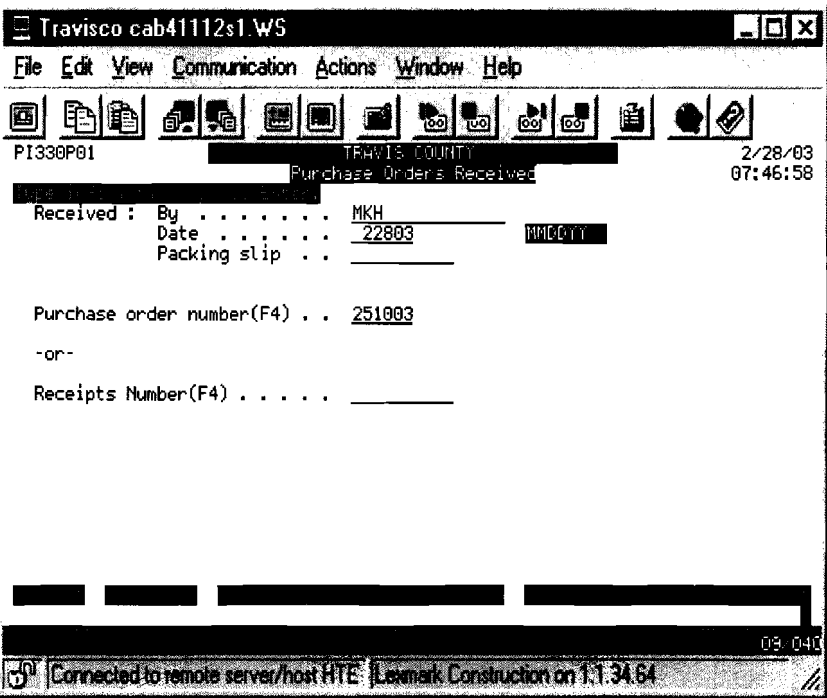
- Select option “4” from the application menu and type it on the prompt line.
- Press <Enter> to advance to the purchase order receipt menu.

Step 5: Log into the Receipts processing function from the Purchasing/Receiving menu.



- Select option “10” from the menu and type it on the prompt line.
- Press <Enter> to advance to the purchase orders received screen.

Step 6: Enter purchase order receipt information.



- At the *By* line, input the name (or initials) of the individual electronically receiving the items in the system (e.g. MKH). Press <Tab> until you reach the *Purchase order number line*.
- Enter the six-digit purchase order number (e.g. 251003).
- Press <Enter> to advance to the *Item Summary* screen.

Fixed Asset Policy and Procedures Manual

The following *Item Summary* screen appears.

Travisco cab41112s1.WS

File Edit View Communication Actions Window Help

PI330U01

TRAVIS COUNTY

2/28/03

Purchase Orders Received - Item Summary

07:48:49

251003

2/03/03

MKH

2/28/03

0026482

BUSINESS PRINTING PLUS

Line	Block	Item Number	Qty Received (2 decimals)	UOM	Lot Size	Quantity Ordered	Outstanding Quantity	Serial Asset
1	PU	395 040		MX	1	20.00	20.00	N
2	PU	395 040		EA	1	1.00	1.00	N

05/021

Connected to remote server/host HTE Lexmark Construction on 1.1.34.64

Step 6: Enter quantity of individual items received.

Travisco cab41112s1.WS

File Edit View Communication Actions Window Help

PI330U01

TRAVIS COUNTY

2/28/03

Purchase Orders Received - Item Summary

07:50:13

251003

2/03/03

MKH

2/28/03

0026482

BUSINESS PRINTING PLUS

Line	Block	Item Number	Qty Received (2 decimals)	UOM	Lot Size	Quantity Ordered	Outstanding Quantity	Serial Asset
1	PU	395 040	18	MX	1	20.00	20.00	N
2	PU	395 040	1.00	EA	1	1.00	1.00	N

10/023

Verify all information is correct and press F5 to accept.

Connected to remote server/host HTE Lexmark Construction on 1.1.34.64

- Position the cursor to the *Qty Received* column.
- Enter the quantity received to two decimal places and hit the Field Exit key (+ key on the number pad)
- Verify the information is correct.
- Press **F5** key to accept the information.

The following screen appears.

Travisco cab41112s1.WS

File Edit View Communication Actions Window Help

PI330U01

TRAVIS COUNTY

2/28/03

Purchase Orders Received - Item Summary

07:51:50

251003

2/03/03

MKH

2/28/03

0026482

BUSINESS PRINTING PLUS

Line	Qty Received (2 decimals)	Lot Size	Quantity Ordered	Outstanding Quantity	Serial Asset
1 PU 395 040	MX	1	20.00	2.00	N
2 PU 395 040	EA	1	1.00	.00	N

06-021

Connected to remote server/host HTE Lexmark Construction on 1.1.34.64

- Note in the example to the left that the outstanding quantity has now changed from 20 to 2 to reflect the receipt of items.
- Press F3 to exit the screen and return to the main menu.

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## **Travis County Commissioners Court Agenda Request**

Meeting Date: 3/8/2011, 9:00 AM, Voting Session  
Prepared By: Cheryl Aker, County Judge's Office, 854-9558  
Elected/Appointed Official/Dept. Head: Samuel T. Biscoe, County Judge  
Sponsors: Judge Biscoe

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### **AGENDA LANGUAGE:**

Consider and take appropriate action on action take regarding HB 990:

- A. Review policy regarding requirement of super majority to "take action" on any legislation; or
  - B. Waive policy for HB 990 to allow formal opposition.
- 

### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

Enter Background/Summary of Request and Attachments here

### **STAFF RECOMMENDATIONS:**

Enter Staff Recommendations here

### **ISSUES AND OPPORTUNITIES:**

Enter Issues and Opportunities here

### **FISCAL IMPACT AND SOURCE OF FUNDING:**

ENTER Amount of Funding, Source of Funding, Previously Approved by Commissioners Court (Earmark?), Annualized Amount, Current Budget

### **REQUIRED AUTHORIZATIONS:**

County Judge's Office	Cheryl Aker	Completed	03/03/2011 9:36 AM
Commissioners Court	Cheryl Aker	Pending	

## **Policies and Procedures, 82<sup>nd</sup> Texas Legislature**

### **TRAVIS COUNTY COMMISSIONERS COURT**

The 82<sup>nd</sup> Texas Legislature will meet from January through May, 2011. During that time, Commissioners Court will actively engage in the legislative process, through its Intergovernmental Relations Office, to protect and advance the interests of the people of Travis County.

#### **GENERAL PRINCIPLES**

1. The Commissioners Court will adopt a Legislative Agenda, to be revised and updated throughout the course of the session. Legislative updates will be a regular item on the Court agenda during the session.
2. At various points during the session, Commissioners Court will evaluate whether to schedule Work Sessions or additional Voting Sessions dealing with legislative matters.
3. The Legislative Agenda will serve as the working document to monitor the County's legislative efforts. From time to time, the agenda will also include specific bills or resolutions on which the Court is requested to take action. The Court may also discuss, but not take action upon, other pieces of legislation.
4. The Court will adopt a legislative agenda item or take action on a specific piece of legislation only when at least four members of the Court favor such action.
5. The Intergovernmental Relations (IGR) Coordinator will provide information regularly to the Court on the session and on the status of legislation affecting Travis County.
6. The IGR Coordinator will communicate frequently with the Legislative Subcommittee of the Commissioners Court on time-sensitive developments in the legislative process.

7. The IGR Coordinator will serve as a liaison between the Commissioners Court and the legislative consultants and members of the Travis County legislative delegation during the session.
8. The IGR Coordinator, in collaboration with the legislative consultants and members of the Travis County legislative delegation, will solicit the participation of members of the Court and key staffers in advancing the County's legislative goals.

## **PRIORITIES, POLICY POSITIONS, AND POSITIONS ON OTHER PROPOSALS**

Commissioners Court will consider and take appropriate action on three categories of legislative issues:

1. Legislative priorities for Travis County as identified by the Court, contained in the "Priorities" section of the Travis County Legislative Agenda approved by the Court.
2. "Policy Positions" on legislation impacting Travis County, and upon which County staff wishes the Court to express support or opposition; and
3. "Positions on Other Proposals" upon which other groups, including other county elected officials, county associations and constituent groups, have asked the Court to express support or opposition.

The procedures for each category are described below.

### **PRIORITIES**

1. As necessary throughout the session, Commissioners Court will refine and approve its legislative priorities.
2. Travis County staff will work with the County's legislative consultants and members of the Travis County delegation to get legislation drafted. The IGR Coordinator will facilitate this process.
3. Once committee assignments are finalized, the legislative consultants will work with County staff to determine the best sponsors to carry the

County's legislative agenda. The IGR Coordinator will facilitate this process.

4. The IGR Coordinator will work with the legislative consultants and members of the Travis County delegation to advance the County's legislative priorities through the legislative process.
5. The IGR Coordinator and the legislative consultants will report regularly to the Court on the status of the Travis County legislative priorities and, when necessary, will seek Court approval of changes to them.

## **POLICY POSITIONS**

1. Policy experts on the County staff will work with the IGR Coordinator to compile "Policy Positions" for inclusion in the Legislative Agenda.
2. Travis County staff will monitor all bills filed during the session that have an impact upon Travis County. The IGR Coordinator will facilitate this process. In addition, the IGR Coordinator will maintain active contact with the Conference of Urban Counties, the Texas Association of Counties, and other groups which are following legislative issues of import to the County.
3. If a specific piece of legislation addresses a Policy Position, the policy experts on the County staff will recommend that it be supported or opposed as appropriate. Policy experts will meet weekly during the session to exchange information and highlight key issues. The IGR Coordinator will facilitate this process.
4. Recommendations to support or oppose a specific piece of legislation will be vetted through Executive Managers by the IGR Coordinator. Back-up materials will be prepared that:
  - a. Summarize the legislation and its effect on Travis County;
  - b. State the pros and cons of the legislation from the County's perspective; and
  - c. Recommend the position that Commissioners Court take in support of or opposition to the legislation.



5. On a weekly basis, the IGR Coordinator and the legislative consultants will present these recommendations to the Commissioners Court.
6. Once the Commissioners Court takes a position on a particular piece of legislation, the IGR Coordinator and the legislative consultants will implement the Court's decision.
7. The IGR Coordinator and the legislative consultants will report regularly to the Commissioners Court on the status of the legislation on which it has taken a position.

## **POSITIONS ON OTHER PROPOSALS**

1. During the legislative session, other entities – including other county elected officials, other counties, associations of counties, groups in which the County participates, constituents and other stakeholders – will approach the Commissioners Court and ask it to support or oppose particular pieces of legislation.
2. These requests will be placed on the Court's agenda. The IGR Coordinator will facilitate this process. Back-up materials will be prepared that:
  - a. Summarize the legislation, its effect on interested parties, and its relevance to Travis County;
  - b. State the pros and cons of the legislation from the County's perspective;
  - c. Include draft language for a resolution expressing the County's position; and
  - d. Recommend the action that Commissioners Court take in support of or opposition to the legislation.
3. Once the Commissioners Court takes action, the IGR Coordinator and the legislative consultants will implement the Court's decision.
4. The IGR Coordinator and the legislative consultants will report regularly to the Commissioners Court on the status of the legislation on which it has taken a position and, when appropriate, will recommend further action to the Court.



## **Travis County Commissioners Court Agenda Request**

Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: Sherri Fleming, Health and Human Services and Veterans Service, 854-4101

Elected/Appointed Official/Dept. Head: Sherri Fleming, Executive Manager

Sponsors: Judge Biscoe

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### **AGENDA LANGUAGE:**

Consider and Take Appropriate Action on Policy Governing Court  
Appointments to Various Boards and Committees

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### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

The Travis County Commissioners Court appoints residents to a variety of boards and committees to aid them in their planning and policy making. These groups have varying degrees of responsibility regarding future actions of the Court and other entities whose decisions affect residents, their quality of life and the services they receive.

The Court has previously expressed interest in reviewing recommendations for streamlining and standardizing the overall appointment process. Staff have been working over the past several months researching other county policies and evaluating technology solutions.

Please consider the following:

1. The Information Technology Department has confirmed the ability to post an electronic application that can be completed on-line and sent electronically to the e-mail boxes of various county staff. An electronic application may be printed and submitted in hard copy.
2. A beginning draft procedure is attached using the basic framework that the Court members have seen previously in your search for Board members for the Travis County Healthcare District
3. The policies of similarly situated counties is also included for your review. Research shows that policies range from the very brief to quite lengthy.
4. There are a significant number of boards and committees currently. The central management of the appointment process may be a goal for the

future.

Attachments for consideration:

1. Draft process and timeline
2. Draft statements of qualifications and preferred characteristics
3. Draft Conflict of Interest discussion points and Affidavit (Legal will have to modify as directed)
4. Samples of other public appointment policies.

**FISCAL IMPACT AND SOURCE OF FUNDING:**  
UNKNOWN

**REQUIRED AUTHORIZATIONS:**

Health and Human Services and Veterans Service		Pending
Health and Human Services and Veterans Service		Sherri Fleming Pending
County Judge's Office	Cheryl Aker	Pending
Commissioners Court	Cheryl Aker	Pending



## PROPOSED

### Appointment/Re-appointment - Process and Timeline

Date	Task	Who Completes Task
	<ul style="list-style-type: none"> <li>Notice to Commissioners Court of expiring terms</li> </ul>	<ul style="list-style-type: none"> <li>County staff</li> </ul>
	<ul style="list-style-type: none"> <li>Determine if re-appointment is appropriate</li> </ul>	<ul style="list-style-type: none"> <li>Commissioners Court and County staff</li> </ul>
	<ul style="list-style-type: none"> <li>Review current application packet and determine if any changes are necessary</li> </ul>	<ul style="list-style-type: none"> <li>Commissioners Court</li> </ul>
	<ul style="list-style-type: none"> <li>Finalize and approve application packet (process, announcement and forms)</li> <li>Vote on timeline (if changes are required) and decide on nomination process; for instance, who from the Court will review applications and who will interview, if necessary.</li> </ul>	<ul style="list-style-type: none"> <li>Commissioners Court</li> </ul>
	<ul style="list-style-type: none"> <li>If re-appointment is appropriate, letter of interest from current appointee due to Court member/designee, together with a current conflict-of-interest affidavit and a personal financial statement as provided by Chapter 572, Texas Government Code (as applicable)</li> </ul>	<ul style="list-style-type: none"> <li>Current appointee</li> </ul>
	<ul style="list-style-type: none"> <li>If a new appointee is desired, county-wide, public notifications of the need to fill position(s) and call for nomination(s) to the board or committee is drafted and approved by Commissioners Court</li> </ul>	<ul style="list-style-type: none"> <li>County staff</li> <li>Notifications to news media, county web page and channel 17, engage City of Austin, send out notices to all Chambers of Commerce in the Greater /Austin area, League of Women Voters, all cities in Travis County, Travis County Medical Society, all other appropriate persons and groups</li> </ul>
	<ul style="list-style-type: none"> <li>Develop and approve interview questions, if necessary</li> </ul>	<ul style="list-style-type: none"> <li>Commissioners Court and County staff</li> </ul>
	<ul style="list-style-type: none"> <li>Applications due to Court designee by close of business by date set</li> </ul>	<ul style="list-style-type: none"> <li>Applicants</li> </ul>
	<ul style="list-style-type: none"> <li>Review and evaluate applications to produce a short list and select individuals for interview, if necessary. Each court member is invited to submit persons for interview if interviews are held.</li> </ul>	<ul style="list-style-type: none"> <li>Commissioners Court and-or designee, with staff assistance as directed</li> </ul>
	<ul style="list-style-type: none"> <li>Set up interviews with the top candidates, if necessary</li> </ul>	<ul style="list-style-type: none"> <li>County staff</li> </ul>
	<ul style="list-style-type: none"> <li>Commissioners Court will conduct interviews of the top candidates, if necessary</li> </ul>	<ul style="list-style-type: none"> <li>Commissioners Court</li> </ul>
	<ul style="list-style-type: none"> <li>Selection of New Appointee</li> </ul>	<ul style="list-style-type: none"> <li>Commissioners Court</li> </ul>

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### **TRAVIS COUNTY BOARDS AND COMMITTEES:**

#### **Qualifications:**

Additional qualifications may be added or emphasized based on the service opportunity

#### **Personal Attributes/characteristics:**

- A resident of Travis County.
- Demonstrated commitment to community service
- Support for mission and values of the organization
- Current on all taxes

#### **Expertise in one or more of the following areas may be useful:**

- Finance
- Business management
- Community needs
- Information technology
- Quality management
- Marketing and communications
- Political relations
- Law
- Real estate
- Medicine
- Health care
- Social services

#### **Competencies**

- Leadership qualities
- Ability to think strategically
- Ability to communicate effectively
- Ability to work collaboratively

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### **Other Considerations:**

- Board composition reflects the diversity of the community (race, ethnicity, gender, age)
- Consumer representation

### **Issues to consider:**

- Conflict of interest, including financial benefit from the work of the board or committee
- Percentage of representation by any one discipline or advocate

### **QUALIFICATIONS:**

**Preference will be given to candidates with a history exhibiting skills, experience and abilities in a majority of the following:**

- Outstanding or strong business achievement. Because this is a new enterprise, with no local precedent, candidates with demonstrated experience with a successful business management background will be particularly attractive.
- Demonstrated ability in understanding finance, comprehending and managing large budgets.
- Able to learn, understand and comply with rules and standards governing the conduct of public business.
- Extensive involvement or multiple leadership roles in community or human services, or other community, boards or projects.
- Able to work with the public and private sector interests in Central Texas
- Experience recruiting, hiring, and managing senior management personnel.
- Outstanding communications skills.
- Capable of dedicating significant time to service on the board or committee

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- Demonstrated experience in controlling costs while maximizing services and service delivery.
- Ability to collaborate with public officials and staff.

**In addition to the above qualifications, preferences will be given to candidates who can demonstrate the following personal characteristics:**

- Respect for public input and involvement
- Consensus building
- Strong ethics
- Integrity

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### **DO I HAVE A CONFLICT OF INTEREST?**

Disclosing potential conflicts does not automatically make you ineligible for appointment, but the Commissioners Court may assess potential conflicts when deciding if it should consider you further.

You should consider whether you have a real or perceived conflict of interest with the board, committee or commission, including any direct or indirect financial interest with the County.

As part of the application process, applicants must identify and disclose any actual or potential conflicts of interest.

Potential conflicts of interest may include, but are not limited to, applicants, or their spouses, partners or children. Conflicts may exist if, the applicants, or their spouses, partners or children are:

- currently doing business with, or working as a consultant for the County or other key beneficiary
- for appointment to quasi-judicial bodies, being engaged in a business over which the quasi-judicial body has jurisdiction, or
- serving as a lobbyist on issues affecting the County, board, committee or commission

Other potential conflicts could include applicants having:

- any interest, direct or indirect, in outstanding litigation involving the County or the board, or
- any tax arrears that remain outstanding to the County beyond the current year, for private or commercial property or business taxes.
- Relatives currently serving or having served recently on the board



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### **TRAVIS COUNTY HOSPITAL DISTRICT** **CONFLICT OF INTEREST DISCLOSURE AFFIDAVIT**

*(THIS DOCUMENT, IF INCLUDED IN THE POLICY, WILL REQUIRE CHANGES)*

STATE OF TEXAS           §

COUNTY OF TRAVIS       §

On this day, \_\_\_\_\_, appeared before me, the undersigned notary public, and after I administered an oath to him, upon his/her oath, he/she said:

"My name is \_\_\_\_\_. I am competent to make this affidavit. The responses to the questions stated in this affidavit are within my personal knowledge and are true and correct. In this affidavit, ~~"District" means the Travis County Hospital District and "Board" means the Board of Managers of the District.~~ I am making this affidavit to disclose potential conflicts of interest that might affect my ability to service on the Board and to verify that I meet all eligibility requirements for appointment to the Board.

"I understand that providing no information in the space provided in items 4 through 25 means that the circumstances described in that item is a statement that these circumstances do not apply to either my spouse or me as applicable and I affirm that all of the following statements are true and correct.

1. I reside in Travis County, Texas.

#### *EMPLOYMENT*

2. I am not an elected official.

3. My spouse's employer is \_\_\_\_\_.

My spouse works in \_\_\_\_\_ (department).

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My **spouse's** position title is \_\_\_\_\_.

### FINANCIAL RELATIONSHIPS

4. If my employer has, or is expected to have, a financial relationship (other than as a taxpayer) with any of the following entities, I have marked with an X in the box • preceding the entity and stated the financial relationship:

- District \_\_\_\_\_
- City of Austin \_\_\_\_\_
- Travis County \_\_\_\_\_
- ~~Ascension Health (Seton Healthcare Network or its affiliates)~~ \_\_\_\_\_

- 
- ~~Columbia Healthcare Systems (St. David's Hospital) or one of its affiliates~~

- 
- ~~University of Texas Medical Branch~~ \_\_\_\_\_

- 
- ~~Another healthcare provider that has or is likely to have a financial relationship with District (specify provider also)~~ \_\_\_\_\_
- 

5. If my **spouse's** employer has, or is expected to have, a financial relationship (other than as a taxpayer) with any of the following entities, I have marked with an X in the box • preceding the entity and stated the financial relationship

***DRAFT***

- ~~District~~ \_\_\_\_\_
- City of Austin \_\_\_\_\_
- Travis County \_\_\_\_\_
- ~~Ascension Health (Seton Healthcare Network or its affiliates)~~ \_\_\_\_\_

- 
- ~~Columbia Healthcare Systems (St. David's Hospital) or one of its affiliates~~

- 
- University of Texas Medical Branch \_\_\_\_\_

- 
- ~~Another healthcare provider that has or is likely to have a financial relationship with~~

~~District (specify provider also)~~

- 
6. If I intend to seek a business arrangement with the ~~District~~, the type of business is stated below:

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7. If my **spouse** intends to seek a business arrangement with the ~~District~~, the type of business is stated below:

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- 
- 
8. If I do work for or participate in the management of any organization (other than a political subdivision) that receives funds from Travis County or City of Austin or is expected to receive funds from ~~District~~; the name of the organization, the entity providing funds and the type of funding are stated below:

- 
- 
9. If my **spouse** does work for or participates in the management of any organization (other than a political subdivision) that receives funds from Travis County or City of Austin or is expected to receive funds from ~~District~~; the name of the organization, the entity providing funds and the type of funding are stated below:

### **INDEPENDENCE**

10. If I am employed or engaged in a business or professional activity that might cause me to disclose confidential information acquired as a result of my being a member of the Board, the name of the business or activity is stated below:

- 
- 
11. If my **spouse** is employed or engaged in a business or professional activity that might cause me to disclose confidential information acquired as a result of my being a member of the Board, the name of the business or activity is stated below:

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12. If I am employed or engaged in any activity that could significantly impair my independence of judgment in the performance of my official duties as a member of the Board, the name of the activity is stated below:

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13. If my **spouse** is employed or engaged in any activity that could significantly impair my independence of judgment in the performance of my official duties as a member of the Board, the name of the activity is stated below:

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14. If I own an interest in real property that is expected to be acquired for a ~~District~~ project, the location of the property is stated below:

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15. If my **spouse** or **minor children** own an interest in real property that is expected to be acquired for a ~~District~~ project, the location of the property is stated below:

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16. If I have material personal investments that could create a conflict between my private interests and the interests of the ~~District~~, the type and extent of those investments is stated below:

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17. If my **spouse** or **minor children** have material personal investments that could create a conflict between their private interests and the interests of the ~~District~~, the type and extent of those investments is stated below:

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18. If I own or control, either directly or indirectly, more than 10% of the stock of a company that receives funds from Travis County or City of Austin or is expected to receive funds from ~~District~~, the name and percentage of ownership of those companies are stated below:

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19. If my **spouse** or **minor children** own or control, either directly or indirectly, more than 10% of the stock of a company that receives funds from Travis County or City of Austin or is expected to receive funds from ~~District~~, the name and percentage of ownership of those companies are stated below:

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20. If I use or receive a substantial quantity of goods or services from Travis County or City of Austin, or expect to receive a substantial quantity of goods or services from the ~~District~~, the type and approximate annual quantity are stated below:

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21. If my **spouse** or **minor children** use or receive a substantial quantity of goods or services from Travis County or City of Austin, or expect to receive a substantial quantity of goods or services from the ~~District~~, the type and approximate annual quantity are stated below:

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### LOBBYING AND CONSULTING

22. If I am an owner, officer, employee, manager or paid consultant of any association either involved in the field of health care services or supplies, or lobbying for ~~health care services~~, my position and the name of the association are stated below:

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23. If my **spouse** is an owner, officer, employee, manager or paid consultant of any association either involved in the field of health care services or supplies, or lobbying for ~~health care services~~, my position and the name of the association are stated below:

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24. If, currently or during the last three years, I am or was a lobbyist for compensation at or on behalf of Travis County or the City of Austin, my activities and on whose behalf they were provided are stated below:

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25. If, currently or during the last three years, my **spouse** is or was a lobbyist for compensation at

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or on behalf of Travis County or the City of Austin, my **spouse's** activities and on whose behalf they were provided are stated below:

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26. I understand that the District will be a component unit of Travis County for financial statement purposes. As such, I am willing to complete the disclosure of related party transactions with the District annually so that Travis County can comply with the requirements of Financial Accounting Standard 57.

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Signature

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

SWORN TO and SUBSCRIBED before me by \_\_\_\_\_ on \_\_\_\_\_, 200\_\_.

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Notary Public in and for the State of Texas





**TRAVIS COUNTY**  
**Boards and Committees**  
**APPOINTMENT APPLICATION**

(Applications must be submitted in this format. Please do not retype or reformat.)

<b>Name:</b>		
<b>Spouse's Name:</b>		
<b>Home Telephone #</b>	<b>Work Telephone #</b>	<b>Fax #</b>
<b>Email Address</b>		<b>Cellular # (Optional)</b>
<b>I wish to be considered for (name the Board or Committee):</b>		
<b>Present Job title &amp; job description:</b>		
<b>Profession:</b>		
<b>Home Address</b> (STREET/P.O. BOX, CITY, STATE, ZIP)		<b>Employer and Employer's Address</b>
<b>County:</b>		

**EDUCATION/TRAINING:**

<b>High School or equivalent (G.E.D.)</b>	
<b>Undergraduate School:</b>	<b>Year Graduated:</b>
<b>Graduate School:</b>	<b>Year Graduated:</b>
<b>Licenses/Certifications:</b>	<b>Year Obtained:</b>

APPOINTMENT APPLICATION |

Travis County Government

Formatted

**Name:**

**EMPLOYMENT AND CAREER HISTORY( include business, administrative, & finance experience):**

**CURRENT PROFESSIONAL MEMBERSHIPS:**

**PUBLIC SERVICE (include participation in local, state, federal governmental processes):**

**CIVIC PARTICIPATION:**

Name:

**COMMUNITY LEADERSHIP ROLES:**

**EXPERIENCE AND/OR KNOWLEDGE Related to the Board or Commission Appointment you are seeking:**

**BUSINESS ACHIEVEMENT (specifically entrepreneurial and investment):**

**NOTE: A Current Resume Must Be Attached**

**TRAVIS COUNTY**  
**Boards and Committees**  
**APPOINTMENT APPLICATION**

Name:					
Date of Birth	Driver's License # or DPS I.D. #		Are you a U.S. Citizen <input type="checkbox"/> Yes <input type="checkbox"/> No		
Ethnicity: (Optional)	<input type="checkbox"/> White	<input type="checkbox"/> African-American	<input type="checkbox"/> Hispanic	<input type="checkbox"/> Asian	Other: _____

**CERTIFICATION OF APPLICANT**

I hereby certify that the foregoing and any attached statements are true, accurate and complete. I agree that any misstatement, misrepresentation, or omission of a fact may result in my disqualification for appointment. I assign and hereby give Travis County full authority to conduct background investigations pertinent to this application.

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

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

Return to:

## **SAMPLE FROM THE CITY OF TORONTO, CANADA**

### **Who is eligible?**

To be eligible for appointment you must be:

- a resident of Toronto, and
- at least 18 years old (the age of majority in Ontario)

### **Do I have to be a Canadian citizen?**

You do not have to be a Canadian citizen except where required for specific boards. Under current legislation, Canadian citizenship is required to serve on the Toronto Public Library Board.

In filling vacancies on its boards, the City defines "citizen" to include all persons who are residents of Toronto, including permanent residents, refugees, refugee claimants and residents without homes.

### **General requirements**

You are not eligible if you are:

- a relative of a Member of Council
  - spouse, in a marital relationship, child or parent
- staff of the City or its agencies, boards, commissions and corporations (ABCCs),
  - exception: staff of the City or its ABCCs may be nominated by the City to serve on external boards, if the board eligibility allows it
- on another City board at the same time: exceptions
  - you can serve on a Business Improvement Area board and also serve on one other City board
  - you can be appointed to a City board and also be a City nominee to one external board or committee to which City Council recommends appointments
  - you can be a member of the Board of Trustees of the Metro Toronto Pension Plan and also serve as a member of the Board of Trustees of the Metro Toronto Benefit Fund
  - you can be the independent member of the Toronto Fire Department Superannuation and Benefit Fund Committee and also serve as the independent member of the Toronto Civic Employee's Pension and Benefit Fund Committee

Some boards, such as the Toronto Licensing Tribunal, include additional eligibility requirements. This information is included with the list of qualifications for the board.

## **Qualifications**

The skills and experience that you need are listed in the application form and in the information on each board.

Candidates are not required to meet every qualification listed to be considered. The City's goal is to achieve a balance of qualified applicants covering the range of qualifications specified for the board.



## **BEXAR COUNTY ADMINISTRATIVE POLICY AND PROCEDURES MANUAL**

**ADMINISTRATIVE POLICY NUMBER:** 2.1

**TITLE:** BOARDS AND COMMISSIONS GUIDELINES

**PREPARED BY:** COMMISSIONERS COURT

**REFERENCE:** ADMINIISTRATIVE POLICY 1.2

**ADOPTED DATE:** FEBRUARY 3, 1993

**EFFECTIVE DATE:** JANUARY 10, 2001; FEBRUARY 3, 1993

**REVISED DATE:** AUGUST 24, 2004 (PUBLIC OFFICE)

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### **PURPOSE**

To establish general operational and administrative guidelines for all Bexar County created boards and commissions.

### **POLICY**

These provisions shall be applicable to members of any board and commission of the County of Bexar appointed by Commissioners Court, or by individual members of the Court.

To encourage representation of a variety of points of view, Commissioners Court will seek a diversity of membership.

Three processes for appointments to Bexar County Board and Commissions exist based on the types of appointments are as follows:

- A: An appointment process that requires a majority vote from Commissioners Court for approval. These are appointments to a statutorily created board or commission with requirement that "Commissioners Court shall appoint" resulting in an agenda item for discussion, nomination and "Recorded Vote by the Court." Appointments under this category may, at the Court's discretion, require applicants to interview before a quorum of Commissioners Court. [Example: VIA Metropolitan Transit Authority].
- B: An appointment process that allows individual Court members to select and appoint candidates. These are appointments to a statutorily created board or commission with the requirement that "Commissioners Court shall appoint" either with the informal agreement of Commissioners Court or the legal requirement that each member of the Court make individual appointments resulting in a

*“Consent Agenda Record Vote”* for approval by the Court. [Example: University Health System Board of Managers].

- C: Appointments to a non-statutorily created board or commission which require only a *“file for record”* appointment. [Example: San Antonio River Oversight Committee]. For appointment process type (A) above, the coordinator of Bexar County Boards and Commissions shall solicit applicants Countywide, facilitate the interview process for Commissioners Court, and prepare the agenda coordination form and necessary backup for Commissioners Court action.

For appointment process types (B) and (C) above where the Court members make individual appointments; a Court member may solicit applicants to fill position(s) and prepare the Agenda Coordination Form and necessary backup for Commissioners Court action.

In making a recommendation for appointment process types (A), (B) and (C) above, the individual member of the Court or other official recommending the appointment shall provide a copy of the Bexar County Boards and Commissions Application (herein Exhibit I), and an Agenda Coordination Form to the Agenda Coordinator with the following information to be listed on the Court’s Agenda:

- a) Name of Board or Commission
- b) Name of person to be appointed
- c) Term of office
- d) Whether or not that individual filling an unexpired term or is replacing an incumbent board or commission member.

Adjacent to each board and commission position in the Bexar County Board and Commissions Master List (referred to later in this document), the Commissioners Court, Judge, or Commissioner Precinct #, is listed to indicate whether the position is a Commissioners Court appointment or an individual Court member appointment.

## **APPOINTMENT NOTIFICATION**

Upon appointment of a board or commission member, the coordinator of the Bexar County Boards and Commissions shall prepare a formal letter of notification on behalf of the Court, copies of which shall be sent to appointee and chair of the board or commission. A copy of the minutes reflecting the Commissioners Court appointment shall be attached to the letter.

## **REQUIREMENTS FOR APPOINTMENT**

Unless statutory authority provides otherwise, the following are the requirements for appointment:

1. Reside within Bexar County or represent a local business enterprise or other legal entity which is primarily located within Bexar County;
2. Interest in the betterment of Bexar County in addition to any special requirements of a particular board or committee;
3. Must have a credible record of attendance and performance in any previous board experience;
4. Not in arrearage in County taxes;
5. Not an adversary party in pending litigation against the County; and
6. Must meet any special qualifications required by the authority that created the board.



## **INFORMATION**

All persons considered for appointment or reappointment shall complete a Bexar County Boards and Commissions Application.

## **INCUMBENTS**

Persons appointed and serving on any board or commission may be requested to submit a Bexar County Boards and Commissions Application to be considered for reappointment to the position in which they serve or for appointment to any other available position.

## **TERM**

All appointments to boards and commissions shall be made for a term of two (2) years unless otherwise statutorily required. Each appointee shall serve until a successor has been appointed.

Any vacancies will be filled for the remainder of the term in the same manner as a regular appointment.

Each citizen shall be limited to Bexar County appointments on a maximum of two (2) boards or commissions at the same time.

## **MAINTENANCE OF MEMBERSHIP**

The chairperson of the various boards/commissions shall immediately notify the coordinator of the Bexar County Boards and Commissions, in writing, should there be either a resignation or termination of membership.

The coordinator of Bexar County Boards and Commissions shall maintain a Master List containing the names and expiration dates of all appointments to boards and commissions. The Master List shall be updated upon each appointment to a board or commission and made available to the public and all Bexar County offices and departments via the Bexar County Intranet, Internet or in paper from upon request, copies of the Master List shall be posted in the Commissioners Court reception area.

## **MEETINGS**

1. All boards and commissions created by the Bexar County Commissioners Court shall meet in accordance with applicable provisions and bylaws.
2. Special meetings may be called by the chairperson or by a quorum of members at any time.
3. All meetings shall be in compliance with the Texas Open Meetings Act, Tex Govt. Code Chapter 551 to include posting agendas that will clearly identify, for the general public, the purpose of the item and the proposed action to be taken.
4. Proper records of all meetings shall be maintained.

## **ATTENDANCE**

1. Regular attendance of board and commission meetings by the appointee is expected by the Bexar County Commissioners Court.
2. The chairperson shall notify the coordinator of the Bexar County Boards and Commissions, in writing, of any member who is absent from three (3) consecutive meetings without an excused absence by formal action of the Board, or is absent from fifty percent (50%) of the meetings held during any twelve month period. A meeting cancelled for lack of quorum is considered a meeting for purposes of recording attendance.

## REPORTING

On a date determined by the coordinator of Bexar County Boards and Commissions, members from each board and commission shall be required to work with the Chair, other members of my Board or Commission and the coordinator of Bexar County Boards and Commissions to facilitate the process of providing written or oral reports to Commissioners Court on an annual basis. This board or commission membership requirement shall be included on the Bexar County Boards and Commissions Application.

## ESTABLISHMENT OF BYLAWS

Bylaws, and any changes thereof, shall be subject to the approval of Commissioners Court:

## PUBLIC OFFICE

If a member of any board or commission appointed by the Commissioners Court shall become a candidate for nomination or election to any public office, that member shall immediately notify the Commissioners Court. In the event that holding both the position on the County's board or commission and the position for which that board or commission member has become a candidate constitutes dual officeholding under the Texas Constitution, as determined by the Bexar County Criminal District Attorney's Office, that individual shall be deemed to have resigned his/her place or position on the County board or commission.

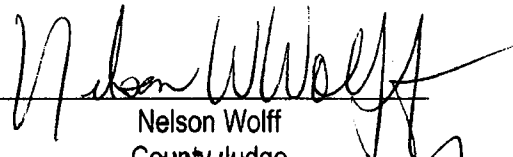
## CONFLICT OF INTEREST

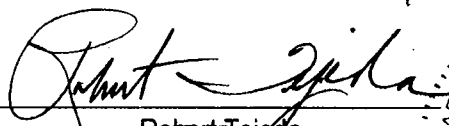
Each member of any board or commission shall disclose any possible conflict of interest, which may arise in connection with matters being considered by the board or commission of which he/she is a member, and shall refrain from discussion or voting on any such matters.


## REMOVAL

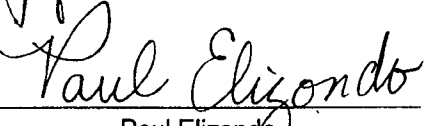
The members of any board or commission appointed by Commissioners Court may be removed for cause by the Commissioners Court, unless removal procedures are statutorily prescribed.

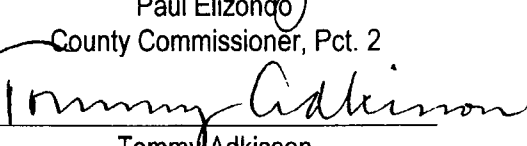
PASSED AND APPROVED THIS THE 24<sup>th</sup> DAY OF AUGUST 2004.

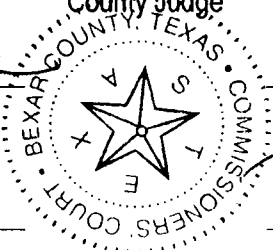
  
Nelson Wolff  
County Judge

  
Robert Tejeda  
County Commissioner, Pct. 1

  
Lyle Larson  
County Commissioner, Pct. 3

  
Paul Elizondo  
County Commissioner, Pct. 2

  
Tommy Adkisson  
County Commissioner, Pct. 4





## COUNTY OF EL PASO

### Application for Boards, Commissions, and Committees

Name: \_\_\_\_\_ Voting Precinct: \_\_\_\_\_

D.O.B. \_\_\_\_\_ S.S. # \_\_\_\_\_

List the Board(s), Commission(s), and/or Committee(s) you are particularly interested in:

\_\_\_\_\_

Home Address: \_\_\_\_\_  
STREET CITY STATE ZIP

Phone number: \_\_\_\_\_ Cell Phone number: \_\_\_\_\_

E-mail address: \_\_\_\_\_

*PURSUANT TO TEXAS GOVERNMENT CODE, SEC. 522.021. I ELECT THAT MY HOME ADDRESS & TELEPHONE NUMBER (CHECK ONE): ☐ MAY BE RELEASED / ☐ SHALL NOT BE RELEASED TO THE PUBLIC UPON REQUEST UNDER THE TEXAS OPEN RECORDS ACT. FAILURE TO MAKE A DESIGNATION RESULTS IN INFORMATION BEING AVAILABLE FOR PUBLIC ACCESS.*

Length of Residency in El Paso County: \_\_\_\_\_ (Years/Months)

Place of Employment: \_\_\_\_\_

Business Address: \_\_\_\_\_  
STREET CITY STATE ZIP

Telephone: ( ) \_\_\_\_\_ Fax Number: ( ) \_\_\_\_\_

Professional Background: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Educational Background: \_\_\_\_\_

\_\_\_\_\_

3 personal or professional references not related to you:

NAME	PHONE #	YEARS KNOWN
------	---------	-------------

NAME	PHONE #	YEARS KNOWN
------	---------	-------------

NAME	PHONE #	YEARS KNOWN
------	---------	-------------

Previous volunteer organizations and/or community service: \_\_\_\_\_

\_\_\_\_\_

Are your property taxes currently paid? \_\_\_\_\_ (Yes) \_\_\_\_\_ (No) If not, please give a brief explanation:

Are you aware of any matter that could be considered a conflict that should be disclosed before you are considered for appointment?

If so, please describe the matter.

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Signature: \_\_\_\_\_

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

Application should be submitted to: [humanresources@epcounty.com](mailto:humanresources@epcounty.com)  
Human Resources Department  
800 E. Overland, Rm 223  
El Paso, TX 79901



# Bexar County Commissioners Court SECTION 1

## Application Form (<http://www.co.bexar.tx.us>)

NOTE: The information you provide on this form is open to the public.

While you may attach a resume, please type or print the following information.

Indicate the Board or Commission for which you wish to be considered: \_\_\_\_\_

**PERSONAL DATA:** Name: \_\_\_\_\_

Residence Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Work Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Home E-mail address: \_\_\_\_\_ Work E-mail address: \_\_\_\_\_

Commissioners Court Precinct: \_\_\_\_\_ Years of Residence in Bexar County: \_\_\_\_\_

Employer: \_\_\_\_\_ Address: \_\_\_\_\_

Length of Employment: \_\_\_\_\_ Position: \_\_\_\_\_

Voter Registration Card #: \_\_\_\_\_

**EDUCATION LEVEL:** Please check all that apply and list schools attended:

High School/GED \_\_\_\_\_ School: \_\_\_\_\_

College/University degree attained \_\_\_\_\_ College/University \_\_\_\_\_

Other: \_\_\_\_\_

Describe any training, experience, qualifications, special interests or expertise that you wish to call to the attention of Bexar County Commissioners Court regarding your ability, desire or qualifications to serve on this board or commission.

List any volunteer activities/community service in which you have participated, including involvement on boards, commissions or organizations currently or in the past, and any offices held.

Recognizing that Boards and Commissions are often demanding on one's time and schedule, are you committed to attending the regularly scheduled meetings of the board or commission?

\_\_\_\_\_ Yes \_\_\_\_\_ No

How many hours can you commit to devoting to service on this board or commission each month? \_\_\_\_\_

## SECTION 2

Briefly state your personal philosophy on public service.

Should you be appointed by the Commissioners Court to serve on this board or commission, what do you see as your primary responsibility, and why do you wish to serve in this capacity?

Should you be appointed by the Commissioners Court to serve on this board or commission, when would you feel that communication with Commissioners Court would be necessary regarding board or commission issues?

Rules of law and ethics prohibit members from participating in and voting on matters in which they may have a direct or indirect financial interest. Are you aware of any potential conflicts of interest, which may develop from your occupation or financial holding in relation to your responsibilities as a member of the board or commission? If yes, please indicate any potential conflicts.

Please return this form and all attachments to:    **Bexar County Commissioners Court  
Boards and Commissions Appointments  
100 Dolorosa, Room 1.20  
San Antonio, Texas 78205  
210.335.0180 Telephone / 210.335.0586 Facsimile**

I understand an appointment is at the will of Commissioners Court and I may be terminated for cause at any time.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

## SECTION 3

**This section of the application is ONLY for  
CENTER FOR HEALTH CARE SERVICES APPLICANTS.  
PLEASE NOTE THAT THIS STATEMENT MUST BE NOTARIZED BY A LICENSED NOTARY.**

Are you or a member of your family a consumer of the types of services the Center provides? Please describe the nature of these services.

STATE OF TEXAS  
COUNTY OF BEXAR

Before me the undersigned authority personally appeared \_\_\_\_\_ (print name)  
and upon (his) (her) oath deposes and states as follows:

I am a qualified voter who has resided in Bexar County, Texas for at least one year prior to the selection date and neither myself nor my spouse:

- a. owns or controls, directly or indirectly, more than a 10 percent interest in a business entity or other organization receiving funds from the Center by contract or other method; or
- b. uses or receives a substantial amount of tangible goods or funds from the Center, other than: compensation or reimbursement authorized by law for Board membership, attendance, or expenses; or as a consumer or as a family member of a client or patient receiving services from the Center.

\_\_\_\_\_  
(Signature of applicant)

Subscribed and sworn to before me on this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.



## **Travis County Commissioners Court Agenda Request**

Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: Cheryl Aker, County Judge's Office, 854-9558

Elected/Appointed Official/Dept. Head: Samuel T. Biscoe, County Judge

Sponsors: Judge Biscoe

### **AGENDA LANGUAGE:**

Consider and take appropriate action on request to partner with the City of Austin for the purchase of various tracts of real estate in southwest Austin and Travis County. (This item may be taken into executive session pursuant to gov't. Code ann. 551.071, consultation with attorney and gov't. Code ann. 551.072, real property)

### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

Enter Background/Summary of Request and Attachments here

### **STAFF RECOMMENDATIONS:**

Enter Staff Recommendations here

### **ISSUES AND OPPORTUNITIES:**

Enter Issues and Opportunities here

### **FISCAL IMPACT AND SOURCE OF FUNDING:**

ENTER Amount of Funding, Source of Funding, Previously Approved by Commissioners Court (Earmark?), Annualized Amount, Current Budget

### **REQUIRED AUTHORIZATIONS:**

County Judge's Office  
Commissioners Court

Cheryl Aker  
Cheryl Aker

Completed  
Pending

03/03/2011 9:46 AM



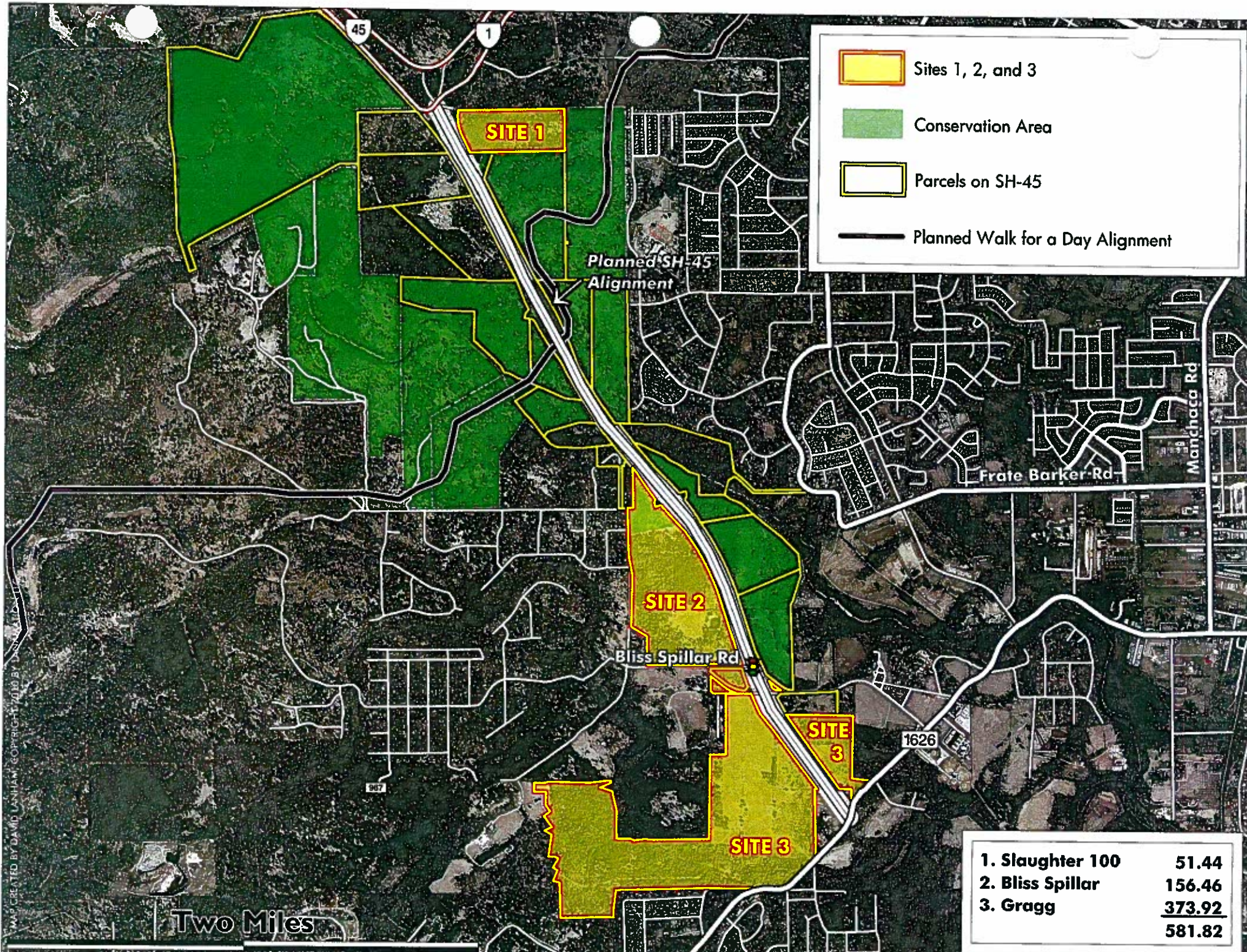
**Joint Acquisition of Conservation Land**

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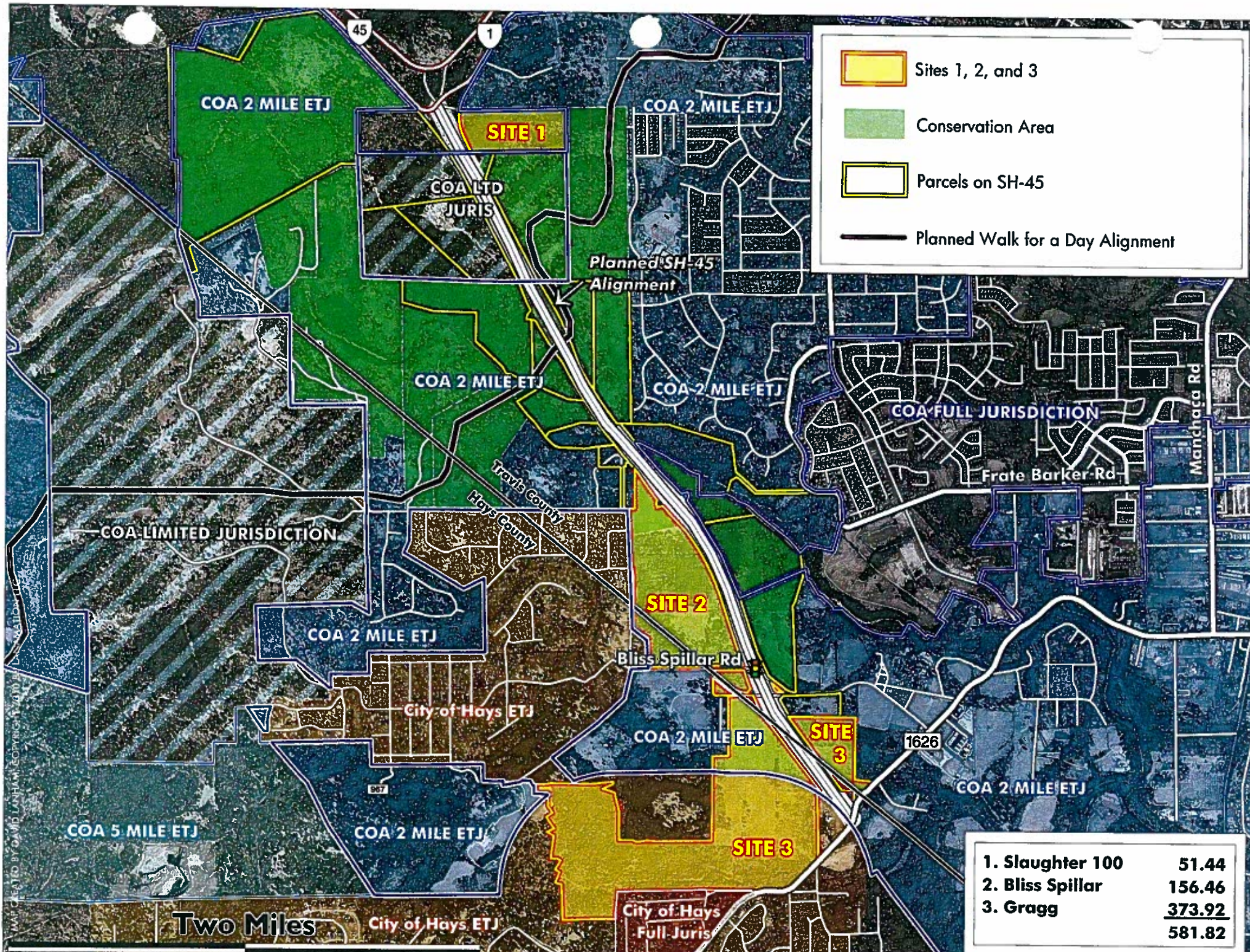
**Travis County  
City of Austin**

1. Parcel Map
2. Parcel Map with Jurisdiction Lines
3. Cost and Cost Breakdown









1. Slaughter 100	51.44
2. Bliss Spillar	156.46
3. Gragg	<u>373.92</u>
	581.82



# **Joint Acquisition of Conservation Land**

**Travis County  
City of Austin**

**Cost: \$12,500,000.00**

<b>1. Slaughter 100</b>	<b>\$2,500,000.00</b>
<b>2. Bliss Spillar</b>	<b>\$2,949,960.41</b>
<b>3. Gragg</b>	<b>\$7,050,039.59</b>
<b>Total:</b>	<b>\$12,500,000.00</b>

**Note: A. The price for the Slaughter 100 tract represents a 77% discount off of appraised value. Seller will be requesting a charitable donation for the difference.**

**B. The price for Bliss Spillar represents a 20% discount off of appraised value.**

**C. The price for Gragg utilized the same per acre price as Bliss Spillar and Seller believes it represents at least a 20% discount off of market value.**



## **Travis County Commissioners Court Agenda Request**

Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: Nicki Riley, Auditor's Office, 854-3227

Elected/Appointed Official/Dept. Head: Susan Spataro, Travis County Auditor

Sponsors: Judge Biscoe

### **AGENDA LANGUAGE:**

Consider and take appropriate action on order to replace Chapter 27 Travis County Capital Asset Guide of the Travis County Code as updated to comply with new rules for accounting for intangible assets.

### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

Please see attachments.

### **STAFF RECOMMENDATIONS:**

Please see attachments.

### **ISSUES AND OPPORTUNITIES:**

Please see attachments.

### **FISCAL IMPACT AND SOURCE OF FUNDING:**

none.

### **REQUIRED AUTHORIZATIONS:**

Auditor's Office	Jackie Casias	Completed	02/25/2011 10:28 AM
County Attorney's Office	Barbara Wilson	Completed	02/25/2011 11:31 AM
Planning and Budget Office		Pending	
County Judge's Office	Cheryl Aker	Pending	
Commissioners Court	Cheryl Aker	Pending	

## AGENDA REQUEST

VOTING SESSION      03/08/11      EXECUTIVE SESSION

- Consider and take appropriate action on order to replace Chapter 27 Travis County Capital Asset Guide of the Travis County Code as updated to comply with new rules for accounting for intangible assets.

County Attorney's Office	854-9415
Purchasing Office	854-9700

A change in your department's personnel

\_\_\_\_\_ Additional funding for your department  
 \_\_\_\_\_ Transfer of funds within your department budget  
 \_\_\_\_\_ A change in your department's personnel

1-Agenda Request-Revised Cap Asset Guide & FA Manual for GASB 51 3-08-11.doc.doc

TRAVIS COUNTY  
AUDITOR'S OFFICE

SUSAN A. SPATARO, CPA, CMA  
COUNTY AUDITOR



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

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TO: Commissioners' Court  
FROM: Nicki Riley, Chief Assistant County Auditor  
RE: **Agenda Item Request for March 08, 2011**  
Revised Capital Asset Guide (Chapter 27 of Travis County Code)  
DATE: February 25, 2011

The Governmental Accounting Standards Board ("GASB") has issued a new accounting rule, namely Statement No. 51, *Accounting and Financial Reporting for Intangible Assets* ("GASB 51"). Although many governments, including Travis County, have already been reporting intangible assets (e.g., easements and computer software) as capital assets on their financial statements, GASB 51 codifies specific authoritative guidance regarding the accounting and financial reporting of these assets.

The new accounting rule affects the following sections in the Capital Asset Guide: Introduction, 27.001(b), 27.003, 27.103, 27.501(b), 27.501(e), and 27.504. These sections now include specific information and guidance related to intangible assets. Also, due to the new accounting rule, sections 1.1, 1.5, 3.8 and Appendix A of the Fixed Asset Policy and Procedures Manual were revised. These changes have been included in the revised Manual, which Purchasing will also present on the Court's agenda.

As of this date, there are no changes to the County's reporting of capital assets as a result of GASB 51. However, we did revise the capitalization threshold for computer software from \$5,000 to \$100,000 to mirror the State's policy, upon which the County's policy was originally modeled.

We have also worked with the County Attorney's Office and the Purchasing Office regarding these revisions.

Attachments to this memo are the 1) Order, and 2) revised Chapter 27 Travis County Capital Asset Guide of the Travis County Code.

If you have any questions, please contact me at ext. 49125.

cc: Susan Spataro, County Auditor  
Diana Warner, First Assistant County Auditor  
Barbara Wilson, County Attorney's Office  
Cyd Grimes, Purchasing Agent

**ORDER AMENDING TRAVIS COUNTY CODE,  
CHAPTER 27 TRAVIS COUNTY CAPITAL ASSET GUIDE**

STATE OF TEXAS           §  
                                     §  
COUNTY OF TRAVIS       §

Pursuant to Sections 1.0051 and 1.0052 of the Travis County Code, the Commissioners Court makes the following order:

1. Chapter 27 Travis County Capital Asset Guide of the Travis County Code is deleted and the form of Chapter 27 Travis County Capital Asset Guide attached to this order is inserted as Chapter 27 of the Travis County Code in its place.

Date of Order:\_\_\_\_\_

TRAVIS COUNTY COMMISSIONERS COURT

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

\_\_\_\_\_  
Ron Davis  
Commissioner, Precinct 1

\_\_\_\_\_  
Sarah Eckhardt  
Commissioner, Precinct 2

\_\_\_\_\_  
Karen Huber  
Commissioner, Precinct 3

\_\_\_\_\_  
Margaret Gómez  
Commissioner, Precinct 4



## Chapter 27. Travis County Capital Asset Guide

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## Chapter 27. Travis County Capital Asset Guide

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## **Chapter 27. Travis County Capital Asset Guide**

### **Introduction**

Effective October 1, 2001, Travis County ("County") was required to implement Governmental Accounting Standards Board (GASB) Statement No. 34 (GASB 34), *Basic Financial Statements and Management's Discussion and Analysis for State and Local Governments*. Two key implementation challenges presented by the new reporting model are infrastructure reporting and depreciation accounting.

The County Auditor's Office, the Purchasing Office, Facilities Management Department, and Transportation and Natural Resources Department collaborated on the original draft of this guide. The State of Texas Capital Asset Guide served as the basis for the Travis County Capital Asset Guide and was used with permission from the State Comptroller. The Capital Asset Guide will assist County offices and departments in implementing the reporting requirements of GASB 34. Detailed instructions and procedures will be provided as needs are identified. Included in this guide are asset category definitions, capitalization thresholds, depreciation methodologies, and examples of expenditures for each class of assets. Additionally, guidelines for leasehold improvements and construction in progress have been included.

Guidance issued under GASB 51, *Accounting and Financial Reporting for Intangible Assets* was considered and implemented into the Capital Asset Guide in fiscal year 2010.

For specific guidance regarding procedural issues, please refer to the Travis County Fixed Asset Policy and Procedures Manual, Chapter 33 of the Travis County Code.

### ***Subchapter A. Capital Asset Definitions and Guidelines***

#### **§ 27.001 Capital Asset Definitions and Guidelines**

- (a) Tangible capital assets are real or personal property that have a value equal to or greater than the capitalization threshold for the particular category of the asset and have an estimated useful life of greater than one year.

The County has invested in a broad range of tangible capital assets that are used in the County's operations, which include the following major categories:

- (1) Land and land improvements
- (2) Buildings and building improvements
- (3) Improvements other than buildings
- (4) Infrastructure
- (5) Machinery, equipment, and other assets
- (6) Leasehold improvements
- (7) Construction in progress

## **Chapter 27. Travis County Capital Asset Guide**

- (b) Intangible capital assets are assets that lack physical substance, are non-financial in nature, have a value equal to or greater than the stated threshold, and have an initial useful life beyond one year. Examples include, but are not limited to, easements, water rights, timber rights, patents, trademarks and computer software (including internally generated computer software). Intangible assets may be purchased outright or internally generated.

Intangible assets are considered internally generated if they are created or produced by the government or purchased but require more than minimal incremental effort on the part of the government to begin to achieve their expected level of service capacity. A common type of internally generated asset for government is computer software.

Outlays incurred during the development of an identifiable internally generated intangible asset should be capitalized only upon the occurrence of all of the following:

- (1) Determination of the specific objective of the project and the nature of the service capacity that is expected to be provided by the intangible asset upon the completion of the project.
- (2) Demonstration of the technical or technological feasibility for completing the project so that the intangible asset will provide its expected service capacity.
- (3) Demonstration of the current intention, ability, and presence of effort to complete or, in the case of a multiyear project, continue development of the intangible asset.

### **§ 27.002 Capital Asset Classification**

Assets purchased, constructed or donated that meet or exceed the County's established capitalization thresholds and useful life requirements must be uniformly classified utilizing the County Auditor's account structure and the corresponding capital asset code structure. A list of current class code structures for personal and real property is available through the Purchasing Office's Fixed Asset System.

## Chapter 27. Travis County Capital Asset Guide

### § 27.003 Capitalization Thresholds

Standard capitalization thresholds have been established for each major class of assets. All County offices and departments are required to use these thresholds.

Class of Asset	Threshold
Land/land improvements including related intangibles	Capitalize All
Buildings/building improvements	\$5,000
Improvements other than buildings	\$5,000
Infrastructure	\$5,000
Machinery, Equipment, and Other Tangible Assets	\$5,000
Intangible Assets:	
(a) Internally generated computer software	\$1,000,000
(b) Purchased computer software	\$100,000
(c) Other capital intangible assets	\$100,000
Leasehold improvements	\$5,000

The County Auditor sets the uniform estimated useful life and residual value standards for each Class of Asset and, where appropriate, for subclasses of assets.

### § 27.004 Capital Asset Acquisition Cost

- (a) Capital assets should be recorded and reported at their acquisition or historical costs, which include the vendor's invoice cost, plus sales tax and other taxes imposed on the acquisition, initial installation cost (excluding in-house labor), modifications, attachments, accessories or any item necessary to make the asset usable and render it into service. Capitalized costs also include ancillary charges such as freight and transportation charges, in-transit insurance charges, handling and storage charges, site preparation costs and professional fees. Additional detail appears in the subchapter for each capital asset category.
- (b) In addition, interest is capitalized on assets that are constructed or otherwise produced for the County's own use (including assets constructed or produced for the County by others for which deposits or progress payments have been made.)

## Chapter 27. Travis County Capital Asset Guide

- (c) If something other than cash is used to pay for the asset, the fair-market value of the non-cash payment or consideration determines the asset's cost or acquisition value. When the value of the consideration provided cannot be determined, the asset's fair-market value determines its cost.
- (d) In the event of a trade-in, the County's net book value of the asset being traded will be added to the purchase price of the asset. For example:

Purchase price of new asset	\$10,000
Net book value of asset traded in (historical cost less accumulated depreciation)	5,000
<i>Acquisition cost of new asset</i>	<i>\$15,000</i>

### § 27.005 Capital Asset Donations

- (a) Donations are voluntary contributions of resources to a governmental entity by a nongovernmental entity. Donations may occur for any asset category. All donations must be accepted by Commissioners Court.

Note: A voluntary contribution of resources between governmental entities is not a donation.

- (b) County offices and departments must follow the Travis County Fixed Asset Procedures Manual before accepting donated property. In general, the following information must be sent to the County Auditor and the Purchasing Agent:
  - (1) The date the asset is placed into service
  - (2) The asset's fair market value
  - (3) The asset's salvage value
  - (4) The asset's estimated useful life
  - (5) Any ancillary charges required to place the asset into service
  - (6) If the asset is part of a network or subsystem of a network (such as infrastructure)
  - (7) Construction in progress
- (c) Once accepted by Commissioners Court, donated capital assets are reported at fair market value at the time of acquisition plus ancillary charges, if any. Fair market value is the amount at which an asset would be exchanged in a current transaction between willing parties.

## **Chapter 27. Travis County Capital Asset Guide**

- (d) If the County receives a donation of a capital asset and intends to sell the asset immediately, revenue must be recognized. In these cases the receiving County office or department must provide supporting documentation regarding the sale or contract-to-sell to the County Auditor. This supporting documentation will allow the Auditor to determine when revenue should be recognized.
- (e) In some cases, donated capital assets are given with the stipulation (time requirement) that the asset cannot be sold, disbursed or consumed until a specified number of years have passed or a specific event has occurred. For such cases, the capital asset should be reported as “Net Assets – Restricted” as long as the restrictions or time requirements remain in effect. The receiving County office or department should provide the County Auditor with any such restrictive stipulations.

### **§ 27.006 Capital Leases**

- (a) Buildings, equipment or other assets leased by the County should be capitalized if the lease agreement meets any one of the following criteria:
  - (1) The lease transfers ownership of the property to the lessee by the end of the lease term
  - (2) The lease contains a bargain purchase option
  - (3) The lease term is equal to 75 percent or more of the estimated economic life of the leased property
  - (4) The present value of the minimum lease payments at the inception of the lease, excluding executory costs, equals at least 90 percent of the fair market value of the leased property
- (b) Leases that do not meet any of the above requirements will be recorded as operating leases.
- (c) County offices and departments should notify the County Auditor when potential capital leases are being developed to ensure that leases are recorded as required by a comprehensive basis of accounting consistent with state law. When a capital lease is involved, County offices and departments must provide the County Auditor with the same information regarding the asset as with any other asset acquisition.

## **Chapter 27. Travis County Capital Asset Guide**

### **§ 27.007 Depreciating Capital Assets**

- (a) Capital assets should be depreciated over their estimated useful lives. Some assets such as land, have unlimited useful lives and are considered inexhaustible. Therefore such assets are not depreciated.
- (b) The County Auditor will determine the appropriate depreciation methodology for the various classes, groups or individual capital assets. County offices and departments may be requested to provide the County Auditor with technical information necessary to evaluate an asset's useful life or residual value.

### **§ 27.008 Residual or Salvage Value**

Residual or salvage value is an estimate of the amount that will be realized at the end of the useful life of a depreciable asset through sale or disposal. This value may be based on (1) general guidelines from some professional organizations such as GFOA, etc., (2) information from other governmental entities, (3) internal experiences, or (4) professionals such as engineers, architects, etc.

### **§ 27.009 Sale, Disposal, or Retirement of Capital Assets**

County offices and departments should provide the County Auditor with all information required to properly record the sale, disposal, or retirement of an asset. In general, this information must include the value of any asset or value received from the disposal of the asset, including any proceeds of insurance or Risk Management Self-Insurance reimbursements. Assets that have been designated for disposal that have a salvage value (asset cost less accumulated depreciation) greater than their designated capitalization threshold should be approved by Commissioners Court prior to disposal.

Refer to the Travis County Fixed Asset Procedures Manual under "Disposal of Property" for procedures covering the sale of capital assets.

### **§ 27.010 Assets Held in Trust**

Capital assets held by the County on behalf of a non-county entity and under the temporary control of the County should be recorded as "assets held in trust" until returned to the owners. This includes assets owned by the federal government that have been loaned to the County. This also includes assets purchased with federal or state grant funds in which the asset remains the property of the granting agency.

### **§ 27.011 Controlled Assets**

Controlled assets are those assets below the capitalization threshold that have been identified by the Purchasing Agent in accordance with County policy that *must* be secured and tracked on the Purchasing Office's Fixed Asset System due to the nature of the items. Examples of the most common controlled assets include but are not limited to: personal computers and monitors, televisions, VCR's, cellular telephones.



## **Chapter 27. Travis County Capital Asset Guide**

### ***Subchapter B. Capital Asset Categories – Land and Land Improvements***

#### **§ 27.101 Land Definition**

Land is the surface or crust of the earth, which can be used to support structures, and may be used to grow crops, grass, shrubs, and trees. Land is characterized as having an unlimited life (inexhaustible life).

#### **§ 27.102 Land Improvement Definition**

Land improvements consist of earth moving and similar improvements, which ready land for its intended use. The costs associated with improvements to land are added to the cost of the land.

#### **§ 27.103 Intangible Asset Definitions - Land related**

##### **(a) Land Use Rights:**

Land use rights are defined as the right to control the use of real property or derive a benefit from the property. Examples of land use rights are easements, rights-of-way, water rights, timber rights and mineral rights.

If an agency actually owns the associated land and the recorded land valuation already includes the land use rights, the intangible asset's portion associated with the land should not be reported separately as it is already included in the land valuation.

#### **§ 27.104 Depreciation**

Land and land improvements are inexhaustible assets and have unlimited useful lives; and therefore are not depreciated. Some types of land use rights, such as easements, are inexhaustible assets and therefore are not depreciated. However, some land use rights (e.g., water rights, timber rights, and mineral rights) are exhaustible and therefore depreciable. The County Auditor's Office will determine which land use rights are exhaustible and subject to depreciation.

## **Chapter 27. Travis County Capital Asset Guide**

### **§ 27.105 Costs to be Capitalized**

All acquisitions, including donations, of land, land improvements, and land use rights will be capitalized. Examples of Expenditures to be capitalized as Land, Land Improvements, and land use rights:

- (1) Purchase price or fair market value at time of donation
- (2) Commissions
- (3) Professional fees (title searches, architect, legal, engineering, appraisal, surveying, environmental assessments, etc.)
- (4) Land excavation, fill, grading, drainage
- (5) Demolition of existing buildings and improvements (less salvage)
- (6) Removal, relocation, or reconstruction of property of others (railroad, telephone and power lines)
- (7) Interest on mortgages accrued at date of purchase
- (8) Accrued and unpaid taxes at date of purchase
- (9) Other costs incurred in acquiring the land
- (10) Right-of-way

### ***Subchapter C. Capital Asset Categories – Buildings and Building Improvements***

#### **§ 27.201 Building Definition**

A building is a structure that is permanently attached to the land, has a roof, is partially or completely enclosed by walls, and is not intended to be transportable or moveable. Buildings that are an ancillary part of the County's road system, such as rest area facilities will be reported as infrastructure rather than as buildings.

#### **§ 27.202 Building Improvement Definition**

A building improvement materially extends the useful life, increases the value, adds capacity, or increases efficiency of the building. A building improvement should be capitalized.

#### **§ 27.203 Depreciation**

- (a) Buildings and building improvements are depreciable assets. The depreciation method will be determined by the County Auditor's Office for all buildings and building Improvements.
- (b) Buildings designated as "historical" by the Texas Historical Commission are not depreciated unless used in the operations of the County. However, any improvements not deemed "historical" by the Texas Historical Commission are depreciated the same as any other improvements made to a building.

## **Chapter 27. Travis County Capital Asset Guide**

### **§ 27.204 Costs to be Capitalized**

(a) The capitalization threshold for buildings and building improvements constructed, purchased, or donated is \$5,000. Examples of Expenditures to be Capitalized as Buildings:

(1) **PURCHASED BUILDINGS**

- A. Original purchase price
- B. Expenses for remodeling, reconditioning or altering a purchased building to make it ready to use for the purpose for which it was acquired if it extends the useful life, increases the value, adds capacity or increases efficiency of the building.
- C. Environmental compliance (i.e., asbestos abatement)
- D. Professional fees (legal, architect, inspections, title searches, etc.)
- E. Payment of unpaid or accrued taxes on the building to date of purchase
- F. Cancellation or buyout of existing leases
- G. Other costs required to place or render the asset into operation

(2) **CONSTRUCTED BUILDINGS**

- A. Completed project costs
- B. Interest accrued during construction
- C. Cost of excavation or grading or filling of land for a specific building
- D. Expenses incurred for the preparation of plans, specifications, blueprints, building permits, etc.
- E. Professional fees (architect, engineer, management fees for design and supervision, legal)
- F. Costs of temporary buildings used during construction
- G. Unanticipated costs such as rock blasting, piling, or relocation of the channel of an underground stream
- H. Permanently attached fixtures or machinery that cannot be removed without impairing the use of the building
- I. Additions to buildings (expansions, extensions, or enlargements)
- J. Build-out of interior spaces to specifications

## Chapter 27. Travis County Capital Asset Guide

- (3) BUILDING IMPROVEMENTS
- A. Conversion of attics, basements, etc., to usable office, clinic, research or classroom space
  - B. New structures **attached** to the building such as covered patios, sunrooms, garages, carports, enclosed stairwells, etc.
  - C. Installation or upgrade of heating and cooling systems, including ceiling fans and attic vents
  - D. Original installation/upgrade of wall, ceiling, or floor covering such as carpeting, tiles, paneling, or parquet
  - E. Structural changes such as reinforcement of floors or walls, installation or replacement of beams, rafters, joists, steel grids, or other interior framing
  - F. Installation or upgrade of window or door frame, upgrading of windows or doors, built-in closet and cabinets
  - G. Interior renovation associated with casings, baseboards, light fixtures, ceiling trim, etc.
  - H. Exterior renovation such as installation or replacement of siding, roofing, masonry, etc.
  - I. Installation or upgrade of plumbing and electrical wiring
  - J. Installation or upgrade of phone or closed circuit television systems, networks, fiber optic cable, wiring required in the installation of equipment (that will remain in the building)
  - K. Other costs associated with the above improvements

Note: For a replacement to be capitalized, it must be a part of a major repair or rehabilitation project that increases the value, and/or useful life of the building. For example, renovation of the County Courthouse is included. A replacement may also be capitalized if the new item/part is of significantly improved quality and higher value compared to the old item/part, such as a replacement of an old shingle roof with a new fireproof tile roof. Replacement or restoration to the original utility level would not be capitalized. Determinations must be made on a case by case basis. County offices and departments should contact the County Auditor's Office prior to encumbering funds if there is uncertainty regarding proper capitalization under a comprehensive basis of accounting consistent with state law.

## **Chapter 27. Travis County Capital Asset Guide**

### **(4) MAINTENANCE EXPENSE (after completed construction)**

The following are examples of expenditures that are **not** capitalized as improvements to buildings. Instead, these items should be recorded as maintenance expense.

- A. Adding, removing and/or moving of walls relating to renovation projects that are not considered major rehabilitation projects and do not increase the value of the building
- B. Improvement projects of minimal or no added life expectancy and/or value to the building
- C. Plumbing or electrical repairs
- D. Cleaning, pest extermination, or other periodic maintenance
- E. Interior decoration, such as draperies, blinds, curtain rods, wallpaper
- F. Exterior decoration, such as detachable awnings, uncovered porches, decorative fences, etc.
- G. Maintenance-type interior renovation, such as repainting, touch-up plastering, replacement of carpet, tile, or panel sections; sink and fixture refinishing, etc.
- H. Maintenance-type exterior renovation such as repainting, replacement of deteriorated siding, roof, or masonry sections
- I. Replacement of a part or component of a building with a new part of the same type and performance capabilities, such as replacement of an old boiler with a new one of the same type and performance capabilities
- J. Any other maintenance-related expenditure which does not increase the value of the building

### ***Subchapter D. Capital Asset Categories –Improvements Other than Buildings***

#### **§ 27.301 Improvements Other Than Buildings Definition**

Improvements other than buildings are capital assets, not specifically identifiable to an individual building, that reflect the cost of permanent improvements and add value to the property. Such improvements made to a facility or to land should be capitalized.

#### **§ 27.302 Depreciation**

Improvements other than buildings are depreciable assets. The depreciation method will be determined by the County Auditor's Office.

## **Chapter 27. Travis County Capital Asset Guide**

### **§ 27.303 Costs to be Capitalized**

The capitalization threshold for Improvements Other Than Buildings that are constructed, purchased, or donated is \$5,000. Examples of expenditures to be capitalized as Improvements Other Than Buildings:

- (1) Fencing and gates
- (2) Landscaping
- (3) Parking lots/driveways/parking barriers
- (4) Outside sprinkler systems
- (5) Recreation areas and athletic fields (including bleachers)
- (6) Golf courses
- (7) Paths and trails
- (8) Septic systems
- (9) Swimming pools, tennis courts, basketball courts
- (10) Fountains
- (11) Park pavilions
- (12) Retaining walls
- (13) Water wells

### ***Subchapter E. Capital Asset Categories – Infrastructure***

#### **§ 27.401 Infrastructure Definition**

Infrastructure is long-lived capital assets that normally are stationary in nature and can be preserved for a significantly greater number of years than most capital assets.

Note: The retroactive reporting of infrastructure assets purchased, constructed, or donated in fiscal years ending after June 30, 1980 or that received major renovations, restorations, or improvements during that period is required.

#### **§ 27.402 Infrastructure Improvements Definition**

Infrastructure improvements are capital additions that materially extend the useful life or increase the value of the infrastructure, or both. Infrastructure improvements should be capitalized.

## **Chapter 27. Travis County Capital Asset Guide**

### **§ 27.403 Jointly Funded Infrastructure**

- (a) Infrastructure paid for jointly by the County and other governmental entities should be capitalized by the entity responsible for future maintenance.
- (b) County offices and departments responsible for infrastructure must provide the County Auditor and Purchasing Agent with the following information:
  - (1) The date the asset was placed in service
  - (2) The asset's cost or acquisition value
  - (3) The asset's salvage value
  - (4) The asset's estimated useful life
  - (5) Whether the asset is part of a network or a subsystem of a network.

County offices and departments should consult in advance with the County Auditor when the County will pay for both partial ownership and partial maintenance of an infrastructure capital asset. The County Auditor will determine the required accounting procedures.

### **§ 27.404 Maintenance Costs**

Maintenance costs allow an asset to continue to be used during its originally established useful life. Maintenance costs are expensed in the period incurred.

### **§ 27.405 Preservation Costs**

Preservation costs are generally considered to be those outlays that extend the useful life of an asset beyond its original estimated useful life, but do not increase the capacity or efficiency of the asset. Preservation costs should be capitalized if the asset is depreciated.

### **§ 27.406 Additions and Improvements**

Additions and improvements are those capital outlays that increase the capacity or efficiency of the asset. A change in capacity increases the level of service provided by an asset. For example, additional lanes can be added to a road, or the weight capacity of a bridge could be increased. A change in efficiency maintains the same service level, but at a reduced cost; for example, a computer controlled traffic signal that reduces servicing costs because it requires minimal servicing compared to older electro-mechanically controlled models. The cost of additions and improvements should be capitalized.

### **§ 27.407 Depreciation**

On March 20, 2001, Commissioners Court adopted, for financial reporting purposes, the depreciation approach for infrastructure assets. The depreciation method will be determined by the County Auditor's Office for all infrastructure assets.

## **Chapter 27. Travis County Capital Asset Guide**

### **§ 27.408 Costs to be Capitalized**

The capitalization threshold for infrastructure constructed, purchased, or donated is \$5,000. Examples of infrastructure assets:

- (1) Roads, streets, curbs, gutters, sidewalks, fire hydrants
- (2) Bridges
- (3) Waterway improvements such as docks, bulkheads, erosion control improvements
- (4) Dam, drainage facility
- (5) Radio or television transmitting tower
- (6) Main lines, distribution lines, and tunnels for electric, water, and gas
- (7) Fiber optic and telephone distribution systems (between buildings)
- (8) Light system (traffic, outdoor, street, etc.)
- (9) Signage

### ***Subchapter F. Capital Asset Categories – Machinery, Equipment, and Other Assets***

#### **§ 27.501 Machinery, Equipment, and Other Assets Definition**

Fixed or movable assets used for operations of the County and benefit the County for more than one year from the date the asset first renders service. Improvements or additions to existing personal property should be capitalized if they materially increase the value, life, efficiency, or capacity of the asset. This category includes the following:

(a) **Machinery, Equipment, and Furniture**

Machinery includes such items as bulldozers, cement mixers, and hoists. Equipment includes such items as helicopters, automobiles, trucks, radios, computers, and safety items. Furniture and fixtures includes desks, chairs, tables, service counters, lamps, and bookcases.

(b) **Computer software (Intangible Capital Asset)**

Software includes purchased “off the shelf” software, including all necessary modifications, software specifically developed by an outside contractor, and software developed internally by county personnel, or acquired through any combination of the above.

- (1) **Purchased software:** This is software purchased off the shelf and implemented with minimal changes.
- (2) **Internally generated software:** Software created by the County and software purchased off the shelf that requires more than minimal incremental effort to implement.



## **Chapter 27. Travis County Capital Asset Guide**

- (c) Library books and reference materials of an academic, professional, or research library. A library book is an academic, professional, or research composition bound into a separate volume and identifiable as a separate copyrighted unit. Library reference materials are information sources other than books which include journals, periodicals, microforms, audio/visual media, computer-based information, manuscripts, maps, documents, and similar items which provide information essential to the learning process or which enhance the quality of academic, professional or research libraries. Some books have a cultural, aesthetic, or historical value, and efforts are usually applied to protect and preserve these assets in a manner greater than that for similar assets without such cultural, aesthetic, or historical value.
- (d) Works of art and historical treasures  
Works of art and historical collections or individual items of significance that are owned by the County which are not held for financial gain, but rather for public exhibition, education or research in furtherance of public service. These assets generally have to be capitalized at their historical cost (or estimated fair market value at the date of donation), whether they are held as individual items or in collections.
- (e) Other intangible capital assets  
This category includes other types of intangible capital assets other than computer software, such as patents, copyrights, and trademarks. These assets may be internally generated or purchased.

### **§ 27.502 Jointly Funded Machinery, Equipment, and Other Assets**

Machinery, equipment and other assets paid for jointly by the County and other governmental entities should be capitalized by the entity responsible for future maintenance. The County offices and departments responsible for future maintenance must provide the County Auditor and Purchasing Agent with all information required to allow the asset to be recorded and depreciated according to a comprehensive basis of accounting consistent with state law. County offices and departments should consult in advance with the County Auditor when the County will pay for both partial ownership and partial maintenance of a capital asset. The County Auditor will determine the required accounting procedures.

## Chapter 27. Travis County Capital Asset Guide

### § 27.503 Depreciation

The depreciation method will be determined by the County Auditor's Office for all machinery, equipment, and other assets that are subject to depreciation.

Note: Professional, academic and research library books and materials are considered inexhaustible assets and should not be depreciated. These library books and materials have an economic benefit or service potential that is used up slowly, and their estimated useful lives are extraordinarily long.

Note: Exhaustible works of art and historical treasures items whose useful lives are diminished by display or educational or research applications should be depreciated. Inexhaustible work of arts and historical treasures items should not be depreciated as the economic benefit or service potential is used up so slowly that the estimated useful lives are extraordinarily long.

### § 27.504 Costs to be capitalized

(a) The capitalization threshold for machinery, equipment, and other assets constructed, purchased, or donated is \$5,000, except for internally generated computer software which is \$1,000,000, purchased computer software which is \$100,000, and other intangible assets which are \$100,000. Costs should include:

- (1) Freight charges
- (2) Handling and storage charges
- (3) Original contract or invoice price
- (4) In-transit insurance charges
- (5) Sales, use, and other taxes imposed on the acquisition
- (6) Installation charges
- (7) Charges for testing and preparation for use
- (8) Cost reconditioning used items when purchased
- (9) Parts and labor associated with construction of equipment

## Chapter 27. Travis County Capital Asset Guide

- (b) Additional costs to include related to internally generated computer software are as follows:

- (1) Application Development Stage:
- A. Design of chosen path (software configuration & interface)
  - B. Coding
  - C. Installation to hardware
  - D. Testing and parallel processing
  - E. Conversion process necessary to make software operational

County offices and departments should consult with the County Auditor's Office if they have an upcoming project that will involve any of the above costs and will meet the capitalization thresholds mentioned above. The County Auditor will determine the required accounting procedures.

- (c) Examples of costs related to internally generated computer software that should not be capitalized are as follows:

- (1) Preliminary Project Stage:
- A. Conceptual formulation and evaluation of alternatives
  - B. Determination of existence of needed technology
  - C. Final selection of alternatives
  - D. Conversion process necessary to make software operational
- (2) Post-Implementation/Operation Stage:
- A. Application user training
  - B. Software maintenance

Note: Costs of extended warranties and/or maintenance agreements, which can be separately identified from the cost of the equipment, should not be capitalized.
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### ***Subchapter G. Capital Asset Categories – Leasehold Improvements***

#### **§ 27.601 Leasehold Improvements Definition**

- (a) Leasehold improvements include construction of improvements made to existing structures by the lessee, who has the right to use the improvements over the term of the lease. These improvements ***will revert to the lessor*** at the expiration of the lease. Moveable equipment or office furniture that is not attached to the leased property is not considered a leasehold improvement. Leasehold improvements do not have a residual value. Leasehold improvements should be capitalized as a Building Improvement.

## **Chapter 27. Travis County Capital Asset Guide**

- (b) The County office or department responsible for coordinating a leasehold improvement must provide the County Auditor with the following information:
  - (1) The date the improvement is placed in service
  - (2) The cost or fair market value
  - (3) The estimated useful life and the remaining life of the lease
  - (4) Any ancillary charges required to place the improvement into service

### **§ 27.602 Depreciation**

Leasehold improvements are capitalized by the lessee and are amortized over the shorter of (1) the remaining lease term, or (2) the useful life of the improvement. Improvements made in lieu of rent should be expensed in the period incurred. If the lease contains an option to renew and the likelihood of renewal is uncertain, the leasehold improvement should be depreciated over the life of the initial lease term or useful life of the improvement, whichever is shorter. The depreciation method will be determined by the County Auditor's Office for all leasehold improvements.

### **§ 27.603 Costs to be Capitalized- other than intangible assets**

The capitalization threshold for leasehold improvements constructed purchased, or donated is \$5,000.

## ***Subchapter H. Capital Asset Categories – Construction in Progress***

### **§ 27.701 Construction in Progress Definition**

Construction in Progress includes the cost of buildings and other structures, infrastructure (roads, bridges, etc.), and capital-related additions, alterations, reconstruction, and installations that are substantially incomplete.

### **§ 27.702 Depreciation**

Depreciation is not applicable while assets are accounted for as Construction in Progress. When completed and placed in service, constructed assets are treated like any other asset.

### **§ 27.703 Costs to be Capitalized**

Construction in progress assets should be capitalized to their appropriate capital asset categories upon the earlier occurrence of substantial completion, occupancy, or when the asset is placed into service.



## **Travis County Commissioners Court Agenda Request**

Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: Loretta Farb, Commissioner Precinct 2 Office, 854-9222

Elected/Appointed Official/Dept. Head: Sarah Eckhardt, Precinct 2, Commissioner

Sponsors: Commissioner Eckhardt

### **AGENDA LANGUAGE:**

Consider and take appropriate action on a proposal to create a Joint Task Force to address bicycle safety on Travis County roads in the unincorporated areas. (Commissioner Eckhardt)

### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

Consider and take appropriate action on a proposal to create a Joint Task Force to address bicycle safety on Travis County roads in the unincorporated areas.

### **STAFF RECOMMENDATIONS:**

State law allows that bicyclists may ride on public roadways; however, the condition of some roads can make bicycling on them risky. As Travis County's population continues to grow, more people are bicycling and using rural roads for recreation and commuting. On the other hand, funding for roadway construction and maintenance is declining and increasing risks for bicyclists. Bicycle safety is an issue that needs to be addressed. TNR staff recommends the creation of a Task Force that includes representatives from TXDOT, the City of Austin, the bicycle community, TNR and others to address bicycle safety on Travis County roads in the unincorporated areas.

### **ISSUES AND OPPORTUNITIES:**

- A Task Force can develop materials and methods to educate the public, cyclists, and elected officials about the issues of cycling on rural roads.
- The cycling community can report bicycle obstacles and potential hazards to jurisdictions for quicker response and better planning.
- Build partnerships between cyclists and elected officials and agency staff.

### **FISCAL IMPACT AND SOURCE OF FUNDING:**

None at the present time. However, a product of this committee could be an expectation that more resources will be allocated to maintaining roadways frequented by bicyclists at a higher standard.

### **REQUIRED AUTHORIZATIONS:**

Transportation and Natural Resources	Steven Manilla	Completed	02/03/2011 12:05 PM
Transportation and Natural Resources	Carol Joseph	Completed	02/03/2011 4:19 PM
Transportation and Natural Resources	LeRoy Click	Completed	02/03/2011 4:27 PM
Transportation and Natural Resources	David Greear	Completed	02/07/2011 1:49 PM

Agenda Item

Meeting of March 8, 2011

County Attorney's Office	Tom Nuckols	Skipped	02/09/2011 10:44 AM
Transportation and Natural Resources	Don Ward	Skipped	02/09/2011 10:46 AM
Commissioner Precinct 2 Office	Sarah Eckhardt	Completed	02/03/2011 9:35 AM
Commissioner Precinct 2 Office	Sarah Eckhardt	Completed	02/03/2011 9:36 AM
County Judge's Office	Cheryl Aker	Completed	02/09/2011 11:19 AM
Commissioners Court	Gillian Porter	Completed	02/28/2011 2:58 PM

History:

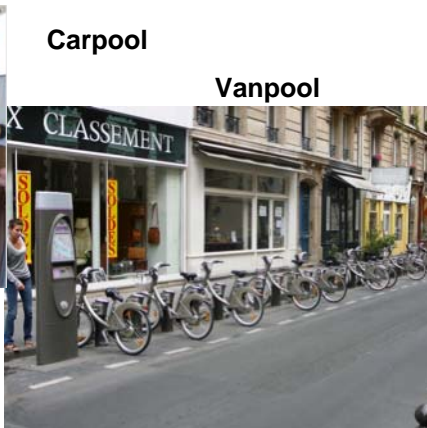
02/15/11	Commissioners Court	DISCUSSED	Next: 03/08/11
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**Bike**

**Walk**

**Transit**



**Carpool**

**Vanpool**



**Telecommute**

**Flex-time**

**Saving Time & Money**

## Downtown Austin TMA

A new organization to increase mobility in, around, and from downtown  
by  
Bringing together downtown employers  
to  
Reduce one-car one-person travel downtown during rush hours  
by  
Helping employees, residents and visitors use viable options  
and  
Working with all the transportation agencies to make mobility even better.

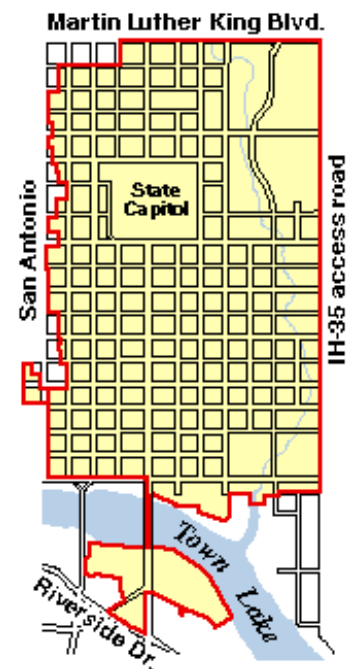
## Business Plan

### TMA Area of Focus

A TMA's mission, programs and services are driven by the transportation, mobility and accessibility concerns of its constituents coming to or residing within a specific geographic area. Initially, DATMA will focus on the area bounded by Martin Luther King Boulevard to the north, San Antonio Street (with potential to expand to Lamar Boulevard) to the West, Lady Bird Lake to the South and I-35 to the east. This would provide the TMA an opportunity to leverage the business contacts of DAA to engage employers in the downtown area. As the TMA's efforts in the DAA boundaries become more streamlined, it may consider expanding its efforts west of San Antonio Street to Lamar Boulevard to serve other large employers like Whole Foods and Home Away.

### Mission

To support sustainable growth by promoting transportation programs and services designed to enhance access, parking and mobility, as well as improve the quality of life, for employees, residents, and visitors of Downtown Austin.



## **Organizational Goals and Strategies**

Some recommended goals and activities to fulfill the Downtown Austin TMA mission include, but are not limited to the following:

**Goal A: Improve Accessibility and Mobility of Employees, Residents and Visitors To, Within, and From the Area.** At a minimum DATMA must come to understand the current travel behaviors and challenges for employees, residents, and visitors, then use this information to aid agencies providing transportation services to maximize the efficiency and usability of current services and programs. DATMA will consider investing directly in demonstration projects/services or even initiating new programs or services to improve accessibility and mobility should they be needed.

### **Strategies:**

- A1 Work with area employers and property managers to (a) inventory current employee travel splits and needs and (b) initiate a supported Employee Transportation Coordinator program for worksites. Prioritize companies with over 50 employees.
- A2 Coordinate/facilitate building based parking management activities like parking cash out and/or space brokerage.
- A3 Work with area employers to promote the use of pre-tax transportation accounts and/or to subsidize travel by alternate modes.
- A4 Promote vanpool services working with Capital Metro
- A5 Work with area employers to promote alternative work arrangements like flex-time, telework and using transportation choices a few days a week.
- A6 Work with Capital Metro to improve local and regional bus services, e.g., explore new local and regional services to complement the Red Line and provide a “Last Mile” connection (i.e. downtown transit circulator service).
- A7 Work with stakeholders to inventory and identify bus stop enhancements.
- A8 Identify opportunities for preferential parking for carpools and vanpools at area employers.
- A9 Partner with other local entities to re-introduce Downtown circulator services or other key mobility services/programs.

**Goal B: Improve Knowledge and Awareness of Mobility Programs and Services Available for Travel To, Within and From Downtown Austin.** At a minimum, employees, residents and visitors will need simple, information on options available for the other goals to succeed. More intensively, DATMA will also provide more individualized marketing to match employees and residents interests/needs with specific information, incentive programs, and/or supportive training.



**Strategies:**

- B1 Create an area-wide marketing program aimed at each stakeholder group (employers, employees, residents, developers, visitors and institutions) within the TMA service area. New marketing materials should include alternative mode information as well information regarding changes to the infrastructure. The theme of all materials should focus on addressing desire for flexibility as well as their fear of being without a car.
- B2 Develop a website marketing strategy and print materials that provide travel information tools, educational materials and transportation-specific updates for all stakeholders.
- B3 Acquire and/or develop employer/employee focused marketing materials to educate and promote employer based TDM strategies including (but not limited to): Carpool Parking; Parking Cash Out; Transit Pass Programs; Employee/Commuter Rewards and Incentives; Alternative Work Arrangements (e.g. Telework, flex-time, and compressed work schedules)
- B4 Work with area employers to promote and populate existing rideshare databases.
- B5 Create and distribute Downtown Mobility maps including locations of car share locations, bus stops, public parking garages, surface parking, on-street parking, after-hours parking, public bike racks, and bike and pedestrian trails.
- B6 Develop a “new employee” information packet and host new employee orientations for area businesses and partners, ensuring that all new employees are aware of transportation alternatives, information sources and how to reach the TMA.
- B7 Partner with property managers and hospitality management to educate employees working with the public about Downtown transportation options.
- B8 Promote the use of carshare services for mid-day trips requiring cars.
- B9 Work with area employers to promote and populate the existing Guaranteed Ride Home program database.

**Goal C: Maximize Existing and Future Transportation Investments for Travel To, Within and From Downtown Austin.** DATMA will promote investments by its members and other agencies providing services to maximize demand management outcomes for downtown Austin.

**Strategies:**

- C1 Provide a conduit for accessing regional services such as bus passes, the Guaranteed Ride Home program, ride-matching services and vanpool formation.
- C2 Seek opportunities subsidize vanpool and transit and market such opportunities.
- C3 Develop “pre-trip” travel-planning information resources (access guides, website, etc.) with comprehensive information on all travel choices and support programs and ensure widespread availability and distribution.

- C4 Work to communicate transportation needs/ideas and to accelerate projects based upon expected build-out timeframe.
- C5 Explore transit-supportive transportation and land use opportunities to maximize the future success of additional transit investments in the area.
- C6 Provide a point-of-presence for sale of bus passes and other transaction-related needs.
- C7 Seek partnerships for demonstration projects that maximize existing or future investments.
- C8 Explore opportunities to broker parking spaces for downtown garage/lot owners in order to address the poor perception of parking availability.
- C9 Monitor agency transportation plans and projects needed for downtown mobility to inform members and provide public comment.

### TMA Budget & Funding Needs

A budget of approximately \$160,000 (annual) would be able to fund the staffing, administration, and programs of the Downtown Austin TMA during its first year of operations; but should increase each subsequent year to extend the operations and programs.

Travis County, the City of Austin, Capital Metro and DAA have agreed to provide the seed funding for Year I and will consider continued funding at the same level of the first three years.

TMA Budget			
	2011	2012	2013
<b>Expenses</b>			
Salary	\$ 52,400	\$ 94,800	\$ 94,800
Payroll taxes	\$ 4,898	\$ 8,646	\$ 8,646
Fringe benefits	\$ 11,626	\$ 18,226	\$ 18,226
Insurance	\$ 1,970	\$ 1,970	\$ 1,970
Office supplies and equipment	\$ 8,000	\$ 6,000	\$ 4,000
Occupancy (rent, phones, networking)	\$ 7,000	\$ 12,000	\$ 12,000
Accounting	\$ 6,725	\$ 8,225	\$ 8,225
Legal	\$ 1,500	\$ -	\$ -
Conference fees and travel	\$ 3,000	\$ 3,000	\$ 3,250
Printing and graphic design	\$ 12,000	\$ 15,000	\$ 18,000
Meeting costs	\$ 1,000	\$ 1,000	\$ 1,000
Promotional events	\$ 7,400	\$ 8,000	\$ 8,000
Project/Program costs	-	\$ 16,133	\$ 62,883
Marketing / TDM Contractors	\$ 45,481	\$ 45,000	\$ 47,000
<b>Total expenses</b>	<b>\$ 163,000</b>	<b>\$ 238,000</b>	<b>\$ 288,000</b>
<b>Revenue</b>			
Federal grants	\$ -	\$ 35,000	\$ 35,000
Membership	\$ 13,000	\$ 53,000	\$ 103,000
Local partners*	\$ 150,000	\$ 150,000	\$ 150,000
<b>Total revenues</b>	<b>\$ 163,000</b>	<b>\$ 238,000</b>	<b>\$ 288,000</b>

## Leadership

2011	
Board of Directors	
Tim Burris	Silicon Labs
Joe Cantaupo	Parsons Brickerhoff
Roger Cauvin	Downtown Austin Resident
Jim Pledges	Downtown Austin Alliance Representative/Jackson Walker
Eileen Schaubert	Mellow Johnny's
Bob Wynn	Oxford Commercial
Will Wheeler	Bury & Partners
Representative TBD	Travis County
Representative TBD	City of Austin
Representative TBD	Capital Metro
Ex Officio Board Members	
Bob Harkins	University of Texas, Austin

The Board is primarily responsible for hiring an executive director, guiding the policies and strategic goals of the organization, and ensuring sound fiscal management consistent with the non-profit mission. In addition, the board may assist in the development and coordination a transportation advocacy, identifying and securing available grant funding for various multimodal transportation outreach activities and projects, and the creation of an identifiable transportation forum and voice for Downtown Austin stakeholders.

## Staff

An executive director will be responsible for the day-to-day management and operations of the organization, represent the TMA in building partnerships and with the public, and lead fundraising as well as membership development activities. The executive director may hire additional staff to support these activities.

## Membership

**Members** are public entities, businesses, and non-profit organizations. Members will pay dues, may serve on the board of directors, and elect members to the board of directors.

**Affiliate Members** are individuals or other organizations. Affiliate members will pay dues and may serve on the board of directors. Affiliate members don not elect the board of directors.

TMA Budget				
	2011	2012	2013	
<b>Expenses</b>				
Salary	\$ 52,400	\$ 94,800	\$ 94,800	
Payroll taxes	\$ 4,898	\$ 8,646	\$ 8,646	
Fringe benefits	\$ 11,626	\$ 18,226	\$ 18,226	
Insurance	\$ 1,970	\$ 1,970	\$ 1,970	
Office supplies and equipment	\$ 8,000	\$ 6,000	\$ 4,000	
Occupancy (rent, phones, networking)	\$ 7,000	\$ 12,000	\$ 12,000	
Accounting	\$ 6,725	\$ 8,225	\$ 8,225	
Legal	\$ 1,500	\$ -	\$ -	
Conference fees and travel	\$ 3,000	\$ 3,000	\$ 3,250	
Printing and graphic design	\$ 12,000	\$ 15,000	\$ 18,000	
Meeting costs	\$ 1,000	\$ 1,000	\$ 1,000	
Promotional events	\$ 7,400	\$ 8,000	\$ 8,000	
Project/Program costs	-	\$ 16,133	\$ 62,883	
Marketing / TDM Contractors	\$ 45,481	\$ 45,000	\$ 47,000	
<b>Total expenses</b>	<b>\$ 163,000</b>	<b>\$ 238,000</b>	<b>\$ 288,000</b>	
<b>Revenue</b>				
Federal grants	\$ -	\$ 35,000	\$ 35,000	
Membership	\$ 13,000	\$ 53,000	\$ 103,000	
Local partners*	\$ 150,000	\$ 150,000	\$ 150,000	
<b>Total revenues</b>	<b>\$ 163,000</b>	<b>\$ 238,000</b>	<b>\$ 288,000</b>	

**Budget Notes:**

**2011:** any personnel related expenses are calculated at 7 mo (Jun-Dec) for the ED and 6 mo (Jul-Dec) for the Support.

**Salary:** 2.0 FTE for 2011, 2012, 2013 @ \$60,000 for ED and \$34,800 Support.

**Payroll tax:** 2011 employer tax rate for Social Security is 6.2%; for Medicare is 1.45% for Salary + fringe benefits

**Fringe:** Workers Comp \$491. Per employee: Health insurance \$600 per month. 3% contribution to IRA/401K

**Insurance:** Business Owners \$550; Dir & Officers up to \$1,000,000 coverage \$1420.

**Accounting:** Green Lights/Easy Office-Accounting (\$125 yr membership: \$750 one time set-up; \$300/mo bookkeeping; \$750 IRS 990ez or \$1,500 IRS 990); includes \$3,000 for annual audit

\* **Local Partners:** Initial funding assumption is 25% from Capital Metro, City of Austin, Downtown Austin Alliance, and Travis County. Specific year-one agreements as well as long-term commitments need to be negotiated. Recruit additional local partners such as CTRMA.

**BYLAWS  
OF  
Downtown Austin Transportation Management Association**

**ADOPTED February 24, 2011**

**ARTICLE I**

**NAME AND PURPOSE**

Section 1.1 Name. The name of the corporation is: Downtown Austin Transportation Management Association (*the Corporation*).

Section 1.2 Purpose. The purpose of *the Corporation* is to support economic vitality and sustainability of downtown Austin employers by promoting transportation programs and services designed to enhance access, parking and mobility, as well as improve the quality of life, for employees, residents, and visitors; and to engage in any other activity not otherwise prohibited to it by law or regulation. These activities shall be carried out to the extent and in such manner that they further business league purposes within the meaning of Section 501(c)(6) of the Internal Revenue Code of 1986, as amended or superseded from time to time ("Code").

Section 1.3 Subsidiary Corporations. *The Corporation*, upon approval of the board of directors, may create one or more subsidiary corporations to carry out the purpose of *the Corporation*, provided that the creation of any such subsidiary does not have an adverse impact on the tax-exempt status of *the Corporation*.

**ARTICLE II**

**OFFICES**

Section 2.1 Business Offices. The initial principal office of *the Corporation* shall be as stated in the certificate of formation. *The Corporation* may at any time and from time to time change the location of its principal office so long as the principal office is located within the Central Business District of Austin, TX.

Section 2.2 Registered Office. The registered office required by the Texas Business Organizations Code (the "TBOC") to be maintained in Texas may be changed from time to time by the board of directors or by the officers of *the Corporation*, or to the extent permitted by the TBOC by the registered agent of *the Corporation*, provided in all cases that the street addresses of the registered office and of the business office or home of the registered agent of *the Corporation* are identical.

## ARTICLE III.

### MEMBERS

Section 3.1 Classes of Members. The board of directors may establish additional classes of membership or further define qualifications for member classes. *The Corporation* shall have the following classes of members.

- Members: public entities, associations of or individual private businesses, charitable organizations, and public institutions may be members. Members shall pay membership dues, shall elect the board of directors, and designate a representative to serve as point of contact. An appointed representative of a member may serve on the board of directors. Members shall elect the board of directors and vote on matters as specified in these bylaws.
- Affiliate members: individual persons or organizations may be affiliated members. Affiliate members shall pay membership dues, and may serve on the board of directors as a voting or ex officio member, but shall not have any voting rights as an affiliate member. Affiliate members shall designate a representative to serve as point of contact.
- Ex officio members: public entities, charitable organizations, and public institutions may be ex officio members. Ex officio members may contribute to the Corporation and an appointed representative of an ex officio member may serve on the board of directors. Ex officio members shall designate a representative as the point of contact, but shall not elect have any voting rights.

Section 3.2 Designation of Members. New members of any class shall have a common business interest to support of the mission of *the Corporation* and may be elected or otherwise designated at any time by the board of directors or in any other manner specified by the board of directors.

Section 3.3 Membership Dues. The board of directors may establish such membership initiation fees, periodic dues and other assessments, which may vary by class of membership, and such rules and procedures for the manner and method of payment, the collection of delinquent dues and assessments and the prorating or refund of dues and assessments in appropriate cases as the board of directors shall deem necessary or appropriate.

Section 3.4 Transfer of Membership. Membership in *the Corporation* is nontransferable. Members shall have no ownership rights or beneficial interests of any kind in the assets of *the Corporation* except as provided in Section 8.8 (relating to return of membership dues or contributions upon termination of *the Corporation*).

Section 3.5 Right of Refusal. Membership may be withdrawn or refused to any organization or individual whose goals or mission is determined by the board of directors to conflict with the mission of *the Corporation*. This action shall require the approval of a majority of the board of directors.

Section 3.6 Meetings of the Members. Members shall hold meetings at least annually, in connection with the annual meeting of the board of directors as set forth in Article

IV. Each member shall have one (1) vote unless further specified by the board of directors. Notice of such member meetings shall be provided in the manner similar to the meetings of the board of directors as set forth in Section 4.6, and may be conducted without a meeting as set forth in Section 4.14.

## ARTICLE IV.

### BOARD OF DIRECTORS

Section 4.1 General Powers. All corporate powers shall be exercised by or under the authority of, and the business and affairs of *the Corporation* shall be managed by, its board of directors, except as otherwise provided in the TBOC, the certificate of formation or these bylaws. The board of directors may be known and referred to from time to time as the management team.

Section 4.2 Qualifications, Number, Election and Tenure.

(a) Qualifications. Each director must be a citizen of Texas who is eighteen years of age or older, and each director must be a member or affiliate member of *the Corporation*. Members of the initial full board shall have 90 days from the date of election to establish membership.

(b) Number. The number of directors of *the Corporation* shall not exceed 21, excluding ex officio members, as determined by the board of directors from time to time. Any action of the board of directors to change the number of directors to a number outside the range specified in the preceding sentence, whether expressly by resolution or by implication through the election of additional directors, shall constitute an amendment of these bylaws expanding the range of the number of directors, provided such action otherwise satisfies the requirements for amending these bylaws as provided in the TBOC, the certificate of formation or these bylaws.

(c) Election and Tenure. At the February 24, 2011 meeting of the organizing group for *the Corporation*, the members in attendance (through their designated representative) shall approve a slate of up to 21 nominees and alternates for board membership.

Directors, other than any ex officio member, shall be elected by a majority of members at each annual meeting of the board for a term that expires at the end of the next annual meeting of the board. Each director so elected shall hold office until such director's term expires and thereafter until such director's successor shall have been elected and qualified, or until such director's earlier death, resignation or removal. Directors shall be eligible to be elected to successive terms.

(d) To ensure continuity in leadership, directors' terms shall be staggered. The initial full board, at its first meeting, shall determine a method for staggering terms.

(e) The board shall have the power to designate ex officio membership to any eligible organization and the designated representative shall serve as an ex officio, non-voting, representative on the board.

(f) Each director shall provide *the Corporation* with a mailing address, an email address, and telephone number so that they may receive timely notice of meetings and other activities.

Section 4.3 Resignation; Removal; Vacancies. Any director may resign at any time by giving written notice to the chair of the board, to the executive director or to the secretary of *the Corporation*. A director's resignation shall take effect at the time specified in such notice, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. Directors shall be removable, with or without cause, in the manner provided by the TBOC for elected directors. Any vacancy of an elected director may be filled by the affirmative vote of a majority of the remaining directors though less than a quorum. A director elected to fill a vacancy shall hold the office for the unexpired term of such director's predecessor in office. Any directorship to be filled by reason of an increase in the number of directors shall be filled by the affirmative vote of a majority of the directors then in office, and a director so chosen shall hold office until the next election of directors and thereafter until such director's successor shall have been elected and qualified, or until such director's earlier death, resignation or removal. A vacancy that will occur at a specific later date may be filled before the vacancy occurs, but the new director may not take office until the vacancy occurs.

Section 4.4 Regular Meetings. A regular annual meeting of the board of directors shall be held at the time and place, determined by the board, for the purpose of electing directors and officers and for the transaction of such other business as may come before the meeting. The board of directors may provide by resolution the time and place for the holding of additional meetings.

Section 4.5 Special Meetings. Special meetings of the board of directors may be called by or at the request of the chair of the board, or any three directors. The person or persons authorized to call special meetings of the board of directors may fix the time and place for holding any special meeting of the board called by them.

Section 4.6 Notice of Meetings.

(a) Requirements. Notice of each meeting of the board of directors stating the date, time and place of the meeting shall be given to each director at such director's business or residential address at least five days prior thereto by the mailing of written notice by first class, certified or registered mail, or at least two days prior to such meeting by personal delivery or private carrier of written notice or by telephone, facsimile, electronic transmission or any other form of wire or wireless communication

(b) Waiver of Notice. A director may waive notice of any meeting before or after the time and date of the meeting stated in the notice. Except as otherwise provided in this Section 4.6(b), the waiver shall be in writing and signed by the director entitled to the notice. Such waiver shall be delivered to *the Corporation* for filing with the corporate records, but such delivery and filing shall not be conditions of the effectiveness of the waiver. A director's attendance at or participation in a meeting waives any required notice to that director of the meeting unless: (i) at the beginning of the meeting or promptly upon the director's later arrival, the director objects to holding the meeting or transacting business at the meeting because of the lack of notice or defective notice and does not thereafter vote for or assent to action taken at the meeting; or (ii) if special notice was required of a particular purpose pursuant to the TBOC or these bylaws, the director objects to transacting business with respect to the purpose for



which such special notice was required and does not thereafter vote for or assent to action taken at the meeting with respect to such purpose.

Section 4.7 Deemed Assent. A director of *the Corporation* who is present at a meeting of the board of directors when corporate action is taken is deemed to have assented to all action taken at the meeting unless (i) the director objects at the beginning of the meeting, or promptly upon the director's arrival, to holding the meeting or transacting business at the meeting and does not thereafter vote for or assent to any action taken at the meeting; or (ii) the director contemporaneously requests the director's dissent or abstention as to any specific action taken be entered in the minutes of the meeting; or (iii) the director causes written notice of the director's dissent or abstention as to any specific action to be received by the presiding officer of the meeting before the adjournment thereof or by *the Corporation* promptly after the adjournment of the meeting. Such right of dissent or abstention is not available to a director who votes in favor of the action taken.

Section 4.8 Quorum and Voting. A simple majority of the voting directors in office at the beginning of the meeting shall constitute a quorum for the transaction of business at any meeting of the board of directors, and the vote of a majority of the directors present in person at a meeting at which a quorum is present shall be the act of the board of directors, unless otherwise required by the TBOC, the certificate of formation or these bylaws. If less than a quorum is present at a meeting, a majority of the directors present may adjourn the meeting from time to time without further notice other than an announcement at the meeting, until a quorum shall be present.

Section 4.9 Assignment of a Proxy. A voting director may appoint a proxy for the purpose of quorum and voting during board meetings by specifying in writing or by e-mail the name of the person and meeting or meetings for which the proxy will serve.

Section 4.10 Compensation. Directors shall not receive compensation for their services as such; however, directors shall not be disqualified to receive reasonable compensation for services rendered to or for the benefit of *the Corporation* in any other capacity.

Section 4.11 Committees.

(a) Executive Committee. There shall be an executive committee of the board consisting of the chair of the board, the vice chair, secretary, treasurer, and 3 at-large board members. The at-large members of the executive committee shall be elected by a vote of a majority of the directors present at a meeting at which a quorum is present.

- i. The executive committee shall have and may exercise all of the authority of the board of directors except as prohibited by the TBOC. The delegation of authority to the executive committee shall not operate to relieve the board of directors or any member of the board from any responsibility or standard of conduct imposed by law or these bylaws.
- ii. By one or more resolutions adopted by a vote of a majority of the directors present at a meeting at which a quorum is present, the board of directors may designate the chair of one or more committees as a permanent member of the executive committee in place of one of the at-large members.

- iii. By one or more resolutions adopted by a vote of a majority of the directors present at a meeting at which a quorum is present, the board of directors may increase the size of the executive committee by adding additional at-large members, provided that the executive committee shall always contain an odd number of members.

(b) Other Committees. By one or more resolutions adopted by a vote of a majority of the directors present at a meeting at which a quorum is present, the board of directors may designate from among its members one or more other committees, each of which shall have and may exercise all of the authority provided by the board in the resolution establishing such committee, except as prohibited by the TBOC. The delegation of authority to the executive committee shall not operate to relieve the board of directors or any member of the board from any responsibility or standard of conduct imposed by law or these bylaws.

(c) Committee Rules. Rules governing procedures for meetings of the executive committee or any other committee shall be the same as those set forth in these bylaws or the TBOC for the board of directors unless the board or the committee determines otherwise.

Section 4.12 Advisory Boards or Working Groups. The board of directors may from time to time form one or more advisory boards, working groups, or other bodies composed of such members, having such rules of procedure, and having such chair, as the board of directors shall designate. The name, objectives and responsibilities of each such advisory board, and the rules and procedures for the conduct of its activities, shall be determined by the board of directors. An advisory board may provide such advice, service, and assistance to *the Corporation*, and carry out such duties and responsibilities for *the Corporation* as may be specified by the board of directors; except that, if any such advisory board has one or more members thereof who are entitled to vote on advisory board matters and who are not then also directors, such advisory board may not exercise any power or authority reserved to the board of directors by the TBOC, the certificate of formation or these bylaws. Further, no advisory board shall have authority to incur any corporate expense or make any representation or commitment on behalf of *the Corporation* without the express approval of the board of directors or the executive director of *the Corporation*.

Section 4.13 Meetings by Telephone. Members of the board of directors, or any committee thereof may participate in a regular or special meeting by, or conduct the meeting through the use of, any means of communication by which all directors participating may hear each other during the meeting. A director participating in a meeting by this means is deemed to be present in person at the meeting.

#### Section 4.14 Action Without a Meeting.

(a) As provided in the certificate of formation, any action required or permitted to be taken at a meeting of the board of directors, the members, or any committee thereof may be taken without a meeting if a written consent or consents stating the action to be taken is signed by the number of directors, members, or committee members, as appropriate, necessary to have at least the minimum number of votes that would be necessary to take the action at a meeting at which each director, or committee member, as appropriate, entitled to vote on the action is present and votes. Each director, member, or committee member who delivers in writing or e-mail to *the Corporation* shall be deemed to have waived the right to demand that action not be taken without a meeting.

(b) No action taken pursuant to this Section 4.14 shall be effective unless writings describing the action taken and otherwise satisfying the requirements of Section 4.14(a), signed by the applicable number of directors, members, or committee members, as appropriate, and not revoked pursuant to Section 4.14(c), are received by *the Corporation*. Any such writing may be received by *the Corporation* by electronically transmitted facsimile or other form of wire or wireless communication providing *the Corporation* with a complete copy of the document, including a copy of the signature on the document. Action taken pursuant to this Section 4.14 shall be effective when the last writing necessary to effect the action is received by *the Corporation* unless the writings describing the action taken set forth a different effective date.

(c) Any director, member, or committee member who has signed a writing or e-mail pursuant to this Section 4.13 may revoke such writing by a writing signed and dated by the director, member, or committee member describing the action and stating that prior vote with respect thereto is revoked, if such writing is received by *the Corporation* before the last writing necessary to effect the action is received by *the Corporation*.

(d) Action taken pursuant to this Section 4.14 has the same effect as action taken at a meeting of the board of directors, members, or committee member and may be described as such in any document.

(e) All signed written instruments or e-mails necessary for any action taken pursuant to this Section 4.14 shall be filed with the minutes of the meetings of the board of directors, members, or committee members.

## ARTICLE V.

### OFFICERS AND AGENTS

Section 5.1 Designation and Qualifications. The elected officers of *the Corporation* shall be a chair of the board, a vice chair, a secretary, and a treasurer. The board of directors may also appoint, designate or authorize such other officers, assistant directors, a controller, assistant secretaries and assistant treasurers, as it may consider necessary or useful. One person may hold more than one office at a time. The chair and the vice chair shall be directors of *the Corporation*. Other officers need not be directors of *the Corporation*.

Section 5.2 Election and Term of Office. The board of directors, or an officer or committee to which such authority has been delegated by the board of directors, shall elect or appoint the officers at or in conjunction with each annual meeting of the board of directors or as soon as convenient thereafter. Each officer shall hold office from the end of the meeting at or in conjunction with which such officer was elected or appointed until such officer's successor shall have been duly elected or appointed and shall have qualified, or until such officer's earlier death, resignation or removal.

Section 5.3 Compensation. The compensation, if any, of each officer shall be as determined from time to time by the board of directors, or by an officer or a committee to which such authority has been delegated by the board of directors. To the extent reasonably feasible, the person or persons determining compensation shall obtain data on the compensation of officers holding similar positions of authority within comparable organizations, shall set the compensation based on such data and an evaluation of the officer's performance and experience as related to the requirements of the position, and shall document the basis for the determination, including the comparison data used, the requirements of the position, and the

evaluation of the officer's performance and experience. No officer shall be prevented from receiving a salary by reason of the fact that the officer is also a director of *the Corporation*. However, no payment of compensation (or payment or reimbursement of expenses) shall be made in any manner so as to result in the imposition of any liability under section 4958 of the Internal Revenue Code.

Section 5.4 Removal. Any officer or agent may be removed by the board of directors at any time, with or without cause, but such removal shall not affect the contract rights, if any, of the person so removed. Election, appointment or designation of an officer or agent shall not itself create contract rights.

Section 5.5 Vacancies. Any officer may resign at any time, subject to any rights or obligations under any existing contracts between the officer and *the Corporation*, by giving written notice to the executive director or to the board of directors. An officer's resignation shall take effect upon receipt by *the Corporation* unless the notice specifies a later effective date, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. A vacancy in any office, however occurring, may be filled by the board of directors, or by any officer or committee to which such authority has been delegated by the board of directors, for the unexpired portion of the term. If a resignation is made effective at a later date, the board of directors may permit the officer to remain in office until the effective date and may fill the pending vacancy before the effective date with the provision that the successor does not take office until the effective date, or the board of directors may remove the officer at any time before the effective date and may fill the resulting vacancy.

Section 5.6 Authority and Duties of Officers. The officers of *the Corporation* shall have the authority and shall exercise the powers and perform the duties specified below and as may be additionally specified by the board of directors or these bylaws, except that in any event each officer shall exercise such powers and perform such duties as may be required by law.

(a) Chair of the Board. The chair of the board shall (i) preside at all meetings of the board of directors; (ii) see that all orders and resolutions of the board of directors are carried into effect; and (iii) perform all other duties incident to the office of chair of the board and as from time to time may be assigned to the chair by the board of directors.

(b) Vice Chair. The vice chair shall (i) in the absence of the chair of the board, preside at all meetings of the board of directors; and (ii) perform all other duties incident to the office of vice chair and as from time to time may be assigned to such office by the board of directors.

(c) Secretary. The secretary shall (i) keep the minutes of the proceedings of the board of directors and any committees of the board; (ii) see that all notices are duly given in accordance with the provisions of these bylaws or as required by law; (iii) be custodian of the corporate records and of the seal of *the Corporation*; and (iv) in general, perform all duties incident to the office of secretary and such other duties as from time to time may be assigned to such office by the board of directors. Assistant secretaries, if any, shall have the same duties and powers, subject to supervision by the secretary.

(d) Treasurer. The treasurer shall (i) be the chief financial officer of *the Corporation* and have the care and custody of all its funds, securities, evidences of indebtedness and other personal property and deposit the same in accordance with the instructions of the board of directors; (ii) receive and give receipts and amounts paid in on account of *the Corporation*, and

pay out of the funds on hand all bills, payrolls and other just debts of *the Corporation* of whatever nature upon maturity; (iii) unless there is a controller, be the principal accounting officer of *the Corporation* and as such prescribe and maintain the methods and systems of accounting to be followed, keep complete books and records of account, prepare and file all local, state and federal tax returns and related documents, prescribe and maintain an adequate system of internal audit, and prepare and furnish to the executive director and the board of directors statements of account showing the financial position of *the Corporation* and the results of its operations; (iv) upon request of the board, make such reports to it as may be required at any time; and (v) perform all other duties incident to the office of treasurer and such other duties as from time to time may be assigned to such office by the board of directors. Assistant treasurers, if any, shall have the same powers and duties, subject to the supervision by the treasurer.

Section 5.7 Surety Bonds. The board of directors may require any officer or agent of *the Corporation* to execute to *the Corporation* a bond in such sums and with such sureties as shall be satisfactory to the board, conditioned upon the faithful performance of such person's duties and for the restoration to *the Corporation* of all books, papers, vouchers, money and other property of whatever kind in such person's possession or under such person's control belonging to *the Corporation*.

#### Section 5.8 Executive Director

(a) Employment. The board of directors may employ an executive director to manage the administrative operations of *the Corporation*. Salary and benefits for the executive director shall be approved by the board of directors.

(b) Duties. In addition to general management and administrative responsibilities, the executive director shall (1) prepare and submit to the secretary/treasurer the annual budget for *the Corporation*; (2) develop and implement a work plan to be approved annually by the board of directors; (3) manage the financial affairs of *the Corporation*; (4) hire staff for positions authorized by the board of directors; (5) prepare minutes of meetings of the board of directors and maintain these and other corporate records; (6) annually appoint a nominations committee, in consultation with the board of directors chair, and hold annual elections; (7) perform other duties as may be assigned by the board of directors; (8) when needed, serve as co-signer (with the secretary/treasurer or other designated officer) on any contracts or other instruments that the board has authorized.

## ARTICLE VI.

### FIDUCIARY MATTERS

#### Section 6.1 Indemnification.

(a) Scope of Indemnification. Any person made a party to or involved in any litigation, including any civil, criminal or administrative action, suit or proceeding, by reason of the fact that such person is or was a director, officer, employee, or volunteer of *the Corporation* or by reason of such person's alleged negligence or misconduct in the performance of his or her duties as such director, officer, employee, or volunteer shall be indemnified by *the Corporation*, to the extent funds are lawfully available and subject to any other limitations that exist by law, against liability and the reasonable expenses, including attorneys' fees, actually and necessarily incurred by him or her in connection with any action therein, except in relation to matters as to which it is adjudged that such

director, officer, employee, or volunteer is liable for gross negligence or willful misconduct in the performance of his or her duties. A conviction or judgment entered in connection with a compromise or settlement of any such litigation shall not by itself be deemed to constitute an adjudication of liability for such gross negligence or willful misconduct. The right to indemnification will include the right to be paid by *the Corporation* for expenses incurred in defending a proceeding in advance of its final disposition in the manner and to the extent permitted by the board in its sole discretion. In addition to the indemnification described above that *the Corporation* shall provide a director, officer, employee, or volunteer, *the Corporation* may, upon approval of the board in its sole discretion, indemnify a director, officer, employee, or volunteer under such other circumstances, or may indemnify any agent of *the Corporation* not otherwise covered by this Section 6.1, subject to any limitations that exist by law. Any indemnification by *the Corporation* pursuant to this Section 6.1 shall be evidenced by a resolution of the Board. *The Corporation* may in its discretion purchase insurance insuring its obligations hereunder or otherwise protecting the persons intended to be protected by this Section 6.1.

(b) Savings Clause; Limitation. If any provision of the TBOC or these bylaws dealing with indemnification shall be invalidated by any court on any ground, then *the Corporation* shall nevertheless indemnify each party otherwise entitled to indemnification hereunder to the fullest extent permitted by law or any applicable provision of the TBOC or these bylaws that shall not have been invalidated. Notwithstanding any other provision of these bylaws, *the Corporation* shall neither indemnify any person nor purchase any insurance in any manner or to any extent that would jeopardize or be inconsistent with the qualification of *the Corporation* as an organization described in Section 501(c)(6) of the Internal Revenue Code.

## Section 6.2 General Standards of Conduct for Directors and Officers.

(a) Discharge of Duties. Each director shall discharge the director's duties as a director, including the director's duties as a member of a committee of the board, and each officer with discretionary authority shall discharge the officer's duties under that authority (i) in good faith; (ii) with the care an ordinarily prudent person in a like position would exercise under similar circumstances; and (iii) in a manner the director or officer reasonably believes to be in the best interests of *the Corporation*.

(b) Reliance on Information, Reports, Etc. In discharging duties, a director or officer is entitled to rely on information, opinions, reports or statements, including financial statements and other financial data, if prepared or presented by: (i) one or more officers or employees of *the Corporation* whom the director or officer reasonably believes to be reliable and competent in the matters presented; (ii) legal counsel, a public accountant or another person as to matters the director or officer reasonably believes are within such person's professional or expert competence; or (iii) in the case of a director, a committee of the board of directors of which the director is not a member if the director reasonably believes the committee merits confidence. A director or officer is not acting in good faith if the director or officer has knowledge concerning the matter in question that makes reliance otherwise permitted by this Section 6.2(b) unwarranted.

(c) Liability to The Corporation. A director or officer shall not be liable as such to *the Corporation* for any action taken or omitted to be taken as a director or officer, as the case may be, if, in connection with such action or omission, the director or officer performed the duties of the position in compliance with this Section 6.2.

(d) Director Not Deemed to Be a Trustee. A director, regardless of title, shall not be deemed to be a trustee with respect to *the Corporation* or with respect to any property held or administered by *the Corporation* including, without limitation, property that may be subject to restrictions imposed by the donor or transferor of such property.

### Section 6.3 Conflicts of Interest.

(a) Definition. A conflict of interest arises when any “responsible person” or any “party related to a responsible person” has an “interest adverse to *the Corporation*.” A “responsible person” is any individual in a position to exercise substantial influence over the affairs of *the Corporation*, and specifically includes, without limitation, directors and officers of *the Corporation*. A “party related to a responsible person” includes his or her extended family (including spouse, ancestors, descendants and siblings, and their respective spouses and descendants), an estate or trust in which the responsible person or any member of his or her extended family has a beneficial interest or a fiduciary responsibility, or an entity in which the responsible person or any member of his or her extended family is a director or officer or has a financial interest. “An interest adverse to *the Corporation*” includes any interest in any contract, transaction or other financial relationship with *the Corporation*, and any interest in an entity whose best interests may be impaired by the best interests of *the Corporation* including, without limitation, an entity providing any goods or services to or receiving any goods or services from *the Corporation*, an entity in which *the Corporation* has any business or financial interest, and an entity providing goods or services or performing activities similar to the goods or services or activities of *the Corporation*.

(b) Disclosure. If a responsible person is aware that *the Corporation* is about to enter into any transaction or make any decision involving a conflict of interest, (a “conflicting interest transaction”), such person shall: (i) immediately inform those charged with approving the conflicting interest transaction on behalf of *the Corporation* of the interest or position of such person or any party related to such person; (ii) aid the persons charged with making the decision by disclosing any material facts within the responsible person’s knowledge that bear on the advisability of *the Corporation* entering into the conflicting interest transaction; and (iii) not be entitled to vote on the decision to enter into such transaction.

(c) Approval of Conflicting Interest Transactions. *The Corporation* may enter into a conflicting interest transaction provided either:

(i) The material facts as to the responsible person’s relationship or interest and as to the conflicting interest transaction are disclosed or are known to the board of directors or to a committee of the board of directors that authorizes, approves or ratifies the conflicting interest transaction by the affirmative vote of a majority of the disinterested directors on the board or committee, even though the disinterested directors are less than a quorum; or

(ii) The conflicting interest transaction is fair as to *the Corporation*.

(d) Additional Prohibitions on Responsible Parties. Notwithstanding the procedures set forth in Section 6.3(a)&(b), a responsible party, as defined in Section 6.3(a), shall not:

(i) Accept or solicit any gift, favor, or service that might reasonably tend to influence that individual in the discharge of official duties on behalf of *the Corporation* or that the

individual knows or should know is being offered with the intent to influence the individual's official conduct; or

(ii) Accept other compensation that could reasonably be expected to impair the individual's independence of judgment in the performance of the individual's official duties on behalf of *the Corporation*.

Section 6.4 Liability of Directors for Unlawful Distributions.

(a) Liability to *The Corporation*. A director who votes for or assents to a distribution made in violation of the TBOC or the certificate of formation of *the Corporation* shall be personally liable to *the Corporation* for the amount of the distribution that exceeds what could have been distributed without violating the TBOC or the certificate of formation if it is established that the director did not perform the director's duties in compliance with the general standards of conduct for directors set forth in Section 6.2.

(b) Contribution. A director who is liable under Section 6.4(a) for an unlawful distribution is entitled to a contribution: (i) from every other director who could be liable under Section 6.4(a) for the unlawful distribution; and (ii) from each person who accepted the distribution knowing the distribution was made in violation of the TBOC or the certificate of formation, to the extent the distribution to that person exceeds what could have been distributed to that person without violating the TBOC or the certificate of formation.

Section 6.5 Loans to Directors and Officers Prohibited. No loans shall be made by *the Corporation* to any of its directors or officers. Any director or officer who assents to or participates in the making of any such loan shall be liable to *the Corporation* for the amount of such loan until the repayment thereof.

## ARTICLE VII.

### RECORDS OF *THE CORPORATION*

Section 7.1 Minutes, Etc. *The Corporation* shall keep as permanent records minutes of all meetings of the board of directors, a record of all actions taken by the board of directors without a meeting, a record of all actions taken by a committee of the board of directors in place of the board of directors on behalf of *the Corporation*, and a record of all waivers of notices of meetings of the board of directors or any committee of the board of directors.

Section 7.2 Accounting Records. *The Corporation* shall maintain appropriate accounting records.

Section 7.3 Records in Written Form. *The Corporation* shall maintain its records in written form or in another form capable of conversion into written form within a reasonable time.

Section 7.4 Records Maintained at Principal Office. *The Corporation* shall keep a copy of each of the following records at its principal office:

- (a) The certificate of formation;
- (b) These bylaws;



- (c) A list of the names and business or home addresses of the current directors and officers;
- (d) All financial statements prepared for periods ending during the last three years;
- (e) *The Corporation's* application for recognition of exemption and the tax-exemption determination letter issued by the Internal Revenue Service; and
- (f) All other documents or records required to be maintained by *the Corporation* at its principal office under applicable law or regulation.

## ARTICLE VIII.

### MISCELLANEOUS

Section 8.1 Fiscal Year. The fiscal year of *the Corporation* shall be the calendar year.

Section 8.2 Conveyances and Encumbrances. Property of *the Corporation* may be assigned, conveyed or encumbered by such officers of *the Corporation* as may be authorized to do so by the board of directors, and such authorized persons shall have power to execute and deliver any and all instruments of assignment, conveyance and encumbrance; however, the sale, exchange, lease or other disposition of all or substantially all of the property and assets of *the Corporation* shall be authorized only in the manner prescribed by applicable statute.

Section 8.3 Designated Contributions. *The Corporation* may accept any designated contribution, grant, bequest or devise consistent with its general tax-exempt purposes, as set forth in the certificate of formation.

Section 8.4 Amendments. The power to alter, amend or repeal these bylaws and adopt new bylaws shall be vested solely in the board of directors.

Section 8.5 References to the Internal Revenue Code. All references in these bylaws to provisions of the Internal Revenue Code are to the provisions of the Internal Revenue Code of 1986, as amended, and to the corresponding provisions of any subsequent federal tax laws.

Section 8.6 Severability. The invalidity of any provision of these bylaws shall not affect the other provisions hereof, and in such event these bylaws shall be construed in all respects as if such invalid provision were omitted.

Section 8.7 Controlling Authority. In the event of irreconcilable conflict between these bylaws and either the certificate of formation or applicable law, the latter shall control.

Section 8.8 Voluntary Dissolution. The board of directors, at its sole discretion, may adopt a resolution recommending that *the Corporation* be voluntarily dissolved, and directing that the question of such dissolution be submitted to a vote at a meeting of members having voting rights. Written or printed notice stating that the purpose, or one of the purposes, of such meeting is to consider the advisability of dissolving *the Corporation*, shall be given to each member entitled to vote at such meeting, consistent with the requirements of the TBOC. A resolution to dissolve *the Corporation* shall be adopted upon receiving at least two-thirds of the votes which members present at such meeting in person or by proxy are entitled to cast.

Distributions in connection with the termination of *the Corporation* shall be made in accordance with provisions specified in the certificate of formation.



## **Travis County Commissioners Court Agenda Request**

Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: Edith Moreida, Commissioner Precinct 4 Office, 854-9444

Elected/Appointed Official/Dept. Head: Margaret J. Gómez, Precinct 4, Commissioner

Sponsors: Commissioner Gómez

### **AGENDA LANGUAGE:**

Consider and take appropriate action on request to appoint Vincent M. Torres to serve on the Board of the Austin Travis County Integral Care.

### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

Enter Background/Summary of Request and Attachments here

### **STAFF RECOMMENDATIONS:**

NA

### **ISSUES AND OPPORTUNITIES:**

NA

### **FISCAL IMPACT AND SOURCE OF FUNDING:**

ENTER Amount of Funding, Source of Funding, Previously Approved by Commissioners Court (Earmark?), Annualized Amount, Current Budget

### **REQUIRED AUTHORIZATIONS:**

Commissioner Precinct 4 Office	Margaret J. Gómez	Completed	03/02/2011 11:29 AM
Commissioner Precinct 4 Office	Margaret J. Gómez	Completed	03/02/2011 11:29 AM
County Judge's Office	Cheryl Aker	Completed	03/02/2011 1:01 PM
Commissioners Court	Cheryl Aker	Pending	

**Biosketch  
For  
Vincent M. Torres**

**Vice President and District 4 Trustee  
AISD Board of Trustees  
and  
Associate Director  
Center for Energy & Environmental Resources  
The University of Texas at Austin**

Mr. Torres was born in San Antonio, Texas, where he graduated from Thomas Jefferson High School in 1971. He attended the United States Naval Academy from 1971 to 1973. He transferred to The University of Texas at Austin in 1974 and graduated from UT Austin in 1979 with a master of science degree in engineering. A registered professional engineer in Texas, Mr. Torres has been employed by The University of Texas at Austin since 1986, where he is the Associate Director of the Center for Energy & Environmental Resources. He is also licensed in Texas as a Mold Assessment Consultant. His research interests include air quality, as well as heating, ventilating and air-conditioning systems. He is a member of ASME, ASHRAE and the IAQA.

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He is married to Suzanne Torres, and they have two children. Mr. Torres and his wife have been active volunteers in their children's schools and on Austin Independent School District district-wide committees. Mr. Torres was one of the tri-chairs of the Citizens' Bond Advisory Committee and a co-chair of the Community Bond Oversight Committee for the 2002 Health & Safety Bond. He was one of the tri-chairs of the \$519 million 2004 Citizens' Bond Advisory Committee and the Community Bond Oversight Committee. In 2005, Austin Partners in Education named him District Volunteer of the Year and in 2001 was named Volunteer of the Year by Hill Elementary School.

Vincent Torres was elected to the Austin ISD Board of Trustees in May 2006. In February 2007, he was elected Vice President of the Board. He was re-elected to the Board and to the office of Vice President in May and June 2010, respectively.

In addition to his volunteer work with AISD, Mr. Torres has been active in the Austin community serving on the Travis County Grand Jury and on advisory committees for the Gardner-Betts Juvenile Justice Center and the Travis County Community Justice Council. He is a member of the board of the Children's Environmental Health Institute. Mr. Torres has been instrumental in securing state legislation to obtain greater assistance benefits and improved counseling programs for victims of violent crime and established the Crime Victims' Institute at the Office of the Attorney General in 1995. He also served on the faculty of the first three offerings of the Texas Victim Assistance Academy. Mr. Torres worked with the Texas Rangers to obtain legislation that established in 2001 the statewide Unsolved Crimes Investigation Team of the Texas Rangers, which provides unique expertise to law enforcement agencies in the solution of unsolved homicides (cold cases). In 2003, the Texas Chapter of the National Association of Social Workers named Mr. Torres their Public Citizen of the Year.



## **Travis County Commissioners Court Agenda Request**

Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: Deone Wilhite, Commissioner Precinct 1 Office, 854-9111

Elected/Appointed Official/Dept. Head: Ron Davis, Precinct 1, Commissioner

Sponsors: Commissioner Davis

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### **AGENDA LANGUAGE:**

CONSIDER AND TAKE APPROPRIATE ACTION ON THE  
APPOINTMENT OF ERIN FLYNN TO THE SUSTAINABLE FOOD POLICY  
BOARD, EFFECTIVE IMMEDIATELY THROUGH FEBRUARY 28, 2013.

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### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

### **FISCAL IMPACT AND SOURCE OF FUNDING:**

n/a

### **REQUIRED AUTHORIZATIONS:**

Commissioner Precinct 1 Office

Ron Davis

Completed

03/01/2011 9:04 AM

Commissioner Precinct 1 Office

Ron Davis

Completed

03/01/2011 9:05 AM

County Judge's Office

Cheryl Aker

Pending

Commissioners Court

Cheryl Aker

Pending

**ERIN FLYNN**

8310 Canoga Avenue | Austin, Texas 78724  
512-949-9831, greengatefarms@gmail.com  
www.greengatefarms.net

SUMMARY

Co-creator of award-winning certified organic farm and agricultural activist. Writer, editor and public relations professional with more than 20 years achievement in all areas of marketing communications.

WORK HISTORY

**GREEN GATE FARMS, Co-founder**

Austin, May 2006 – present

Created certified-organic vegetable and livestock farm on rejuvenated historic site. In addition to 125 member Community Supported Agriculture (CSA) program, we serve customers of all incomes at our farm stand, located in a food desert eight miles east of downtown Austin. We build community through partnerships and educational events, employ 4 workers and manage extensive system of volunteers. Our farm is one of the combining education, social justice and agritourism. Also:

- Active in local and state farming/food organizations (Growers Alliance of Central Texas, Slow Food Austin, TOFGA) and speaker at conferences.
- Farm featured Sur La Table's "Eating Local," national cookbook featuring 10 CSA farms.
- Voted "Best Place to See Your Food Grow," Critic's Choice, Austin Chronicle

**FLYNN PUBLICATIONS, President**

Atlanta, 2000 - 2004

Created a business to provide editorial and public relations services to organizations engaged in meaningful work, such as:

- CARE
- Centers for Disease Control and Prevention
- Georgia Organics
- Marriott Foundation for People with Disabilities
- Global Impact
- American Cancer Society
- Georgia Justice Project
- Brain and Spinal Injury Trust Fund

Awarded gold medal for "Best Service Journalism" by Magazine Association of the Southeast, 2005.

**AMERICAN CANCER SOCIETY, Director, National Cancer Control Communications**

Atlanta, 1998 – 2000

Raised national awareness of ACS's resources to prevent, detect and treat cancer. Guided public health experts on campaigns/partnerships to identify and reduce breast, skin, colon and prostate cancers, and promote issues such as survivorship, caregiver needs, nutrition, school health and tobacco control.

**DELTA AIR LINES, INC., Manager, Corporate Communications**

Atlanta, 1995-1998

Recruited to Delta to initiate proactive publicity for new products and serve as lead media spokesperson for all consumer-marketing initiatives. Promoted Delta's Community Affairs programs; wrote speeches for CEO and corporate officers.

**HILL AND KNOWLTON, INC., Vice President (1995); Account Supervisor (1992-95); Account Executive (1992); Media Specialist (1989-92)**

New York and Atlanta, 1989-1995

Responsible for strategic planning, new business development, sales support and team management for corporate and non-profit accounts worldwide, including:

- Increased economic development in Israel and Indonesia by creating integrated communications programs that encouraged investment by U.S. industry.
- Received the Hill Award, the company's highest award for account excellence, for work on IBM Educational Systems, Procter & Gamble, Hertz and Wendy's International.

**COUNCIL ON FOREIGN RELATIONS, Program Assistant**

New York City, 1988

Assisted in production of "Worldview," an international affairs cable TV program, arranged for political leaders to address members, and promoted Murrow Fellowship for journalists.

**TERRY MCDANIEL & CO., Administrative Manager**

Austin, TX, 1985-1988

Helped stockbroker launch investment firm. Assisted in all aspects of business, managed staff/budgets.

**TEXAS LEGISLATURE, Assistant**  
Austin, TX, 1985

Supported legislative agenda and administered Capitol office for Representative from Houston.

**FUJI INTERNATIONAL FINANCE, LTD., Eurobond Salesperson**  
London, England, 1984

Increased global institutional sales by 80 percent through cold calls and weekly financial report written for 150 international clients, such as Bahrain's Ministry of Finance. Trained and supervised two assistants.

#### PRESENTATIONS

##### *International*

- **Terre Madre**, Turin, Italy:
  - Mentoring Young Farmers

##### *Regional*

- **Southern Sustainable Agriculture Working Group:**
  - Attracting Customers to Your Farm – Connecting with the Community, Advanced CSAs: What Works and What Doesn't January 2011

##### *State*

- **Texas Conference on Organic Production Systems:** "Farm Value-Added Activities," January 2011

##### *Local*

- **Austin's Sustainable Food Policy Board** Creating a Local Food Policy Council in Atlanta, September 2009
- **St. Edward's University**, Faith Communities and Local Food
- **First English Lutheran Church:** Local Food and the Environment; How to Source Sustainably; Meet Your Local Growers
- **Peak Oil** meeting: What is Community Supported Agriculture?
- **Sustainable Food Center:** Meet a Farmer participant, educational series held at underserved middle schools
- **Texas Organic Farm & Garden Association**, In-depth Farm Tours,
- **Green Gate Farms**, weekly farm tour Saturdays, noon

#### RELEVANT ARTICLES

- Edible Austin magazine



- *Water in Texas: The Crisis Underground*, author
- *From Gate to Plate: Making Meat in Central Texas*, author
- *Vanishing Act*, (source for article on heritage breed animals )
- *When You Wish Upon a Farm* (profile about our farm)
- Green Gate Farms Newsletter, weekly essays

#### BOARD MEMBERSHIP and ACTIVITIES

- Slow Food Austin, Board member, 2009-present
- Texas River School, Board member, 2008-10
- Georgia Organics, Marketing Director (pro bono and paid), 2005
- icdMedia, Advisory Board , 2003- 5
- Stepfamily Association of America, 2003-5

#### EDUCATION

- Certificate in Public Relations, New York University, 1991
- B.A., Political Science, Simmons College, Boston, 1987 (Attended University of Texas, Summer 1981 and Austin Community College, 1985-87)
- International study, Richmond College, London, England, 1982 -1983; Henbury School, Bristol, England, February 1979.
- Internships: Minister of Parliament, House of Commons, London; Wandsworth Legal Resource Project, London; Massachusetts Senate Ways and Means Committee; Governor Dukakis' Office of Community Services; Massachusetts Defender's Association; Common Cause, Austin, Texas.



## **Travis County Commissioners Court Agenda Request**

Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: Josie Zavala, County Judge's Office, 854-9555

Elected/Appointed Official/Dept. Head: Samuel T. Biscoe, County Judge

Sponsors: Judge Biscoe

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### **AGENDA LANGUAGE:**

Receive Racial Profiling Report from Precinct One, Two and Four Constables.

---

### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

Enter Background/Summary of Request and Attachments here

### **STAFF RECOMMENDATIONS:**

Enter Staff Recommendations here

### **ISSUES AND OPPORTUNITIES:**

Enter Issues and Opportunities here

### **FISCAL IMPACT AND SOURCE OF FUNDING:**

ENTER Amount of Funding, Source of Funding, Previously Approved by Commissioners Court (Earmark?), Annualized Amount, Current Budget

### **REQUIRED AUTHORIZATIONS:**

County Judge's Office

Cheryl Aker

Completed

03/01/2011 3:30 PM

Commissioners Court

Cheryl Aker

Pending

Item # \_\_\_\_\_

## Travis County Commissioners Court Agenda Request

Meeting Date:

- I. A. Requestor: Constable Danny Thomas Phone# 854-7510  
B. Specific Agenda Language:

Receive Racial Profiling report from Constable Precinct One.

C. Sponsor: County Judge Samuel Biscoe  
County Commissioner or County Judge

- II. A. Backup memorandum and exhibits should be attached and submitted with this Agenda Request.  
B. Please list all of the agencies or officials names and telephone numbers that might be affected or be involved with the request.

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III. Required Authorizations: Please check if applicable:

Planning and Budget Office (854-9106)

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

Human Resources Department (854-9165)

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

Purchasing Office (854-9700)

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

County Attorney's Office (854-9415)

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

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



## DANNY THOMAS

TRAVIS COUNTY CONSTABLE  
PRECINCT ONE  
1811 SPRINGDALE ROAD, STE. 120  
AUSTIN, TEXAS 78721  
OFFICE (512) 854-7510 FAX (512) 929-0981

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Travis County Constable Precinct One  
1811 Springdale #120  
Austin Texas 78721  
February 28, 2011

Travis County Commissioners Court  
314 W. 11<sup>th</sup> St.  
Austin Texas 78701

Dear Commissioners Court:

Attached is our FY11 Racial Profiling Report. This Agency claims partial racial profiling report exemption because our vehicles that conduct motor vehicle stops are equipped with video and audio equipment and we maintain videos for 90 days.

Certification to this Report 2.132 (Tier 1) – Partial Exemption

Sincerely,

A handwritten signature in cursive script that reads "Danny Thomas".

Danny Thomas  
Travis County Constable, Precinct 1

cc: Executive Committee

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“A VISION THAT EMPOWERS THE COMMUNITY”

**Racial Profiling Data  
March-11**

Stop Reason	Stop Disposition	Hispanic	% of Race	% of Arrest
Hazardous Traffic	Arrested			
Hazardous Traffic	Released			
Hazardous Traffic	Ticketed	130	27.00%	
Hazardous Traffic	Warned (Written)			
Investigation	Arrested			
Investigation	Released			
Investigation	Ticketed			
Investigation	Warned (Written)			
Non-Hazardous Traffic	Arrested	0		
Non-Hazardous Traffic	Released			
Non-Hazardous Traffic	Ticketed	353	73.00%	
Non-Hazardous Traffic	Warned (Written)			
		483	100.00%	0
		Total	Total	Total

Search Status	Hispanic	% of Race	% Custody Arrest
Consent Search	0	0	0
No Search	483	100%	0
Probable Cause Search	0	0%	0
		483	100%
		Total	Total

Statement of Charge	Hispanic	% Race
Felony		
Misdemeanor		
Traffic	483	100%

**Racial Profiling Data  
March-11**

Stop Reason	Stop Disposition	White	% of Race	% of Arrest
Hazardous Traffic	Arrested			
Hazardous Traffic	Released			
Hazardous Traffic	Ticketed	95	23.00%	2%
Hazardous Traffic	Warned (Written)			
Investigation	Arrested			
Investigation	Released			
Investigation	Ticketed	0	0	0
Investigation	Warned (Written)			
Non-Hazardous Traffic	Arrested	30		
Non-Hazardous Traffic	Released	0		
Non-Hazardous Traffic	Ticketed	320	77.00%	0
Non-Hazardous Traffic	Warned (Written)			
		415	100.00%	2%
		<b>Total</b>	<b>Total</b>	<b>Total</b>

Search Status	White	% of Race	% Custody Arrest
Consent Search	0	0%	0
No Search	410	99%	0
Probable Cause Search	5	1%	1%
		415	100%
		<b>Total</b>	<b>Total</b>

Statement of Charge	White	% Race
Felony		
Misdemeanor	30	8%
Traffic	385	92%

**Racial Profiling Data  
March-11**

Stop Reason	Stop Disposition	Native Am	% of Race	% of Arrest
Hazardous Traffic	Arrested	0.00%	0.00%	0
Hazardous Traffic	Released			
Hazardous Traffic	Ticketed			
Hazardous Traffic	Warned (Written)			
Investigation	Arrested	0	0.00%	0
Investigation	Released			
Investigation	Ticketed			
Investigation	Warned (Written)			
Non-Hazardous Traffic	Arrested	0	0.00%	0
Non-Hazardous Traffic	Released			
Non-Hazardous Traffic	Ticketed			
Non-Hazardous Traffic	Warned (Written)			
		0 Total	0.00% Total	0 Total

Search Status	Native American	% of Race	% Custody Arrest
Consent Search	0		
No Search	0		
Probable Cause Search	0		
0 Total		Total	Total

Statement of Charge	Native American	% Race
Felony	0	
Misdemeanor	0	
Traffic	0	

**Racial Profiling Data  
March-11**

Stop Reason	Stop Disposition	Black	% of Race	% of Arrest
Hazardous Traffic	Arrested	0.00%		0
Hazardous Traffic	Released			
Hazardous Traffic	Ticketed	427	89.00%	0
Hazardous Traffic	Warned (Written)			
Investigation	Arrested			
Investigation	Released			
Investigation	Ticketed			
Investigation	Warned (Written)			
Non-Hazardous Traffic	Arrested	15		
Non-Hazardous Traffic	Released	41		
Non-Hazardous Traffic	Ticketed	56	11.00%	0
Non-Hazardous Traffic	Warned (Written)	0	0.00%	
		483	100.00%	0
		<b>Total</b>	<b>Total</b>	<b>Total</b>

Search Status	Black	% of Race	% Custody Arrest
Consent Search	0		
No Search	463	96%	0
Probable Cause Search	20	4%	4%
		<b>Total</b>	<b>Total</b>

Statement of Charge	Black	% Race
Felony	0	
Misdemeanor	15	3%
Traffic	468	97%



**Racial Profiling Data  
March-11**

Stop Reason	Stop Disposition	Asian	% of Race	% of Arrest
Hazardous Traffic	Arrested			
Hazardous Traffic	Released			
Hazardous Traffic	Ticketed	0	0.00%	0
Hazardous Traffic	Warned (Written)			
Investigation	Arrested			
Investigation	Released			
Investigation	Ticketed	0	0	0
Investigation	Warned (Written)			
Non-Hazardous Traffic	Arrested			
Non-Hazardous Traffic	Released			
Non-Hazardous Traffic	Ticketed	3	100.00%	0
Non-Hazardous Traffic	Warned (Written)			
		3	100.00%	0
		<b>Total</b>	<b>Total</b>	<b>Total</b>

Search Status	Asian	% of Race	% Custody Arrest
Consent Search	0	0	0
No Search	3	100%	0
Probable Cause Search	0	0	0
		3	100%
		<b>Total</b>	<b>Total</b>

Statement of Charge	Asian	% Race
Felony		
Misdemeanor		
Traffic	3	100%

## TIER 1 - PARTIAL EXEMPTION RACIAL PROFILING REPORT

**Agency Name:** TRAVIS CO. CONST. PCT. 1  
**Reporting Date:** 02/28/2011  
**TCLEOSE Agency Number:** 453101  
**Chief Administrator:** DANNY L. THOMAS  
**Agency Contact Information:** Phone: 512-854-7514  
Email: [dedric.knox@co.travis.tx.us](mailto:dedric.knox@co.travis.tx.us)  
Mailing Address:  
TRAVIS CO. CONST. PCT. 1  
1811 Springdale #120  
Austin, TX 78721

This Agency claims partial racial profiling report exemption because:  
Our vehicles that conduct motor vehicle stops are equipped with video and audio equipment and we maintain videos for 90 days.

### Certification to This Report 2.132 (Tier 1) – Partial Exemption

#### Article 2.132(b) CCP Law Enforcement Policy on Racial Profiling

TRAVIS CO. CONST. PCT. 1 has adopted a detailed written policy on racial profiling. Our policy:

- (1) clearly defines acts constituting racial profiling;
- (2) strictly prohibits peace officers employed by the TRAVIS CO. CONST. PCT. 1 from engaging in racial profiling;
- (3) implements a process by which an individual may file a complaint with the TRAVIS CO. CONST. PCT. 1 if the individual believes that a peace officer employed by the TRAVIS CO. CONST. PCT. 1 has engaged in racial profiling with respect to the individual;
- (4) provides public education relating to the agency's complaint process;
- (5) requires appropriate corrective action to be taken against a peace officer employed by the TRAVIS CO. CONST. PCT. 1 who, after an investigation, is shown to have engaged in racial profiling in violation of the TRAVIS CO. CONST. PCT. 1's policy adopted under this article;
- (6) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
  - (A) the race or ethnicity of the individual detained;
  - (B) whether a search was conducted and, if so, whether the individual detained consented to the search; and

(C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:

(A) the Commission on Law Enforcement Officer Standards and Education; and

(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

**I certify these policies are in effect.**

Executed by: **DANNYL THOMAS**

Chief Administrator

TRAVIS CO. CONST. PCT. 1

Date: 02/28/2011

**TRAVIS CO. CONST. PCT. 1 Motor Vehicle Racial Profiling Information**

**Number of motor vehicle stops:**

1. 1339 citation only
2. 0 arrest only
3. 45 both

4. 1384 Total (4, 11, 14 and 17 must be equal)

**Race or Ethnicity:**

5. 483 African
6. 3 Asian
7. 415 Caucasian
8. 483 Hispanic
9. 0 Middle Eastern
10. 0 Native American

11. 1384 Total (lines 4, 11, 14 and 17 must be equal)

**Race or Ethnicity known prior to stop?**

12. 0 Yes
13. 1384 No

14. 1384 Total (lines 4, 11, 14 and 17 must be equal)

**Search conducted?**

15. 25 Yes
16. 1359 No

17. 1384 Total (lines 4, 11, 14 and 17 must be equal)

**Was search consented?**

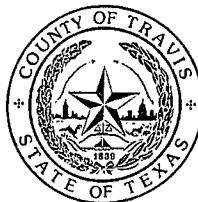
18. 25 Yes
19. 0 No

20. 25 Total (must equal line 15)

**ADAN BALLESTEROS**  
**CONSTABLE**  
**TRAVIS COUNTY, PRECINCT 2**



**POLICE CONTACT DATA**  
**2010**  
**ANNUAL REPORT**



**MARCH, 2011**

# **(I) Introduction**

# Opening Statement



# ADAN BALLESTEROS

CONSTABLE  
Travis County, Precinct 2



10409 Burnet Road  
Austin, Tx 78758

Phone: (512) 854-9697  
Fax : (512) 854-9196

March 1, 2010

Since January 1, 2009, the Travis County Constable's Office Precinct Two in accordance with the Texas Racial Profiling Law (S.B. No. 1074), has been collecting police contact data for the purpose of identify and responding (if necessary) to concerns regarding racial profiling practices. It is my hope that the findings provided in this report will serve as evidence that the Travis County Precinct Two Constable's Office continues to strive towards the goal of maintaining strong relations with the community.

*For the reporting period of 01/01/2010 --- 12/31/2010, the Travis County Constable's Office Precinct Two has not received any complaints, on any member of this office for having violated the Texas Racial Profiling Law.*

In this report, the reader will encounter several sections designed at providing background information on the rationale and objectives of the Texas Racial Profiling Law. Other sections contain information relevant to the institutional policies adopted by the Travis County Constable's Office Precinct Two banishing the practice of racial profiling among its officers.

The final components of this report provide statistical data relevant to the public contacts made during the period of 1/1/2010 and 12/31/2010. This information has been analyzed and compared to the Department of Public Safety data on motorists residing in the Travis County area. The analysis of the data and recommendations for future areas of research are also included. It is my sincere hope that the channels of communication between community leaders and the Travis County Constable's Office Precinct Two continue to strengthen as we move forward to meet the challenges of the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Adan Ballesteros".

Adan Ballesteros, Constable  
Travis County Precinct Two



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# **The Texas Law on Racial Profiling**

1-1                               AN ACT

1-2   relating to the prevention of racial profiling by certain peace

1-3   officers.

1-4       BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-5       SECTION1. Chapter 2, Code of Criminal Procedure, is amended

1-6   by adding Articles 2.131 through 2.138 to read as follows:

1-7       Art. 2.131. RACIAL PROFILING PROHIBITED. A peace officer

1-8   may not engage in racial profiling.

1-9       Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING.

1-10   (a) In this article:

1-11               (1) "Law enforcement agency" means an agency of the

1-12   state, or of a county, municipality, or other political subdivision

1-13   of the state, that employs peace officers who make traffic stops in

1-14   the routine performance of the officers' official duties.

1-15               (2) "Race or ethnicity" means of a particular descent,

1-16   including Caucasian, African, Hispanic, Asian, or Native American

1-17   descent.

1-18       (b) Each law enforcement agency in this state shall adopt a

1-19   detailed written policy on racial profiling. The policy must:

1-20               (1) clearly define acts constituting racial profiling;

1-21               (2) strictly prohibit peace officers employed by the

1-22   agency from engaging in racial profiling;

1-23               (3) implement a process by which an individual may

1-24 file a complaint with the agency if the individual believes that a  
1-25 peace officer employed by the agency has engaged in racial  
2-1 profiling with respect to the individual;  
2-2 (4) provide public education relating to the agency's  
2-3 complaint process;  
2-4 (5) require appropriate corrective action to be taken  
2-5 against a peace officer employed by the agency who, after an  
2-6 investigation, is shown to have engaged in racial profiling in  
2-7 violation of the agency's policy adopted under this article;  
2-8 (6) require collection of information relating to  
2-9 traffic stops in which a citation is issued and to arrests  
2-10 resulting from those traffic stops, including information relating  
2-11 to:  
2-12 (A) the race or ethnicity of the individual  
2-13 detained; and  
2-14 (B) whether a search was conducted and, if so,  
2-15 whether the person detained consented to the search; and  
2-16 (7) require the agency to submit to the governing body  
2-17 of each county or municipality served by the agency an annual  
2-18 report of the information collected under Subdivision (6) if the  
2-19 agency is an agency of a county, municipality, or other political  
2-20 subdivision of the state.  
2-21 (c) The data collected as a result of the reporting

2-22 requirements of this article shall not constitute prima facie  
2-23 evidence of racial profiling.

2-24 (d) On adoption of a policy under Subsection (b), a law  
2-25 enforcement agency shall examine the feasibility of installing  
2-26 video camera and transmitter-activated equipment in each agency law  
3-1 enforcement motor vehicle regularly used to make traffic stops and  
3-2 transmitter-activated equipment in each agency law enforcement  
3-3 motorcycle regularly used to make traffic stops. If a law  
3-4 enforcement agency installs video or audio equipment as provided by  
3-5 this subsection, the policy adopted by the agency under Subsection  
3-6 (b) must include standards for reviewing video and audio  
3-7 documentation.

3-8 (e) A report required under Subsection (b)(7) may not  
3-9 include identifying information about a peace officer who makes a  
3-10 traffic stop or about an individual who is stopped or arrested by a  
3-11 peace officer. This subsection does not affect the collection of  
3-12 information as required by a policy under Subsection (b)(6).

3-13 (f) On the commencement of an investigation by a law  
3-14 enforcement agency of a complaint described by Subsection (b)(3) in  
3-15 which a video or audio recording of the occurrence on which the  
3-16 complaint is based was made, the agency shall promptly provide a  
3-17 copy of the recording to the peace officer who is the subject of  
3-18 the complaint on written request by the officer.

3-19 Art. 2.133. REPORTS REQUIRED FOR TRAFFIC AND PEDESTRIAN

3-20 STOPS. (a) In this article:

3-21 (1) "Race or ethnicity" has the meaning assigned by

3-22 Article 2.132(a).

3-23 (2) "Pedestrian stop" means an interaction between a

3-24 peace officer and an individual who is being detained for the

3-25 purpose of a criminal investigation in which the individual is not

3-26 under arrest.

4-1 (b) A peace officer who stops a motor vehicle for an alleged

4-2 violation of a law or ordinance regulating traffic or who stops a

4-3 pedestrian for any suspected offense shall report to the law

4-4 enforcement agency that employs the officer information relating to

4-5 the stop, including:

4-6 (1) a physical description of each person detained as

4-7 a result of the stop, including:

4-8 (A) the person's gender; and

4-9 (B) the person's race or ethnicity, as stated by

4-10 the person or, if the person does not state the person's race or

4-11 ethnicity, as determined by the officer to the best of the

4-12 officer's ability;

4-13 (2) the traffic law or ordinance alleged to have been

4-14 violated or the suspected offense;

4-15 (3) whether the officer conducted a search as a result

4-16 of the stop and, if so, whether the person detained consented to  
4-17 the search;

4-18 (4) whether any contraband was discovered in the  
4-19 course of the search and the type of contraband discovered;

4-20 (5) whether probable cause to search existed and the  
4-21 facts supporting the existence of that probable cause;

4-22 (6) whether the officer made an arrest as a result of  
4-23 the stop or the search, including a statement of the offense  
4-24 charged;

4-25 (7) the street address or approximate location of the  
4-26 stop; and

5-1 (8) whether the officer issued a warning or a citation  
5-2 as a result of the stop, including a description of the warning or  
5-3 a statement of the violation charged.

5-4 Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION

5-5 COLLECTED. (a) In this article, "pedestrian stop" means an  
5-6 interaction between a peace officer and an individual who is being  
5-7 detained for the purpose of a criminal investigation in which the  
5-8 individual is not under arrest.

5-9 (b) A law enforcement agency shall compile and analyze the  
5-10 information contained in each report received by the agency under  
5-11 Article 2.133. Not later than March 1 of each year, each local law  
5-12 enforcement agency shall submit a report containing the information



5-13 compiled during the previous calendar year to the governing body of  
5-14 each county or municipality served by the agency in a manner  
5-15 approved by the agency.

5-16 (c) A report required under Subsection (b) must include:

5-17 (1) a comparative analysis of the information compiled  
5-18 under Article 2.133 to:

5-19 (A) determine the prevalence of racial profiling  
5-20 by peace officers employed by the agency; and

5-21 (B) examine the disposition of traffic and  
5-22 pedestrian stops made by officers employed by the agency, including  
5-23 searches resulting from the stops; and

5-24 (2) information relating to each complaint filed with  
5-25 the agency alleging that a peace officer employed by the agency has  
5-26 engaged in racial profiling.

6-1 (d) A report required under Subsection (b) may not include  
6-2 identifying information about a peace officer who makes a traffic  
6-3 or pedestrian stop or about an individual who is stopped or  
6-4 arrested by a peace officer. This subsection does not affect the  
6-5 reporting of information required under Article 2.133(b)(1).

6-6 (e) The Commission on Law Enforcement Officer Standards and  
6-7 Education shall develop guidelines for compiling and reporting  
6-8 information as required by this article.

6-9 (f) The data collected as a result of the reporting

6-10 requirements of this article shall not constitute prima facie

6-11 evidence of racial profiling.

6-12 Art. 2.135. EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO

6-13 EQUIPMENT. (a) A peace officer is exempt from the reporting

6-14 requirement under Article 2.133 and a law enforcement agency is

6-15 exempt from the compilation, analysis, and reporting requirements

6-16 under Article 2.134 if:

6-17 (1) during the calendar year preceding the date that a

6-18 report under Article 2.134 is required to be submitted:

6-19 (A) each law enforcement motor vehicle regularly

6-20 used by an officer employed by the agency to make traffic and

6-21 pedestrian stops is equipped with video camera and

6-22 transmitter-activated equipment and each law enforcement motorcycle

6-23 regularly used to make traffic and pedestrian stops is equipped

6-24 with transmitter-activated equipment; and

6-25 (B) each traffic and pedestrian stop made by an

6-26 officer employed by the agency that is capable of being recorded by

7-1 video and audio or audio equipment, as appropriate, is recorded by

7-2 using the equipment; or

7-3 (2) the governing body of the county or municipality

7-4 served by the law enforcement agency, in conjunction with the law

7-5 enforcement agency, certifies to the Department of Public Safety,

7-6 not later than the date specified by rule by the department, that

7-7 the law enforcement agency needs funds or video and audio equipment  
7-8 for the purpose of installing video and audio equipment as  
7-9 described by Subsection (a)(1)(A) and the agency does not receive  
7-10 from the state funds or video and audio equipment sufficient, as  
7-11 determined by the department, for the agency to accomplish that  
7-12 purpose.

7-13 (b) Except as otherwise provided by this subsection, a law  
7-14 enforcement agency that is exempt from the requirements under  
7-15 Article 2.134 shall retain the video and audio or audio  
7-16 documentation of each traffic and pedestrian stop for at least 90  
7-17 days after the date of the stop. If a complaint is filed with the  
7-18 law enforcement agency alleging that a peace officer employed by  
7-19 the agency has engaged in racial profiling with respect to a  
7-20 traffic or pedestrian stop, the agency shall retain the video and  
7-21 audio or audio record of the stop until final disposition of the  
7-22 complaint.

7-23 (c) This article does not affect the collection or reporting  
7-24 requirements under Article 2.132.

7-25 Art. 2.136. LIABILITY. A peace officer is not liable for  
7-26 damages arising from an act relating to the collection or reporting  
8-1 of information as required by Article 2.133 or under a policy  
8-2 adopted under Article 2.132.

8-3 Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT. (a) The

8-4 Department of Public Safety shall adopt rules for providing funds  
8-5 or video and audio equipment to law enforcement agencies for the  
8-6 purpose of installing video and audio equipment as described by  
8-7 Article 2.135(a)(1)(A), including specifying criteria to prioritize  
8-8 funding or equipment provided to law enforcement agencies. The  
8-9 criteria may include consideration of tax effort, financial  
8-10 hardship, available revenue, and budget surpluses. The criteria  
8-11 must give priority to:

8-12 (1) law enforcement agencies that employ peace  
8-13 officers whose primary duty is traffic enforcement;

8-14 (2) smaller jurisdictions; and

8-15 (3) municipal and county law enforcement agencies.

8-16 (b) The Department of Public Safety shall collaborate with  
8-17 an institution of higher education to identify law enforcement  
8-18 agencies that need funds or video and audio equipment for the  
8-19 purpose of installing video and audio equipment as described by  
8-20 Article 2.135(a)(1)(A). The collaboration may include the use of a  
8-21 survey to assist in developing criteria to prioritize funding or  
8-22 equipment provided to law enforcement agencies.

8-23 (c) To receive funds or video and audio equipment from the  
8-24 state for the purpose of installing video and audio equipment as  
8-25 described by Article 2.135(a)(1)(A), the governing body of a county  
8-26 or municipality, in conjunction with the law enforcement agency

9-1 serving the county or municipality, shall certify to the Department  
9-2 of Public Safety that the law enforcement agency needs funds or  
9-3 video and audio equipment for that purpose.

9-4 (d) On receipt of funds or video and audio equipment from  
9-5 the state for the purpose of installing video and audio equipment  
9-6 as described by Article 2.135(a)(1)(A), the governing body of a  
9-7 county or municipality, in conjunction with the law enforcement  
9-8 agency serving the county or municipality, shall certify to the  
9-9 Department of Public Safety that the law enforcement agency has  
9-10 installed video and audio equipment as described by Article  
9-11 2.135(a)(1)(A) and is using the equipment as required by Article  
9-12 2.135(a)(1).

9-13 Art. 2.138. RULES. The Department of Public Safety may  
9-14 adopt rules to implement Articles 2.131-2.137.

9-15 SECTION 2. Chapter 3, Code of Criminal Procedure, is amended  
9-16 by adding Article 3.05 to read as follows:

9-17 Art. 3.05. RACIAL PROFILING. In this code, "racial  
9-18 profiling" means a law enforcement-initiated action based on an  
9-19 individual's race, ethnicity, or national origin rather than on the  
9-20 individual's behavior or on information identifying the individual  
9-21 as having engaged in criminal activity.

9-22 SECTION 3. Section 96.641, Education Code, is amended by  
9-23 adding Subsection (j) to read as follows:

9-24 (j) As part of the initial training and continuing education  
9-25 for police chiefs required under this section, the institute shall  
9-26 establish a program on racial profiling. The program must include  
10-1 an examination of the best practices for:

10-2 (1) monitoring peace officers' compliance with laws  
10-3 and internal agency policies relating to racial profiling;  
10-4 (2) implementing laws and internal agency policies  
10-5 relating to preventing racial profiling; and  
10-6 (3) analyzing and reporting collected information.

10-7 SECTION 4. Section 1701.253, Occupations Code, is amended by  
10-8 adding Subsection (e) to read as follows:

10-9 (e) As part of the minimum curriculum requirements, the  
10-10 commission shall establish a statewide comprehensive education and  
10-11 training program on racial profiling for officers licensed under  
10-12 this chapter. An officer shall complete a program established  
10-13 under this subsection not later than the second anniversary of the  
10-14 date the officer is licensed under this chapter or the date the  
10-15 officer applies for an intermediate proficiency certificate,  
10-16 whichever date is earlier.

10-17 SECTION 5. Section 1701.402, Occupations Code, is amended by  
10-18 adding Subsection (d) to read as follows:

10-19 (d) As a requirement for an intermediate proficiency  
10-20 certificate, an officer must complete an education and training

10-21 program on racial profiling established by the commission under

10-22 Section 1701.253(e).

10-23 SECTION 6. Section 543.202, Transportation Code, is amended

10-24 to read as follows:

10-25 Sec. 543.202. FORM OF RECORD. (a) In this section, "race

10-26 or ethnicity" means of a particular descent, including Caucasian,

11-1 African, Hispanic, Asian, or Native American descent.

11-2 (b) The record must be made on a form or by a data

11-3 processing method acceptable to the department and must include:

11-4 (1) the name, address, physical description, including

11-5 race or ethnicity, date of birth, and driver's license number of

11-6 the person charged;

11-7 (2) the registration number of the vehicle involved;

11-8 (3) whether the vehicle was a commercial motor vehicle

11-9 as defined by Chapter 522 or was involved in transporting hazardous

11-10 materials;

11-11 (4) the person's social security number, if the person

11-12 was operating a commercial motor vehicle or was the holder of a

11-13 commercial driver's license or commercial driver learner's permit;

11-14 (5) the date and nature of the offense, including

11-15 whether the offense was a serious traffic violation as defined by

11-16 Chapter 522;

11-17 (6) whether a search of the vehicle was conducted and

11-18 whether consent for the search was obtained;

11-19 (7) the plea, the judgment, and whether bail was

11-20 forfeited;

11-21 (8) [(7)] the date of conviction; and

11-22 (9) [(8)] the amount of the fine or forfeiture.

11-23 SECTION 7. Not later than January1, 2002, a law enforcement

11-24 agency shall adopt and implement a policy and begin collecting

11-25 information under the policy as required by Article 2.132, Code of

11-26 Criminal Procedure, as added by this Act. A local law enforcement

12-1 agency shall first submit information to the governing body of each

12-2 county or municipality served by the agency as required by Article

12-3 2.132, Code of Criminal Procedure, as added by this Act, on March

12-4 1, 2003. The first submission of information shall consist of

12-5 information compiled by the agency during the period beginning

12-6 January1, 2002, and ending December 31, 2002.

12-7 SECTION 8. A local law enforcement agency shall first submit

12-8 information to the governing body of each county or municipality

12-9 served by the agency as required by Article 2.134, Code of Criminal

12-10 Procedure, as added by this Act, on March1, 2004. The first

12-11 submission of information shall consist of information compiled by

12-12 the agency during the period beginning January1, 2003, and ending

12-13 December 31, 2003.

12-14 SECTION 9. Not later than January1, 2002:



12-15 (1) the Commission on Law Enforcement Officer  
12-16 Standards and Education shall establish an education and training  
12-17 program on racial profiling as required by Subsection (e), Section  
12-18 1701.253, Occupations Code, as added by this Act; and

12-19 (2) the Bill Blackwood Law Enforcement Management  
12-20 Institute of Texas shall establish a program on racial profiling as  
12-21 required by Subsection (j), Section 96.641, Education Code, as  
12-22 added by this Act.

12-23 SECTION10. A person who on the effective date of this Act  
12-24 holds an intermediate proficiency certificate issued by the  
12-25 Commission on Law Enforcement Officer Standards and Education or  
12-26 has held a peace officer license issued by the Commission on Law  
13-1 Enforcement Officer Standards and Education for at least two years  
13-2 shall complete an education and training program on racial  
13-3 profiling established under Subsection (e), Section1701.253,  
13-4 Occupations Code, as added by this Act, not later than September1,  
13-5 2003.

13-6 SECTION11. An individual appointed or elected as a police  
13-7 chief before the effective date of this Act shall complete a  
13-8 program on racial profiling established under Subsection (j),  
13-9 Section 96.641, Education Code, as added by this Act, not later  
13-10 than September1, 2003.

13-11 SECTION12. This Act takes effect September1, 2001.

S.B. No.1074

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President of the Senate

Speaker of the House

I hereby certify that S.B. No.1074 passed the Senate on April 4, 2001, by the following vote: Yeas 28, Nays 2; May 21, 2001, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 22, 2001, House granted request of the Senate; May 24, 2001, Senate adopted Conference Committee Report by a viva-voce vote.

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Secretary of the Senate

I hereby certify that S.B. No.1074 passed the House, with amendments, on May15, 2001, by a non-record vote; May 22, 2001, House granted request of the Senate for appointment of Conference Committee; May 24, 2001, House adopted Conference Committee Report by a non-record vote.

---

Chief Clerk of the House

Approved:

\_\_\_\_\_6-14-2001\_\_\_\_\_

Date

\_\_\_\_\_Rick Perry\_\_\_\_\_

Governor

# **Texas Racial Profiling Law Requirements**

## **Guidelines for Compiling and Reporting Data under Senate Bill 1074**

### **Background**

Senate Bill 1074 of the 77<sup>th</sup> Legislature established requirements in the Texas Code of Criminal Procedure (TCCP) for law enforcement agencies. The Commission developed this document to assist agencies in complying with the statutory requirements.

The guidelines are written in the form of standards using a style developed from accreditation organizations including the Commission on Accreditation for Law Enforcement Agencies (CALEA). The standards provide a description of *what* must be accomplished by an agency but allows wide latitude in determining *how* the agency will achieve compliance with each applicable standard.

Each standard is composed of two parts: the standard statement and the commentary. The *standard statement* is a declarative sentence that places a clear-cut requirement, or multiple requirements, on an agency. The commentary supports the standard statement but is not binding. The commentary can serve as a prompt, as guidance to clarify the intent of the standard, or as an example of one possible way to comply with the standard.

### **Standard 1**

Each law enforcement agency has a detailed written directive that:

- clearly defines acts that constitute racial profiling;
- strictly prohibits peace officers employed by the agency from engaging in racial profiling;
- implements a process by which an individual may file a complaint with the agency if the individual believes a peace officer employed by the agency has engaged in racial profiling with respect to the individual filing the complaint;
- provides for public education relating to the complaint process;
- requires appropriate corrective action to be taken against a peace officer employed by the agency who, after investigation, is shown to have engaged in racial profiling in violation of the agency's written racial profiling policy; and
- requires the collection of certain types of data for subsequent reporting.

### **Commentary**

Article 2.131 of the TCCP prohibits officers from engaging in racial profiling, and article 2.132 of the TCCP now requires a written policy that contains the elements listed in this standard. The article also specifically defines a law enforcement agency as it applies to this statute as an "agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers' official duties."

The article further defines race or ethnicity as being of "a particular descent, including Caucasian, African, Hispanic, Asian, or Native American." The statute does not limit the required policies to just these ethnic groups.

This written policy is to be adopted and implemented no later than January 1, 2002.

### **Standard 2**

Each peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic, or who stops a pedestrian for any suspected offense reports to the employing law enforcement agency information relating to the stop, to include:

- a physical description of each person detained, including gender and the person's race or ethnicity, as stated by the person, or, if the person does not state a race or ethnicity, as determined by the officer's best judgment;
- the traffic law or ordinance alleged to have been violated or the suspected offense;
- whether the officer conducted a search as a result of the stop and, if so, whether the person stopped consented to the search;
- whether any contraband was discovered in the course of the search, and the type of contraband discovered;
- whether probable cause to search existed, and the facts supporting the existence of that probable cause;
- whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;
- the street address or approximate location of the stop; and
- whether the officer issued a warning or citation as a result of the stop, including a description of the warning or a statement of the violation charged.

#### **Commentary**

The information required by 2.133 TCCP is used to complete the agency reporting requirements found in Article 2.134. A peace officer and an agency may be exempted from this requirement under Article 2.135 TCCP Exemption for Agencies Using Video and Audio Equipment. An agency may be exempt from this reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds. Section 2.135 (a)(2) states, "the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a) (1) (A) and the agency does not receive from the state funds for video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose."

#### **Standard 3**

The agency compiles the information collected under 2.132 and 2.133 and analyzes the information identified in 2.133.

#### **Commentary**

Senate Bill 1074 from the 77<sup>th</sup> Session of the Texas Legislature created requirements for law enforcement agencies to gather specific information and to report it to each county or municipality served. New sections of law were added to the Code of Criminal Procedure regarding the reporting of traffic and pedestrian stops. Detained is defined as when a person stopped is not free to leave.

Article 2.134 TCCP requires the agency to compile and provide and analysis of the information collected by peace officer employed by the agency. The report is provided to the governing body of the municipality or county no later than March 1 of each year and covers the previous calendar year.

There is data collection and reporting required based on Article 2.132 CCP (tier one) and Article 2.133 CCP (tier two).

The minimum requirements for "tier one" data for traffic stops in which a citation results are:

- 1) the race or ethnicity of individual detained (race and ethnicity as defined by the bill means of "a particular descent, including Caucasian, African, Hispanic, Asian, or Native American");
- 2) whether a search was conducted, and if there was a search, whether it was a consent search or a probable cause search; and
- 3) whether there was a custody arrest.

The minimum requirements for reporting on "tier two" reports include traffic and pedestrian stops. Tier two data include:

- 1) the detained person's gender and race or ethnicity;

- 2) the type of law violation suspected, e.g., hazardous traffic, non-hazardous traffic, or other criminal investigation (the Texas Department of Public Safety publishes a categorization of traffic offenses into hazardous or non-hazardous);
- 3) whether a search was conducted, and if so whether it was based on consent or probable cause;
- 4) facts supporting probable cause;
- 5) the type, if any, of contraband that was collected;
- 6) disposition of the stop, e.g., arrest, ticket, warning, or release;
- 7) location of stop; and
- 8) statement of the charge, e.g., felony, misdemeanor, or traffic.

Tier one reports are made to the governing body of each county or municipality served by the agency an annual report of information if the agency is an agency of a county, municipality, or other political subdivision of the state. Tier one and two reports are reported to the county or municipality not later than March 1 for the previous calendar year beginning March 1, 2003. Tier two reports include a comparative analysis between the race and ethnicity of persons detained to see if a differential pattern of treatment can be discerned based on the disposition of stops including searches resulting from the stops. The reports also include information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling. An agency may be exempt from the tier two reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds [See 2.135 (a)(2) TCCP].

Reports should include both raw numbers and percentages for each group. Caution should be exercised in interpreting the data involving percentages because of statistical distortions caused by very small numbers in any particular category, for example, if only one American Indian is stopped and searched, that stop would not provide an accurate comparison with 200 stops among Caucasians with 100 searches. In the first case, a 100% search rate would be skewed data when compared to a 50% rate for Caucasians.

#### **Standard 4**

If a law enforcement agency has video and audio capabilities in motor vehicles regularly used for traffic stops, or audio capabilities on motorcycles regularly used to make traffic stops, the agency:

- adopts standards for reviewing and retaining audio and video documentation; and
- promptly provides a copy of the recording to a peace officer who is the subject of a complaint on written request by the officer.

#### **Commentary**

The agency should have a specific review and retention policy. Article 2.132 TCCP specifically requires that the peace officer be promptly provided with a copy of the audio or video recordings if the officer is the subject of a complaint and the officer makes a written request.

#### **Standard 5**

Agencies that do not currently have video or audio equipment must examine the feasibility of installing such equipment.

#### **Commentary**

None

#### **Standard 6**

Agencies that have video and audio recording capabilities are exempt from the reporting requirements of Article 2.134 TCCP and officers are exempt from the reporting requirements of Article 2.133 TCCP provided that:

- the equipment was in place and used during the proceeding calendar year; and
- video and audio documentation is retained for at least 90 days.

#### **Commentary**

The audio and video equipment and policy must have been in place during the previous calendar year. Audio and video documentation must be kept for at least 90 days or longer if a complaint has been filed. The

documentation must be retained until the complaint is resolved. Peace officers are not exempt from the requirements under Article 2.132 TCCP.

**Standard 7**

Agencies have citation forms or other electronic media that comply with Section 543.202 of the Transportation Code.

**Commentary**

Senate Bill 1074 changed Section 543.202 of the Transportation Code requiring citations to include:

- race or ethnicity, and
- whether a search of the vehicle was conducted and whether consent for the search was obtained.

<p><b>CHANGES TO RACIAL PROFILING REPORTING AS REQUIRED BY HB 3389 OF THE 81<sup>ST</sup> LEGISLATURE, STATE OF TEXAS</b></p>
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House Bill 3389 changed several portions of the Code of Criminal Procedures Article 2.131 – 2.138. The major change that is now in the law is that all agencies must report racial profiling data to TCLEOSE as well as their governing body.

The law changes require reporting beginning in 2011 reporting data collected during calendar year 2010. The attached documents outline three options. Every law enforcement agency must select the option that applies to their particular situation.

These options are:

1. Law enforcement agencies that do not routinely make motor vehicle stops can be fully exempt from reporting.
2. Law enforcement agencies that routinely perform traffic stops or motor vehicle stops and who have their vehicles that routinely perform these stops equipped with video and audio equipment can report under CCP 2.135. (This is called Tier 1 Reporting)
3. Law enforcement agencies that routinely perform traffic stops or motor vehicle stops and who do not equip their vehicles with video or audio equipment must report under CCP 2.133 and perform a analysis as required by CCP 2.134.

The Travis County Precinct Two Constable's Office is a law enforcement agency that routinely performs traffic stops using vehicles to perform these stops that are equipped with video and audio recording equipment. As such, the 2010 Racial Profiling Report submitted to TCLEOSE was under the Tier 1 Reporting guidelines as detailed under CCP 2.135.

## **(II) Background**



# **Historical and Demographical Information**

**TRAVIS COUNTY.** Travis County (K-16) is in Central Texas, 150 miles inland from the Gulf of Mexico. Austin, the state capital and county seat, is at the intersection of Interstate Highway 35 and U.S. highways 183 and 290, 100 miles southwest of Waco and seventy-five miles northeast of San Antonio. The geographical center of the county lies two miles northwest of downtown Austin at 30°18' north latitude and 97°45' west longitude. Travis County comprises 989 square miles on the eastern edge of the Edwards Plateau<sup>qv</sup> and is divided by the Balcones Escarpment.<sup>qv</sup> The land west of the escarpment is more arid than that to the east, and the vegetation varies accordingly, ranging from juniper, mesquite,<sup>qv</sup> and scrub brush to oak, cottonwood, redbud, and pecan trees. Elevations in Travis County range from 400 to 1,300 feet above sea level. Between 21 and 30 percent of the land is considered prime farmland. The Colorado River, which bisects the county from northwest to southeast, flows from the Hill Country<sup>qv</sup> onto the Coastal Plain<sup>qv</sup> and provides drainage for the entire area. Wildlife in the area includes deer, coyote, bobcat, squirrel, beaver, opossum, ring-tailed cat, badger, fox, raccoon, and skunk, as well as a variety of birds, fish, and reptiles. Among the county's mineral resources are dolomite, limestone, industrial sand, gravel, oil, and gas. The climate is subtropical, with an average low temperature in January of 38° F and an average high in July of 96°. The average yearly rainfall is thirty-two inches, and the growing season is 270 days.

Fossilized remains of fish and aquatic plant life indicate that the Central Texas region, including Travis County, was once the floor of a shallow sea. Remnants of an extinct volcano (*see* PILOT KNOB) stand testament to a violent geological past. Archeological evidence dating from the Archaic Period suggests that hunting and gathering peoples established themselves in the region as early as 10,000 years ago. The Tonkawa and the Lipan Apache Indians were well established in Central Texas by the fourteenth century, and Comanche and Kiowa tribes arrived in the area by the eighteenth century. The first European known to have crossed the region was Domingo Terán de los Ríos,<sup>qv</sup> who made an inspection tour to East Texas<sup>qv</sup> in 1691. When the Spanish moved their missions out of East Texas in 1730, they relocated the missions of San Francisco de los Neches, Nuestra Señora de la Purísima Concepción de los Hasinai, and San José de los Nazonis near Barton Springs. In 1827 the Mexican government granted Stephen F. Austin<sup>qv</sup> his third, or "Little Colony," which was located east of the Colorado River and north and west of the Old San Antonio Road.<sup>qv</sup> Mina (Bastrop) became the headquarters of the colony, and Travis County developed as an offshoot of Mina. Settlers moving into the area in the early 1830s included Josiah and Mathias Wilbarger, Reuben Hornsby, Jacob M. Harrell, and John F. Webber.<sup>qqv</sup> The onset of the Texas Revolution<sup>qv</sup> delayed further settlement activity, and the news of the fall of the Alamo<sup>qv</sup> prompted those settlers already in residence to flee.

Settlement resumed after the revolution, but it proceeded slowly because of the constant threat of raids by the Comanche Indians. During the 1830s a chain of small forts ranged from Bastrop northwest along Wilbarger's Bend, Coleman Branch, Webber's Prairie, and Gilleland Creek, to Fort Colorado or Fort Prairie, five miles east of the site of present Austin. In June 1835 Thomas Jefferson Chambers<sup>qv</sup> surveyed part of an eight-league grant covering the present site of Austin and the Capitol.<sup>qv</sup> Sometime before 1837

William Barton<sup>qv</sup> settled near the springs that were to bear his name. In 1837 or 1838 President Mirabeau B. Lamar<sup>qv</sup> was on a buffalo hunt in the area and commented on its possibilities as a site for the permanent capital. In 1838 the community of Waterloo (Austin) consisted of four families; about twenty families established homes at nearby Montopolis in 1839. When the Congress of the Republic of Texas<sup>qv</sup> chose Waterloo as the site of the new capital, opponents were quick to point out the disadvantages: the site's proximity to the frontier, the lack of timber, the poor soil, and the threat of Indian raids. In spite of this opposition, however, the new capital—renamed Austin in honor of Stephen F. Austin—was approved on January 19, 1840. A few days later the Congress established Travis County, naming it in honor of William Barret Travis<sup>qv</sup> and making Austin its county seat. An election for county officials was held in February 1840, at which time the population was reported to be 856. The initial boundaries of Travis County included roughly 40,000 square miles. Counties that were later carved from Travis County include Callahan (1858), Coleman (1858), Comal (1846), Gillespie (1848), Hays (1848), Burnet (1852), Brown (1856), Lampasas (1856), Eastland (1858), Runnels (1858), and Taylor (1858). Sam Houston<sup>qv</sup> moved the government of the Republic of Texas from Austin to Houston when Mexican troops invaded San Antonio in March 1842. When he tried to have the government archives removed as well, Austin citizens resisted with the Archives War.<sup>qv</sup> The Texas Congress held sessions at Washington-on-the-Brazos from 1842 to 1845, but the convention that drafted the Constitution of 1845<sup>qv</sup> met in Austin in July 1845, and by October the rest of the government had returned to the capital city. The first legislature of the new state convened in Austin in February 1846.

The late 1840s and early 1850s were building years for Austin and Travis County, with much of the growth fed by the presence of the state government: the Governor's Mansion,<sup>qv</sup> office buildings, hotels, new homes, and newspapers. In 1850 Travis County had a population of 3,138, of whom 2,336 were white, 791 were slaves, and eleven were free blacks; by 1860 the number of residents had more than doubled to 8,080, with 4,931 of them white, 3,136 slaves, and thirteen free blacks. Although the city of Austin grew faster than the county as a whole—its population rose from 629 in 1850 to 3,494 in 1860—most county residents lived in small communities. Pflugerville and Del Valle were the most prominent of these communities, but rural post offices were also established at Bluff Springs, Webberville, Merrilatown, Gilleland, Cage's Mill, and Hornsby Bend. During the 1850s the amount of land in farms in what was then Travis County increased from 73,300 acres to 1,363,500 acres. Corn was the primary field crop, while cattle and sheep were the principal livestock: in 1860 farmers produced 137,700 bushels of corn, and 27,900 bushels of wheat and had 58,000 cattle and 11,800 sheep. The earliest schools in Travis County were private institutions which usually met in someone's home or in space donated by a church or Masonic lodge. More elaborate private facilities began to appear by the late 1840s: Colorado Female College in 1848, Austin Male and Female Academy in 1849, Austin Female Academy in 1850, and Austin Collegiate Female Institute in 1852. By 1850 Travis County also had six public schools serving a scholastic population of 183. The county was divided into nineteen common school districts in 1852. The state established the Asylum for the Blind in Austin in 1856 and the Deaf and Dumb School in 1857. (see TEXAS SCHOOL FOR THE BLIND AND

VISUALLY IMPAIRED; TEXAS SCHOOL FOR THE DEAF). Travis County became a center for higher education in the 1880s with the establishment of the University of Texas in 1881, Tillotson Collegiate and Normal Institute in 1881, and Saint Edward's University in 1885; Samuel Huston College began holding classes in the 1890s (*see* HUSTON-TILLOTSON COLLEGE). The Austin Presbyterian Theological Seminary<sup>qv</sup> opened in 1902, Texas Wesleyan College Academy<sup>qv</sup> in 1912, Concordia Lutheran College<sup>qv</sup> in 1926, and the Episcopal Theological Seminary of the Southwest<sup>qv</sup> in 1952. Austin Community College<sup>qv</sup> began operations in 1972. The availability of schools resulted in a high level of education for a large portion of the county's population. In the 1940s, while more rural areas of the state reported less than 10 percent of their population over the age of twenty-five with high school diplomas, nearly 20 percent of Travis County residents had graduated. By 1980 that number had jumped to 75 percent. The earliest churches in Travis County were the Catholic missions relocated to the area by the Spanish in 1730, but these were moved to San Antonio in 1731, and it was more than a century before any organized religious practices were firmly established. In the 1830s a variety of religious groups began to appear: Methodist circuit riders held services along Gilleland Creek in 1837 or 1838; Presbyterians organized a church in Austin in October 1839; Mormons settled near Fort Coleman, Webberville, and Hornsby Bend in the late 1830s; and Catholic priests, among them Jean Marie Odin,<sup>qv</sup> returned to the area in 1840. A Baptist church and a Church of Christ were organized in Austin in 1847, a Lutheran church in New Sweden and a Jewish synagogue in Austin began in 1876, and a Christian Science church in Austin in 1889. In the early 1980s Travis County's 266 churches had an estimated combined membership of 194,194; Catholic, Southern Baptist, and United Methodist were the largest denominations.

In spite of the rapid growth that Travis County experienced during the 1850s, the area was at that time still very much at the edge of the frontier. The absence of railroads meant that goods had to be shipped by wagon to and from Houston and Port Lavaca; poor roads meant that goods sometimes could not be shipped at all. In 1852 the Austin Railroad Association was established to encourage railroad construction to the area, and considerable progress had been made by the late 1850s; however, the Civil War<sup>qv</sup> intervened, and work on railroad acquisition was postponed. The Secession Convention<sup>qv</sup> convened in Austin on January 28, 1861. Although a group of Austin citizens staged a demonstration in favor of secession,<sup>qv</sup> Unionist sentiment was high, and Travis County residents voted against secession, 704 to 450. Nevertheless, when the Civil War began, Travis County provided several hundred volunteers, among them the Travis Rifles,<sup>qv</sup> the Tom Green Rifles, the Capitol Guard, and the Austin City Light Infantry. In the two months between the end of the war and the arrival of federal troops in the county, looting of farms and businesses was common. Although the inevitable clashes between the Unionist forces and the former rebels resulted in the arrest of as many as thirty people a day, the presence of federal troops did serve to curb much of the lawlessness. By early 1866 most of the federal soldiers had been mustered out of service, leaving only about 200 men to police the Austin area until the end of the military occupation in 1870. Austin was the site of the constitutional conventions of 1866 and 1868-69,<sup>qv</sup> and witnessed both the removal of Governor James W. Throckmorton<sup>qv</sup> in 1867 and the Coke-Davis

Controversy<sup>qv</sup> in 1874. In the gubernatorial election of 1869 Travis County residents favored Andrew J. Hamilton<sup>qv</sup> to Edmund J. Davis<sup>qv</sup> by a margin of 798 to 593.

Like most areas in the south, Travis County suffered considerable economic hardship immediately after the Civil War and throughout the Reconstruction<sup>qv</sup> period. Between 1864 and 1866 the county as a whole experienced a 49 percent loss in property tax receipts. Roughly two-thirds of this property loss was in slaves, with the rest coming from declines in farm and livestock values, each of which fell 25 to 40 percent. The county began to show signs of recovery by 1880. The overall population rose from 13,153 in 1870 to 27,028 in 1880, and the 1880 census reported 1,912 farms, an increase of 656 over the 1870 totals. The amount of improved land rose from 83,200 acres in 1870 to 139,800 in 1880. Field crops such as corn, cotton, wheat, and oats took up nearly half of the improved farmland, while livestock dominated the rest. Economic recovery was facilitated by the arrival of the Houston and Texas Central Railway, which completed its track to Austin in 1871, and the International and Great Northern Railroad, which was built between Rockdale and Austin in 1876 and completed from Austin to Laredo in 1881. The Austin and Northwestern Railroad laid track between Austin and Burnet in 1882, and the Missouri, Kansas and Texas line arrived in 1904. Communities besides Austin that benefited directly from easy railroad access included Pflugerville, Manor, Oak Hill, and Manchaca. After the war many former slaves remained in the area. In the year after the war the black population increased by 60 percent, while the white population rose by only 12 percent. By 1870 black residents numbered 4,647, comprising 35 percent of the county's total population. Clarksville, Kincheonville, Masontown, and Wheatville were among the communities established by former slaves. The number of black residents in Travis County continued to increase steadily, reaching 13,299 in 1900. It fluctuated between 13,000 and 15,000 from 1900 to 1930, but increased rapidly thereafter, rising to 22,493 in 1950, 32,270 in 1970, and 63,173 in 1990. Because other segments of the population grew at an even faster rate, the percentage of black residents, with respect to the total population, declined significantly, falling to 20 percent by 1930 and 11 percent by 1990. Contributing to the shift in the ethnic makeup of the county were a variety of immigrant groups, the most prominent of which were German, Swedish, and Mexican. By the turn of the century 8 percent of the population were natives of one of these countries. Although the early Swedish and German settlers contributed to the diversity of Travis County through their religious and educational institutions, the Mexican influence was also reinforced by the continued arrival of large numbers of new immigrants fleeing the unrest of the Mexican Revolution<sup>qv</sup> in the early twentieth century. The 1930 census reported that 10,225 residents—or 13 percent of the county's total population—were of Hispanic descent; by 1990 the number of Hispanic residents had risen to 121,689, or 21 percent.

In 1890 Travis County had 36,322 residents. Of these, 14,575 lived in Austin, which was fast outgrowing its efforts to become a modern city. Innovations and improvements in progress at that time included a trolley system and water-generated electricity, but most of its streets remained unpaved. By the turn of the century several hundred assorted businesses filled the needs of the 22,000 Austin residents. Yet, in spite of this rapid increase in Austin's population, the majority of the county's residents lived on farms or in

smaller towns, and agriculture dominated the area economy. Cotton became the principal field crop in the late 1880s and remained so for more than sixty years. The 1890 census reported 65,000 acres—nearly 30 percent of the county's improved farmland—planted in cotton; by the turn of the century the amount of land devoted to cotton had increased to 113,300 acres, or 56 percent of the improved farmland. However, as more marginal land was used and the soil became depleted, production levels fell; in 1930, 143,000 acres produced only 19,000 bales. By the late 1950s cotton accounted for only 26 percent of the total cropland harvested, and by 1980 it had fallen to only 8 percent. Farm tenancy<sup>qv</sup> had increased steadily since the 1890s and peaked in 1930, with tenants operating two-thirds of the 3,642 farms. The number of farms fell by more than 1,000 in the 1930s, as many tenant farmers either move away or turned to other occupations. Farmers who remained in the area began to devote more of their resources to crops other than cotton and to livestock. The number of cattle increased from 32,000 in 1920 to 51,000 in 1950; the number of sheep and goats increased as well, boosting wool and mohair production from 23,600 and 4,292 pounds, respectively, in 1920 to 127,800 and 183,600 pounds in 1959. By the late 1960s hay and sorghum combined to account for 60 percent of the cropland harvested.

The Great Depression<sup>qv</sup> was slow to hit Travis County, but by the mid-1930s many people were unemployed and very glad of the New Deal programs that resulted in work paving streets, building bridges, sewers, and parks, and constructing the tower of the University of Texas campus. In part because of the jobs opportunities made available through relief projects, state government, and the university community, the population increased by 43 percent in the 1930s, rising from 77,777 in 1930 to 111,053 in 1940. One major job-producing project in the 1930s was the construction of a series of dams on the Colorado River. Austin and Travis County had begun efforts to tame the Colorado as early as 1869, when the army built a pontoon bridge across the river. In 1893 the city of Austin completed a dam designed to provide power for its water and electrical systems. By 1899 the city was already experiencing power shortfalls, and a major flood in 1900 destroyed the dam. Another flood in 1915 washed out the repairs that were underway, and the project was abandoned. The flood of 1935 put much of downtown Austin under water, and the area's interest in a lasting flood control system was renewed. The Lower Colorado River Authority<sup>qv</sup> was established, and a series of dams was built, forming Lake Austin, Lake Travis, Lake Buchanan, Lake Lyndon B. Johnson, Inks Lake, and Lake Marble Falls.<sup>qv</sup> Travis County also profited from the establishment of several military bases. Camp Mabry<sup>qv</sup> in northwest Austin, established as the main Texas National Guard<sup>qv</sup> facility in 1890, served as an army training center during the World War I.<sup>qv</sup> After the United States became involved in World War II,<sup>qv</sup> the Del Valle Army Air Base, soon renamed Bergstrom Army Air Field was established in southeast Travis County. (see BERGSTROM AIR FORCE BASE.) After the war was over the presence of military personnel continued to bring changes to the county. Thousands of returning veterans enrolled in the local colleges and universities, greatly increasing the student population, as well as intensifying the demand for housing and the growth of service industries.

In the 1950s and 1960s Travis County underwent two significant developments. The first of these was desegregation. The *Sweatt v. Painter*<sup>qv</sup> decision in 1950 pushed the

University of Texas to the forefront in the fight for civil rights, leading it to become the first southern university to admit blacks as undergraduates, although it was not until 1962 that all of the university's facilities were fully integrated. Public schools in Travis County began to follow suit in 1955. Local Mexican-American organizations also achieved a measure of success against discriminatory practices. Some local businesses resisted these changes, prompting strikes and protests in the 1960s, but in the end desegregation was accomplished without the violence prevalent in other urban areas of the country. The change became even more visible as blacks and Hispanics were elected to public office: Wilhelmina Delco to the school board in 1968 and to the Texas House of Representatives in 1976; Berl Handcox to the Austin city council in 1971; Richard Moya to the Travis County commissioner's court in 1970; and Gonzalo Barrientos to the Texas House of Representatives in 1974. The second major development was the establishment of several high-tech industries. In 1951 a small local company became Texas Instruments,<sup>qv</sup> and in 1955 Tracor, Incorporated, made Austin its base of operations. International Business Machines opened an Austin branch in 1967, followed by Motorola in 1974. These companies, along with Microelectronics and Computer Technology Corporation (1983), Dell Computers (1984), and Sematech<sup>qv</sup> (1988), became the county's largest employers.

From the end of Reconstruction<sup>qv</sup> to the present, most Travis County residents chose to support Democratic presidential candidates, with exceptions in 1896, 1928, 1952, 1956, 1972, and 1984. Occasionally, a third-party candidate drew a sizable portion of the vote, but only three of them—the Greenback-Labor candidate in 1880, George Wallace in 1968, and John Anderson in 1984—garnered sufficient support to affect the county's overall election results. In state elections Travis County residents were staunchly Democratic. In the early 1980s, 63 percent of the land in Travis County was devoted to farms and ranches. About 23 percent of the farmland was under cultivation, with sorghum, hay, wheat, and cotton accounting for nearly 70 percent of the 94,000 acres harvested; other crops were potatoes, sweet potatoes, peaches, and pecans. Sixty-six percent of the county's \$32 million in agricultural receipts came from livestock and livestock products, the most important ones being cattle, milk, sheep, wool, and hogs. Although agriculture remained an important aspect of the local economy, farm receipts were greatly surpassed by the income generated by non-agricultural industries. Professional and related services, manufacturing, wholesale and retail trade, and government administration involved 70 percent of the work force in the 1980s; of the rest, 7 percent were self-employed and 3 percent employed outside the county. Since shortly after the turn of the century, the majority of Travis County residents had resided in the city of Austin. The jobs made available by the growth of the high-tech industries reinforced that trend, and by 1970, 85 percent of the 295,516 residents lived in the capital city. In the 1970s and 1980s, however, residential development near Lake Travis encouraged many people to move away from the city, and although Austin continued to grow at a rapid pace, the number of residents choosing to live near the lake and in northern and southern suburbs increased at an even faster rate. By 1990 Lago Vista (2,199), Jonestown (1,250), Briarcliff (335), Lakeway (4,044), and Pflugerville (4,444) in Travis County, as well as Round Rock and even Georgetown in Williamson County, had become popular alternatives to living in Austin. Like the rest of Texas, Travis County weathered a serious economic downturn in the mid-1980s; newly-built office space sat

empty, and many people lost their jobs. Added to this was news that Bergstrom Air Force Base was scheduled to close. In the early 1990s, however, plans were underway to convert the Bergstrom site into a new municipal airport, and the county was looking forward to a period of growth. The population of Travis County was reported at 576,407 in 1990, an increase of 37 percent from 1980. Among the area's most prevalent concerns was that future growth should not destroy the ecological balance of environmentally sensitive areas in the western hills.

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**The following, adapted from the *Chicago Manual of Style*, 15th edition, is the preferred citation for this article.**

*Handbook of Texas Online*, s.v. " ",  
<http://www.tshaonline.org/handbook/online/articles/TT/hct8.html> (accessed January 23, 2008).

(NOTE: "s.v." stands for sub verbo, "under the word.")

The *Handbook of Texas Online* is a project of the Texas State Historical Association  
(<http://www.tshaonline.org>).

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Last Updated: January 18, 2008



## **Travis County Constable Precinct Two**

### **Background of Constable Adan Ballesteros**

**Constable Adan Ballesteros** was elected to serve the citizens of Travis County Precinct Two in November 2008. He has served 30 years as a law enforcement officer serving with the Texas Department of Public Safety and the Travis County Constables Office. During those tenures, he received many commendations including Medal of Valor, Deputy of the Year, Texas DPS Directors Citation for DPS/FBI joint investigations and Precinct Two Community Service award. He is also a TCLEOSE certified Master Texas Peace Officer, Certified Instructor for Traffic and Civil Law, First Line Supervisor, Firearms, Taser, and Spanish for Peace Officers. He is also Civil Process Proficiency Certified. Constable Ballesteros and his staff have taught classes in Civil Process, First Aid and CPR, Taser Certification, Legislative Updates, and other mandatory law enforcement classes, to Constable Offices throughout Texas. His First Aid and CPR classes are taught to the community, also. Constable Ballesteros also serves our community as an educator and leader in Boy Scouts, American Red Cross, St. Elizabeth's Catholic Church, and has coached for Youth Football and Handicapped Football & Basketball. He also belongs to numerous professional organizations.

Travis County Precinct Two covers the north central and northwest portion of Austin and Travis County. The precinct is the largest in Travis County and has a population of over 250,000 people. We have all or portions of the following cities in our precinct: Austin, Pflugerville, Lago Vista, Lakeway, Jonestown, Point Venture, Volente, Leander, Cedar Park, and Round Rock. Civil Process is served throughout Travis County and the Office is able to serve Citations when needed in the adjoining counties of Williamson, Burnet, Caldwell, Hays, Blanco and Bastrop. Most civil process received by this Office is executed within 24 hours. This Office has a Writ of Execution Team that specializes in collection of executions - money judgments awarded by the courts.

The Constable's Office has the responsibility for serving civil process issued through the Justice of the Peace Courts, County Courts and District Courts. The Civil Process Division is responsible for Citations, Writs of Possession, Writs of Re-entry, Writs of Sequestration, Writs of Execution, evictions against non-paying tenants, and levying on property/equipment as ordered by the courts. The Constable's Office also handles civil orders from the Attorney General's Office.

The Constable's Office has a Warrant Division that works warrants issued out of Justice of the Peace Precinct Two Court and other Courts in Texas that send their warrants to be worked by our Office. In FY 2009, Constable Precinct 2 cleared over 10,000 warrants, Felonies and Misdemeanors, collecting nearly \$2.6 million in fines and fees.

The Constable's Office provides law enforcement patrol duties for municipal entities that have contracted those services with our Office. This office also continues to service requesting school districts with School Resource Officers (SRO's).

It is the mission of Constable Precinct Two to serve the law enforcement needs of the public in a timely, efficient and effective manner. This mission includes executing civil process, criminal warrants, enforcement of state civil, traffic, and criminal laws and also addressing community issues like neighborhood and school security, outreach programs to include mentoring of students in the Pflugerville ISD and Constable Explorer Post established this year.

# Mission

## **Travis County Constable's Office Precinct Two**

### **Mission**

The Constable's Office is a value driven organization that serves the community by:

- Aggressive and timely service of civil process - Protecting life and property
- Preventing crime
- Enforcing the laws
- Maintaining order for all citizens

As the Constable's Office serves our community, we emphasize:

- Voluntary compliance
- Partnership with community - Visual presence in the community
- Education of citizens
- Detection and apprehension of offenders

#### **AS MEMBERS OF THE CONSTABLE'S OFFICE:**

- We shall maintain the highest standards of integrity. We shall aspire to professionalism in all aspects of our operation.
- We shall treat everyone with respect and dignity in an unbiased manner. We shall protect the constitutional rights through impartial enforcement of the law.
- We shall commit to community involvement.
- We shall work together in a spirit that gets results.

#### **AS PUBLIC SERVANTS:**

We shall preserve and advance the principles of democracy and freedom in our society. We are accountable to higher authority and the community that we serve.

#### **SERVICE TO THE COMMUNITY:**

We are committed to the timely service of civil process, fair and impartial enforcement of the law, prevention of crime, pursuit of offenders, and compassionate assistance to persons in need.

## Oath of Office

### STATEMENT OF ELECTED/APPOINTED OFFICER

*(Pursuant to Tex. Const. art. XVI, §1(b), amended 2001)*

I, \_\_\_\_\_,  
do solemnly swear (or affirm), that I have not directly or indirectly paid, offered,  
promised to pay, contributed, or promised to contribute any money or thing of  
value, or promised any public office or employment for the giving or withholding  
of a vote at the election at which I was elected or as a reward to secure my  
appointment or confirmation, whichever the case may be, so help me God.

***UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING  
STATEMENT AND THAT THE FACTS STATED THEREIN ARE TRUE.***

\_\_\_\_\_  
Date

\_\_\_\_\_  
Affiant's Signature

\_\_\_\_\_  
Position to Which Elected/Appointed

\_\_\_\_\_  
City and/or County

Form No. 2201

## Code of Ethics

Each member of the Constable Precinct Two Office shall subscribe to and abide by the Law Enforcement Officer's Code of Ethics:

*"As a Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.*

*I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.*

*I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.*

*I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held as long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession ... law enforcement."*

The newly sworn member shall be given one copy of the Code of Ethics.

## **Equal Opportunity/Affirmative Action**

The policy of the Travis County Constable Precinct Two Office is to be fair and impartial in all of its relations with its employees or applicants for employment while adhering to the concept of equal employment opportunity and affirmative action as a necessary element of basic merit system principles. In order to achieve this goal, the Travis County Constable Precinct Two Office hereby reaffirms its official policy that discrimination on the basis of race, sex, color, religion, national origin, age, mental or physical handicap, disabled or veteran status is prohibited by all employees of the Travis County Constable Precinct Two Office. This policy will apply and is not limited to recruitment, promotion, hiring, layoff, termination, demotion, transfer, training, rates of pay, fringe benefits, or other forms of compensation, use of facilities, and other terms, conditions and privileges of employment for all job classifications. The Travis County Constable Precinct Two Office will take the necessary steps in its employment policies, practices and procedures and make reasonable accommodations in order to assure that appropriate equal employment opportunities are available to all persons.

# **Policy on Usage of Video/Audio Equipment**



## **Video/Audio Policy**

Each motor vehicle regularly used by this Office to make traffic and pedestrian stops is equipped with a video camera and transmitter-activated equipment, or otherwise an audio recording device, and each traffic and pedestrian stop made by a Deputy of this Office that is capable of being recorded by video and audio, or audio, as appropriate, is recorded.

It is the policy of this Office to retain the audio/video recordings, of each traffic and pedestrian stop for at least ninety (90) days after the date of the stop. If a complaint is filed with this Office alleging that one of our Deputies has engaged in racial profiling with respect to a traffic or pedestrian stop, this Office retains the video and audiotapes, or the audiotape of the stop until final disposition of the complaint.

Supervisors ensure that Deputies of this Office are recording their traffic and pedestrian stops. A recording of each Deputy will be reviewed at least once every ninety (90) days.

\*If the equipment used to record audio and/or video of traffic or pedestrian stops is malfunctioning or otherwise not operable, the Deputy with the malfunctioning equipment is responsible for reporting the malfunction and making sure that the equipment is repaired as soon as possible. In any case, the Deputy should make sure that they have a working audio recording device.

*Footnote: In any event, this Office will manually collect data whether any audio and/or video equipment is used. The data collected manually shall be contained in this report.*

# **Partnership with Community**

## **Community Partnerships**

The Travis County Constable Precinct Two Office keeps the traffic contact data collected available for the public to inspect. Further, it will continue to present the data analyzed, on or before March 1, 2011, to members of the Travis County Commissioners Court. This will be done in an effort to keep community leaders informed on the current practices of the Travis County Constable Precinct Two Office.

## **(III) Responding to the Texas Racial Profiling Law**

# **Institutional Policy on Racial Profiling**

## **Racial Profiling Policy**

### **I. PURPOSE**

The purpose of the policy is to reaffirm the Travis County Constable Precinct Two Office's commitment to unbiased policing in all its encounters between Deputies and any person; to reinforce procedures that serve to ensure public confidence and mutual trust through the provision of services in a fair and equitable fashion; and, to protect our Deputies from unwarranted accusations of misconduct when they act within the dictates of Office policy and the law.

### **II. POLICY**

It is the policy of this Office to police in a proactive manner and to aggressively investigate suspected violations of law. Deputies shall actively enforce state and federal laws in a responsible and professional manner, without regard to race, ethnicity or national origin. Deputies are strictly prohibited from engaging in racial profiling as defined in this policy. This policy shall be applicable to all persons, whether drivers, passengers or pedestrians.

Deputies shall conduct themselves in a dignified and respectful manner at all times when dealing with the public. Two of the fundamental rights guaranteed by both the United States and Texas Constitutions are equal protection under the law and freedom from unreasonable searches and seizures by government agents. The right of all persons to be treated equally and to be free from unreasonable searches and seizures must be respected. Racial profiling is an unacceptable patrol tactic and will not be condoned.

This policy shall not preclude Deputies from offering assistance, such as upon observing a substance leaking from a vehicle, a flat tire, or someone who appears to be ill, lost or confused. Nor does this policy prohibit stopping someone suspected of a crime based upon observed actions and/or information received about the person.

### **III. DEFINITIONS**

**Racial Profiling** – A law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

Racial profiling pertains to persons who are viewed as suspects or potential suspects of criminal behavior. The term is not relevant as it pertains to witnesses, complainants or other citizen contacts.

The prohibition against racial profiling does not preclude the use of race, ethnicity or national origin as factors in a detention decision. Race, ethnicity or national origin may be legitimate factors in a detention decision when used as part of an actual description of a specific suspect for whom an officer is searching. Detaining an individual and conducting an inquiry into that person's activities simply because of that individual's race, ethnicity or national origin is racial profiling. Examples of racial profiling include but are not limited to the following:

1. Citing a driver who is speeding in a stream of traffic where most other drivers are speeding because of the cited driver's race, ethnicity or national origin.
2. Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity or national origin is unlikely to own or possess that specific make or model of vehicle.
3. Detaining an individual based upon the determination that a person of that race, ethnicity or national origin does not belong in a specific part of town or a specific place.

A law enforcement agency can derive at two principles from the adoption of this definition of racial profiling:

1. Police may not use racial or ethnic stereotypes as factors in selecting whom to stop and search, while police may use race in conjunction with other known factors of the suspect.
2. Law enforcement officers may not use racial or ethnic stereotypes as factors in selecting whom to stop and search. Racial profiling is not relevant as it pertains to witnesses, etc.

**Race or Ethnicity** – Of a particular decent, including Caucasian, African, Hispanic, Asian, or Native American.

**Pedestrian Stop** – An interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

**Traffic Stop** – A peace officer that stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic.

#### **IV. CITATION DATA COLLECTION & REPORTING**

Each Deputy is required to collect information relating to traffic stops in which a citation is issued. On the citation Deputies must include:

1. the violators race or ethnicity;
2. whether a search was conducted;
3. was the search consensual; and,
4. arrest for this cited violation or any other violation.

By March of each year, this Office shall submit a report to their governing board that includes the information gathered by the citations. The report will include:

1. a breakdown of citations by race or ethnicity;
2. number of citations that resulted in a search;
3. number of searches that were consensual; and,
4. number of citations that resulted in custodial arrest for this cited violation or any other violation.

Not later than March 1<sup>st</sup> of each year, this Office shall submit a report to our governing body containing this information from the preceding calendar year.



# **Complaint Process: Addressing Allegations of Racial Profiling Practices**

## **Filing a Complaint with the Travis County Constable Precinct Two Office**

The following information has been disseminated to the public as part of an educational campaign aimed at informing community members of the complaint process relevant to violations of the Texas Racial Profiling Law.

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### **UNDERSTANDING THE PROCESS**

Once an individual has filed a complaint regarding racial profiling, he/she should expect the following process to commence:

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### **THE INTERVIEW**

A Deputy (rank of sergeant or higher) will interview the individual filing the complaint. The Deputy will ask the alleged victim questions about what happened. It is possible that the Deputy may be able to explain the Deputy's actions to your satisfaction.

- Usually, the alleged victim will be interviewed at the Precinct Two Office. It is possible that he/she may be video/audio taped during the interview.
  - The individual filing the complaint may bring a lawyer, family member or friend to the interview.
  - The Deputy will ask the individual filing a complaint for the names of witnesses and other Deputies that may know facts about the complaint.
  - The Deputy may take pictures of any injuries that the alleged victim thinks are related to the complaint.
- 

### **THE INVESTIGATION**

After the interview, the Travis County Precinct Two Office will investigate the alleged misconduct. Investigating Deputies will talk to witnesses and visit the site of the incident.

- The investigating Deputy will be appointed by the Precinct Two Constable.
- All Deputies will be interviewed and witnesses whom the alleged victim has named will be contacted and interviewed, if they agree.
- The alleged victim will receive a letter regarding the progress of the investigation. Although it is impossible to estimate how long the investigation will take, the alleged victim will receive periodic reports on its status.
- A report will then be prepared.

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## THE REVIEW PROCESS

The Travis County Precinct Two Constable reviews every complaint after the investigation is completed and a report is written.

- If the complaint includes excessive force or charges a Deputy with a crime, it will also be reviewed by Travis County Attorney's Office.
- The results of investigations that suggest there are no charges that the Deputy used excessive force or committed a crime are also reviewed by the Constable.
- The Constable reviews investigations and makes the final decision on all complaints.

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## THE FINDINGS

The results of your complaint are called "findings". There are four possible findings:

- **Sustained** - The complaint has been supported: The Deputy(s) involved acted improperly and may be disciplined.
- **Unfounded** - The investigation found no basis to the complaint filed.
- **Exonerated** - The Deputy(s) involved acted properly and will not be disciplined; or
- **Not provable** - There was not enough evidence to prove the complaint true or false so no further action will be taken.

The Constable will decide on a finding after the complaint has been reviewed. Further, he/she will inform the alleged victim through an official letter of the final decision.

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## **Informing the Public on the Process of Filing a Complaint with the Travis County Constable Precinct Two Constables Office**

### **(I) Educational Campaign:**

In accordance to Senate Bill 1074, the Travis County Constable Precinct Two Office has made significant efforts to launch an educational campaign aimed at informing the public on issues relevant to the complaint process. Special emphasis has been placed on informing community members on filing a complaint relevant to racial profiling practices.

The Constable of the Travis County Constable Precinct Two Office has made the constituents of Precinct Two informed on efforts being made by the Travis County Constable Precinct Two Office to continue banning racial profiling practices among its Deputies.

### **(II) Filing a Complaint Based on Violations of the Texas Law on Racial Profiling**

The following information has been posted at the Travis County Constable Precinct Two Office:

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#### **UNDERSTANDING THE PROCESS**

Once an individual has filed a complaint regarding racial profiling, he/she should expect the following process to commence:

---

#### **THE INTERVIEW**

A Deputy (rank of sergeant or higher) will interview the individual filing the complaint. The Deputy will ask the alleged victim questions about what happened. It is possible that the Deputy may be able to explain the Deputies actions to your satisfaction.

- Usually, the alleged victim will be interviewed at the Precinct Two office. It is possible that he/she may be videotaped during the interview.
  - The individual filing the complaint may bring a lawyer, family member or friend to the interview.
  - The Deputy will ask the individual filing a complaint for the names of witnesses and other Deputies that may know facts about the complaint.
  - The Deputy may take pictures of any injuries that the alleged victim think are related to the complaint.
- 

## **THE INVESTIGATION**

After the interview, the Travis County Precinct Two Office will investigate the alleged misconduct. Investigating Deputies will talk to witnesses and visit the site of the incident.

- The investigating Deputy will be appointed by the Precinct Two Constable.
  - All Deputies will be interviewed and witnesses whom the alleged victim has named will be contacted and interviewed, if they agree.
  - The alleged victim will receive a letter regarding the progress of the investigation. Although it is impossible to estimate how long the investigation will take, the alleged victim will receive periodic reports on its status.
  - A report will then be prepared.
- 

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The Travis County Precinct Two Constable reviews every complaint after the investigation is completed and a report is written.

- If the complaint includes excessive force or charges a Deputy with a crime, it will also be reviewed by Travis County Attorney's Office.
  - The results of investigations that suggest there are no charges that the Deputy used excessive force or committed a crime are also reviewed by the Constable.
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- 

## **THE FINDINGS**

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- **Not provable** - There was not enough evidence to prove the complaint true or false so no further action will be taken.

The Constable will decide on a finding after the complaint has been reviewed. Further, he/she will inform the alleged victim through an official letter of the final decision.

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### **(III) A COMMITMENT TO RESPOND TO THE NEEDS OF THE COMMUNITY**

The Travis County Constable Precinct Two Office has made a commitment to its citizens regarding the following:

1. The Constable Precinct Two Office shall accept complaints from any person who believes he or she has been stopped or searched based on racial, ethnic or national origin profiling. No person shall be discouraged, intimidated or coerced from filing a complaint, nor discriminated against because he or she filed such a complaint.
2. Any employee who receives an allegation of racial profiling, including the Deputy who initiated the stop, shall record the person's name, address and telephone number, and forward the complaint through the appropriate channel. Any employee contacted shall provide to that person a copy of a complaint form and the Constable Precinct Two Office process for filing a complaint. All employees will report any allegation of racial profiling to their supervisor as soon as possible and before the end of their shift.
3. Investigation of a complaint shall be conducted in a thorough and timely manner. All complaints will be acknowledged in writing to the initiator who will receive disposition regarding said complaint within a reasonable period of time. The investigation shall be reduced to writing and any reviewer's comments or conclusions shall be filed with the Constable. When applicable, findings and/or suggestions for disciplinary action, retraining, or changes in policy shall be filed with the Constable.
4. If a racial profiling complaint is sustained against a Deputy, it will result in appropriate corrective and/or disciplinary action, up to and including termination.

5. If there is a Constable Precinct Two Office video or audio recording of the events upon which a complaint of racial profiling is based, upon commencement of an investigation by this Office into the complaint and written request of the Deputy made the subject of the complaint, this Office shall promptly provide a copy of the recording to that Deputy.

# **Racial Profiling Training**



## **Training**

In compliance with the Texas Racial Profiling Law, the Travis County Constable Precinct Two Office has asked that all its Deputies adhere to all Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements as mandated by law.

All Deputies from the Travis County Constable Precinct Two Office have been asked to complete a TCLEOSE training and education program on racial profiling not later than the second anniversary of the date the Deputy is licensed under Chapter 1701 of the Texas Occupations Code or the date the Deputy applies for an intermediate proficiency certificate, whichever date is earlier.

The Travis County Constable Precinct Two Constable, as part of the initial training and continued education for such appointment, attended the LEMIT program on racial profiling. This fulfills the training requirement as specified in the Education Code (96.641) of the Texas Racial Profiling Training Law.

# **Tables Illustrating Deputy Contact**

## ***Tier 1 Data***

**(I) Tier 1 Data**

Table 1. General Demographics of Contacts and Searches

Race / Ethnicity*	Contacts		Searches		Consensual Searches		Custody Arrest	
	#	%	#	%	#	%	#	%
Caucasian	3776	59.45%	15	37%	10	56%	0	0%
African	733	11.54%	9	22%	2	33%	1	20%
Hispanic	1442	22.70%	16	39%	6	33%	4	80%
Asian	274	4.31%	1	2%	0	0%	0	0%
Native American	2	0.03%	0	0%	0	0%	0	0%
Middle Eastern	125	1.97%	0	0%	0	0%	0	0%
Total	6352	100%	41	100%	18	100%	5	100%

\* Race/Ethnicity are defined by CCP Art. 2.132 as being of a "particular descent, including Caucasian, African, Hispanic, Asian, Native American, or Middle Eastern descent".

## **(II) Comparative Analysis on Tier 1 Data**

Table 1. Comparison of Self-Initiated Contact Data and DPS Contact Data

Race / Ethnicity*	Precinct Two Data		DPS Data		Variance
	#	%	#	%	%
African	733	11.54%	95455	9.59%	-1.95%
Asian	274	4.31%	63451	6.37%	2.06%
Caucasian	3776	59.45%	778512	78.21%	18.77%
Hispanic	1442	22.70%	24390	2.45%	-20.25%
Native American	2	0.03%	2076	0.21%	0.18%
Other / Middle Eastern	125	1.97%	31466	3.16%	1.19%
<b>Total</b>	<b>6352</b>	<b>100%</b>	<b>995350</b>	<b>100%</b>	

\* Race/Ethnicity are defined by CCP Art. 2.132 as being of a "particular descent, including Caucasian, African, Hispanic, Asian, Native American, or Middle Eastern descent".

## ***Tier 2 Data***

**(I) Tier 2 Data**

(The following information pertains to both “traffic” and “Pedestrian” stops)

Table 1. Contacts by Gender and Race / Ethnicity\*

Race / Ethnicity*	Contacts		Gender			
			Males		Females	
	#	%	#	%	#	%
Caucasian	3776	59.45%	2216	57.92%	1560	61.76%
African	733	11.54%	394	10.30%	339	13.42%
Hispanic	1442	22.70%	975	25.48%	467	18.49%
Asian	274	4.31%	162	4.23%	112	4.43%
Native American	2	0.03%	0	0.00%	2	0.08%
Middle Eastern	125	1.97%	79	2.06%	46	1.82%
Total	6352	100%	3826	100%	2526	100%

\* Race/Ethnicity are defined by CCP Art. 2.132 as being of a “particular descent, including Caucasian, African, Hispanic, Asian, Native American, or Middle Eastern descent”.

Table 2. Information on Searches

Race / Ethnicity*	Searches		Consensual Searches	
	#	%	#	%
Caucasian	15	36.59%	10	55.56%
African	9	21.95%	2	33.33%
Hispanic	16	39.02%	6	33.33%
Asian	1	2.44%	0	0.00%
Native American	0	0.00%	0	0.00%
Middle Eastern	0	0.00%	0	0.00%
Total	41	100%	18	100%

\* Race/Ethnicity are defined by CCP Art. 2.132 as being of a "particular descent, including Caucasian, African, Hispanic, Asian, Native American, or Middle Eastern descent".

Table 3. Disposition of Stop

Race / Ethnicity*	Disposition of Stop					
	Arrest		Ticket		Warning	
	#	%	#	%	#	%
Caucasian	0	0.00%	2788	58.45%	988	62.61%
African	1	20.00%	532	11.15%	200	12.67%
Hispanic	4	80.00%	1141	23.92%	298	18.88%
Asian	0	0.00%	204	4.28%	70	4.44%
Native American	0	0.00%	2	0.04%	0	0.00%
Middle Eastern	0	0.00%	103	2.16%	22	1.39%
Total	5	100.00%	4770	100.00%	1578	100.00%

\* Race/Ethnicity are defined by CCP Art. 2.132 as being of a "particular descent, including Caucasian, African, Hispanic, Asian, Native American, or Middle Eastern descent".



Table 4. Location of Stops

Race / Ethnicity*	<i>Travis County**</i>	
	N	%
Caucasian	3776	59.58%
African	734	11.58%
Hispanic	1442	22.75%
Asian	274	4.32%
Native American	2	0.03%
Middle Eastern	110	1.74%
Total	6338	100.00%

\* Race/Ethnicity are defined by Senate Bill 1074 as being of a "particular descent, including Caucasian, African, Hispanic, Asian, or Native American".

\*\* All stops were located in Travis County

## **(II) Comparative Analysis of Tier 2 Data**

Table 1. Comparison of Self-Initiated Stops of Residents and DPS Resident Data

Race / Ethnicity*	Precinct Two Data		DPS Data		Variance
	#	%	#	%	%
African	733	11.54%	95455	9.59%	-1.95%
Asian	274	4.31%	63451	6.37%	2.06%
Caucasian	3776	59.45%	778512	78.21%	18.77%
Hispanic	1442	22.70%	24390	2.45%	-20.25%
Native American	2	0.03%	2076	0.21%	0.18%
Other / Middle Eastern	125	1.97%	31466	3.16%	1.19%
<b>Total</b>	6352	100%	995350	100%	

\* Race/Ethnicity are defined by CCP Art. 2.132 as being of a "particular descent, including Caucasian, African, Hispanic, Asian, Native American, or Middle Eastern descent".

## **(II) Comparative Analysis**

(The following information pertains to both “traffic” and “pedestrian” stops)

Table 1. Comparison of Resident Contacts by Gender and DPS Licensed Population Data

Race / Ethnicity*	Precinct Two Data				DPS Data				Variance	
	(Gender)				(Gender)					
	Males		Females		Males		Females		Males	Females
	#	%	#	%	#	%	#	%	%	%
African	394	10.30%	339	13.42%	49704	9.46%	45751	9.73%	0.84%	3.69%
Asian	162	4.23%	112	4.43%	33165	6.31%	30286	6.44%	-2.08%	-2.01%
Caucasian	2216	57.92%	1560	61.76%	411241	78.29%	367271	78.13%	-	-16.38%
Hispanic	975	25.48%	467	18.49%	12677	2.41%	11713	2.49%	20.37%	16.00%
Native American	0	0.00%	2	0.08%	1104	0.21%	972	0.21%	23.07%	16.00%
Other / Middle Eastern	79	2.06%	46	1.82%	17400	3.31%	14066	2.99%	-0.21%	-0.13%
Total	3826	100%	2526	100%	525291	100%	470059	100%		

\* Race/Ethnicity is defined by CCP Art. 2.132 as being of a “particular descent, including Caucasian, African, Hispanic, Asian, Native American, or Middle Eastern descent”.

## TRAFFIC/PEDESTRIAN STOP DATA REPORT

Based upon available data (January 1, 2010 – December 31, 2010). Deputies with the Travis County Precinct Two Constable's Office made traffic/pedestrian stops, issued citations, warnings, and/or conducted searches of vehicles as follows:

### TRAFFIC AND PEDESTRIAN STOPS

RACE / ETHNICITY*	NUMBER OF STOPS	% RACE OF STOPS	RACE/ETHNICITY POPULATION OF TRAVIS COUNTY	
			Total #	%
African	733	11.54%	95455	9.59%
Asian	274	4.31%	63451	6.37%
Caucasian	3776	59.45%	778512	78.21%
Hispanic	1442	22.70%	24390	2.45%
Native American	2	0.03%	2076	0.21%
Other / Middle Eastern	125	1.97%	31466	3.16%
<b>TOTAL</b>	<b>6352</b>	<b>100%</b>	<b>995350</b>	<b>100%</b>

\* Race/Ethnicity are defined by CCP Art. 2.132 as being of a "particular descent, including Caucasian, African, Hispanic, Asian, Native American, or Middle Eastern descent".

### VEHICLE AND PERSON SEARCHES

(Includes Non-Custodial Consent, Probable Cause, and Custodial Searches)

RACE / ETHNICITY*	NUMBER OF SEARCHES	% RACE OF SEARCHES	RACE/ETHNICITY POPULATION OF TRAVIS COUNTY	
			#	%
African	9	21.95%	95455	9.59%
Asian	1	2.44%	63451	6.37%
Caucasian	15	36.59%	778512	78.21%
Hispanic	16	39.02%	24390	2.45%
Native American	0	0.00%	2076	0.21%
Other / Middle Eastern	0	0.00%	31466	3.16%
<b>TOTAL</b>	<b>41</b>	<b>100%</b>	<b>995350</b>	<b>100.00%</b>

\* Race/Ethnicity are defined by CCP Art. 2.132 as being of a "particular descent, including Caucasian, African, Hispanic, Asian, Native American, or Middle Eastern descent".

## TRAFFIC/PEDESTRIAN STOP DATA REPORT

Based upon available data (January 1, 2010 – December 31, 2010). Deputies with the Travis County Constable Precinct Two Office made traffic/pedestrian stops, issued citations, warnings, and/or conducted searches of vehicles as follows:

ALL TRAFFIC/PEDESTRIAN STOPS				
RACE / ETHNICITY*	NUMBER OF STOPS	% RACE OF STOPS	% RACE/ETHNICITY POPULATION OF TRAVIS COUNTY	
African	733	11.54%	95455	9.59%
Asian	274	4.31%	63451	6.37%
Caucasian	3776	59.45%	778512	78.21%
Hispanic	1442	22.70%	24390	2.45%
Native American	2	0.03%	2076	0.21%
Middle Eastern	125	1.97%	31466	3.16%
<b>TOTAL</b>	<b>6352</b>	<b>100.00%</b>	<b>995350</b>	<b>100.00%</b>

\* Race/Ethnicity are defined by CCP Art. 2.132 as being of a "particular descent, including Caucasian, African, Hispanic, Asian, Native American, or Middle Eastern descent".

TRAFFIC/PEDESTRIAN STOPS RESULTING IN <u>CITATIONS</u> WRITTEN				
RACE / ETHNICITY*	NUMBER OF STOPS	% RACE OF STOPS	% RACE/ETHNICITY POPULATION OF TRAVIS COUNTY	
African	532	11.54%	95455	9.59%
Asian	204	4.31%	63451	6.37%
Caucasian	2788	59.45%	778512	78.21%
Hispanic	1141	22.70%	24390	2.45%
Native American	2	0.03%	2076	0.21%
Middle Eastern	103	1.97%	31466	3.16%
<b>TOTAL</b>	<b>4770</b>	<b>100.00%</b>	<b>995350</b>	<b>100.00%</b>

\* Race/Ethnicity are defined by CCP Art. 2.132 as being of a "particular descent, including Caucasian, African, Hispanic, Asian, Native American, or Middle Eastern descent".

TRAFFIC/PEDESTRIAN STOPS RESULTING IN <u>WARNINGS</u> WRITTEN				
RACE / ETHNICITY*	NUMBER OF STOPS	% RACE OF STOPS	% RACE/ETHNICITY POPULATION OF TRAVIS COUNTY	
African	200	11.54%	95455	9.59%
Asian	70	4.31%	63451	6.37%
Caucasian	988	59.45%	778512	78.21%
Hispanic	298	22.70%	24390	2.45%
Native American	0	0.03%	2076	0.21%
Middle Eastern	22	1.97%	31466	3.16%
<b>TOTAL</b>	<b>1578</b>	<b>100.00%</b>	<b>995350</b>	<b>100.00%</b>

\* Race/Ethnicity are defined by CCP Art. 2.132 as being of a "particular descent, including Caucasian, African, Hispanic, Asian, Native American, or Middle Eastern descent".

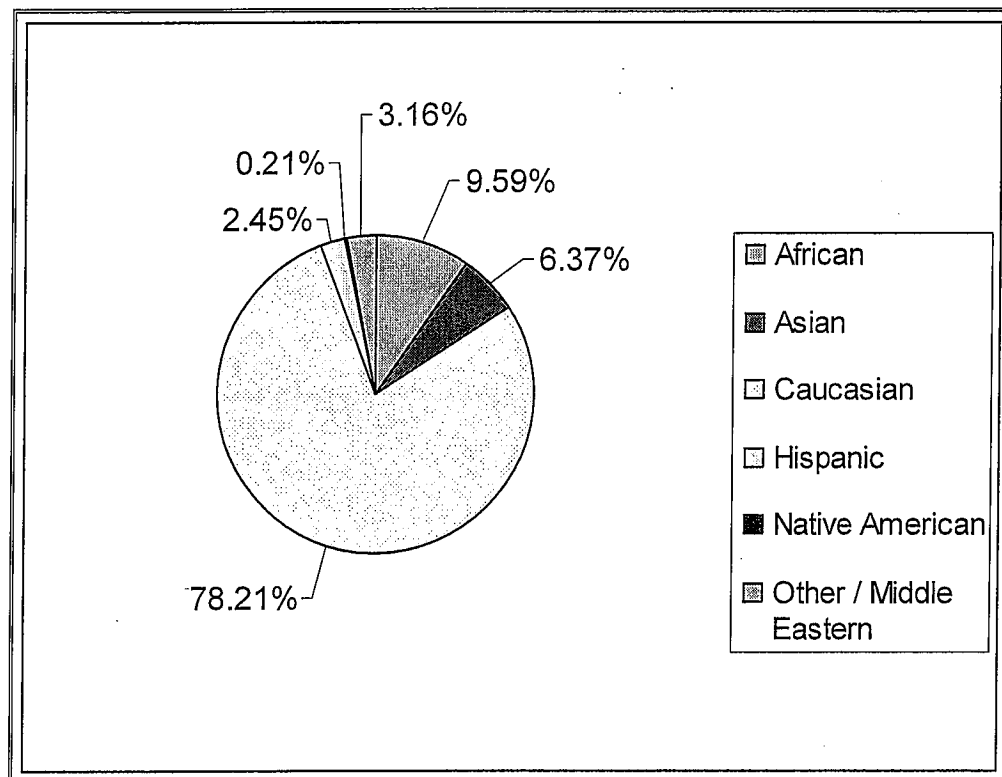
## POPULATION BY RACE/ETHNICITY IN TRAVIS COUNTY

The following chart demonstrates the race/ethnicity population estimates for Travis County as determined by The Texas Department of Public Safety for reporting period January 1, 2010 – December 31, 2010

### TRAVIS COUNTY POPULATION ESTIMATE

RACE / ETHNICITY*	TOTAL PERSONS	PERCENTAGE
African	95455	9.59%
Asian	63451	6.37%
Caucasian	778512	78.21%
Hispanic	24390	2.45%
Native American	2076	0.21%
Other / Middle Eastern	31466	3.16%
<b>TOTAL</b>	<b>995350</b>	<b>100.00%</b>

\* Race/Ethnicity are defined by CCP Art. 2.132 as being of a "particular descent, including Caucasian, African, Hispanic, Asian, Native American, or Middle Eastern descent".



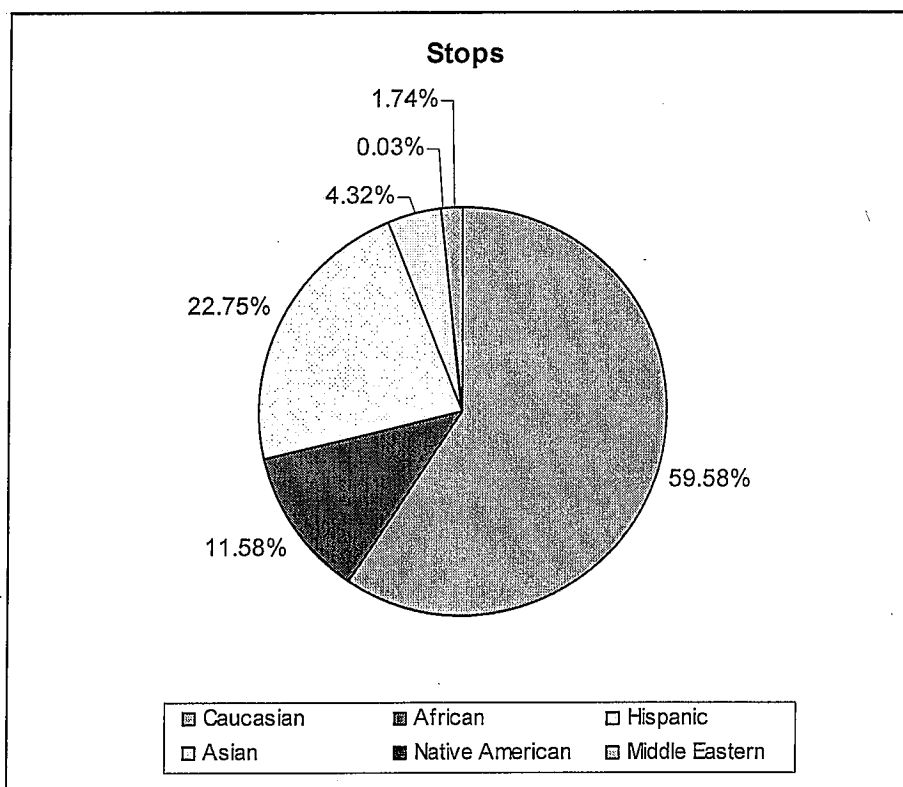
## TRAFFIC/PEDESTRIAN STOP DATA REPORT

During 2010, Deputies made 6338 traffic/pedestrian stops that resulted in citations and/or warnings written. Of those stops, 59.58% were Caucasian; 11.58 African; 22.75% Hispanic; 4.32% Asian; 0.03% Native American; and 1.74% Middle Eastern.

### 2010 TRAFFIC/PEDESTRIAN STOPS

RACE/ ETHNICITY*	TOTAL NUMBER OF STOPS	PERCENTAGE
Caucasian	3776	59.58%
African	734	11.58%
Hispanic	1442	22.75%
Asian	274	4.32%
Native American	2	0.03%
Middle Eastern	110	1.74%
<b>TOTAL</b>	<b>6338</b>	<b>100%</b>

\* Race/Ethnicity are defined by CCP Art. 2.132 as being of a "particular descent, including Caucasian, African, Hispanic, Asian, Native American, or Middle Eastern descent".



# **Report on Complaints**



### **Corrective Action**

It is the policy of the Travis County Precinct Two Constable's Office that any Deputy who, after an internal investigation, has been found guilty of engaging in racial profiling, that one of the following series of disciplinary measures is taken (as per the recommendation of the Constable):

- 1) Deputy is retrained in racial sensitivity issues
- 2) Deputy is suspended and as a condition of further involvement with the Travis County Precinct Two Constable's Office asked to undergo racial sensitivity training
- 3) Deputy is terminated

### **Data on Corrective Action**

The following table contains data regarding Deputies that have been the subject of a complaint, during the time period of 1/1/09---12/31/09, based on allegations outlining possible violations related to the Texas Racial Profiling Law. The final disposition of the case is also included.



Check above if the Travis County Precinct 2 Constable's Office has not received any complaints, on any members of its Office, for having violated the Texas Racial Profiling Law during the time period of 1/1/2010 ---- 12/31/2010

Complaints Filed for Possible Violations of S.R. 1074 (The Texas Racial Profiling Law)

Complaint No.	Alleged Violation			Disposition of the Case

**Additional Comments:**

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# **Analysis and Interpretation of Data**

## **Analysis**

The data presented in this report contains valuable information regarding police contacts with the public between 1/1/2010 and 12/31/2010. Despite its value, the raw data does not present much information relevant to racial profiling trends.

Thus, it is felt that further analysis of the data is warranted. As such, data was obtained through the Texas Department of Public Safety (DPS), via a public information request. The data obtained from DPS included the race and gender of drivers in Travis County during the 2010 calendar year. The decision to obtain DPS data was made since, according to experts, census data presents challenges to any effort made at establishing a fair and accurate analysis. That is, census data contains information of all residents of a particular community, regardless of the fact they may or may not be among the driving population. Further, census data, when used as a benchmark of comparison, presents the challenge that it captures information related to County residents only. Thus, excluding individuals who may have come in contact with the Travis County Constable Precinct Two Office, but reside outside of Travis County. This has a tendency of inflating the overall figures; thus, providing an inaccurate representation of police contacts with the public. Therefore, it is felt that DPS data relevant to County residents, if compared only to the portion of individuals who reside in Travis County and have come in contact with Travis County Constable Precinct Two Deputies during a given year, will offer a more accurate representation and provide further insights than other sources including census data.

When comparing the County residents who came in contact with the Travis County Constable Precinct Two Office during 2010 with those who, according to DPS, were residents of Travis County during that time and held a valid driver's license, the data produced interesting findings. That is, the number of police contacts with White drivers, when compared to the number of White County residents who held a valid drivers license, demonstrated that the number of contacts with the police were under-represented. It must be noted that Hispanics were grouped with Caucasians for purposes of this analysis since DPS does not collect information related to the ethnicity of drivers. In fact, according to their own language, DPS considers Hispanics, in their data collection process, as Caucasians.

In addition, when analyzing, in the same manner, the data relevant to individuals of African descent, Asians, Native Americans, and Middle Eastern, were residents who held a valid drivers license, demonstrated that the number of contacts with the police were under-represented as well.

# **Summary Statement Regarding Findings**

## **Summary Statement**

The ongoing efforts to collect and review contact data ensures a constant evaluation of Travis County Constable Precinct Two Office practices. Current data and analysis show no statistically significant variance based on racial grouping in the distribution of contacts between Travis County Constable's Office Precinct Two law enforcement staff and the public. In any case, we continue to review our policies and interactions to further build up positive community relationships and outcomes. Our goal to advance professional, ethical and courteous service to all we come in to contact shows our continuing diligence to serve all members of our community.

# **Recommendations**

## **Recommendations**

Based on the findings introduced in this report, the Travis County Constable Precinct Two supports continued implementation of the following measures aimed at addressing potential racial profiling problems:

- Continue to provide ongoing racial sensitivity training to Precinct Two law enforcement staff
- Disseminate the guidelines and expectations of behavior acceptable under the Texas Racial Profiling Law
- Update the Travis County Commissioners' Court and staff on Racial Profiling related measures and data collected by the Travis County Constable's Office Precinct Two



# **Checklist and Contact Information**

## **Checklist**

- (I) The following requirements must be met by all law enforcement agencies in the State of Texas:
- a. Clearly define act or actions that constitute racial profiling
  - b. Issue statement indicating prohibition of any peace officer employed by the Travis County Constable's Office Precinct Two from engaging in racial profiling
  - c. Implement a process by which an individual may file a complaint regarding racial profiling violations
  - d. Provide public education related to the complaint process
  - e. Implement disciplinary guidelines for Deputies found in violation of the Texas Racial Profiling Law
  - f. Collect data (Tier 1) that includes information on
    - i. Race and ethnicity of individual detained
    - ii. Whether a search was conducted
    - iii. If there was a search, whether it was a consent search or a probable cause search
    - iv. Whether a custody arrest took place
  - g. Produce an annual report on police contacts (Tier 1) and present this to local governing body by March 1, 2011
  - h. Adopt a policy, if video/audio equipment is installed, on standards for reviewing video and audio documentation
- (II) For additional questions regarding the information presented in this report, please contact:

Senior Sergeant Jeff Parker  
Travis County Constable's Office Precinct Two  
10409 Burnet Rd.  
Austin, Texas 78758

## APPENDIX A:

### 2010 TCLEOSE Partial Exemption Racial Profiling Report (TIER 1)



#### Partial Exemption Racial Profiling Reporting (Tier 1)

Department Name	<u>Travis County Constable's Office, Pct 2</u>
Agency Number	<u>453102</u>
Chief Administrator Name	<u>Adan Ballesteros</u>
Reporting Name	<u>Senior Sergeant Jeff Parker</u>
Contact Number	<u>512-854-6381</u>
E-mail Address	<u>jeff.parker@co.travis.tx.us</u>

#### Certification to Report 2.132 (Tier 1) – Partial Exemption

##### Policy Requirements (2.132(b) CCP):

Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

- (1) clearly define acts constituting racial profiling;
- (2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;
- (3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;
- (4) provide public education relating to the agency's complaint process;
- (5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;
- (6) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
  - (A) the race or ethnicity of the individual detained;
  - (B) whether a search was conducted and, if so, whether the individual detained consented to the search; and
  - (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and
- (7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
  - (A) the Commission on Law Enforcement Officer Standards and Education; and
  - (B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

These policies are in  
effect

  
Chief Administrator

02/19/11  
Date

## APPENDIX A:

### 2010 TCLEOSE Partial Exemption Racial Profiling Report (TIER 1)



#### Partial Exemption Racial Profiling Reporting (Tier 1)

##### Video and Audio Equipment Exemption

Partial Exemption Claimed by (2.135(a) CCP):



all cars regularly used for motor vehicle stops are equipped with video camera and transmitter-activated equipment and each motor stop is recorded and the recording of the stop is retained for at least 90 days after the stop.

OR



In accordance with 2.135(a)(2) the agency has requested and not received funds to install the recording equipment

I claim this  
exemption

  
Chief Administrator

02/19/11  
Date

**APPENDIX A:****2010 TCLEOSE Partial Exemption Racial Profiling Report (TIER 1)**
**Partial Exemption Racial Profiling Reporting  
(Tier 1)**

(This is the TCLEOSE recommended form. The form is not mandatory. The information contained in this form, however, is mandatory. You may use your form, but all information must be provided.)

**If you claim a partial exemption you must submit a report that contains the following data or use this format to report the data.**

**Instructions: Please fill out all boxes. If zero, use 0.**

1. Total on lines 4, 11, 14, and 17 Must be equal
2. Total on line 20 Must equal line 15

**Number of motor vehicle stops:**

- Mark only 1 category per vehicle stop
1. 4770 citation only
  2. 4 arrest only
  3. 1 both
  - 3b. 1578 Warning Only

4. 6352 Total

**Race or Ethnicity:**

5. 733 African
6. 274 Asian
7. 3776 Caucasian
8. 1442 Hispanic
9. 125 Middle Eastern
10. 2 Native American

11. 6352 Total

**Race or Ethnicity known prior to stop?**

12. 0 Yes
13. 6352 No

14. 6352 Total

**Search conducted?**

15. 41 Yes
16. 6311 No

17. 6352 Total

**Was search consented?**

18. 18 Yes
19. 23 No

20. 41 Total Must equal #15

## APPENDIX A:

### 2010 TCLEOSE Partial Exemption Racial Profiling Report (TIER 1)



#### Partial Exemption Racial Profiling Reporting (Tier 1)

##### Option to submit required data by utilizing agency report

You must submit your report in PDF format

##### Electronic Submission of data required by 2.132(b)(6) CCP

(6) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:

(A) the race or ethnicity of the individual detained;

(B) whether a search was conducted and, if so, whether the individual detained consented to the search; and

(C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and

This report meets the above  
requirements

Chief Administrator

02/19/11  
Date

***Send entire documents electronically to this website***

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**www.tcleose.state.tx.us**



MARIA CANCHOLA  
TRAVIS COUNTY CONSTABLE, PRECINCT FOUR  
DON BOWNE – CHIEF DEPUTY

RECEIVED  
COUNTY JUDGE'S OFFICE  
11 MAR - 2 PM 2:59

MEMORANDUM

TO: Commissioner's Court

FROM: Maria L. Canchola, Constable

DATE: February 28, 2011

SUBJECT: 2010 Racial Profiling Report

A handwritten signature in cursive script, reading "Maria L. Canchola".

Senate Bill 1074 requires all law enforcement agencies to provide an annual report on racial profiling to the governing body of the reporting agency. Attached is the Travis County Constable Precinct Four report for the year 2010. The data suggests that the Precinct Four Constable's Office did not experience a problem regarding racial profiling. This is supported by the fact that we have not received any citizen complaints regarding alleged racial profiling during 2010.

The primary mission of my office is to handle civil and criminal process issued by the Justice of the Peace for Precinct Four and all other courts. Our Deputies also provide security services for the county employees and visitors to the Ray Martinez Building on McKinney Falls Parkway. As a result, my office did not routinely engage in traffic enforcement during 2010. Our Deputies only issued seven warnings and citations.

In 2011, I plan increased traffic enforcement in school zones as well as disabled parking enforcement in order to protect the safety and rights of these two vulnerable populations within the County.



# TRAVIS COUNTY CONSTABLE, PCT. 4

## Racial Profiling Statistical Report

January 1, 2010 to December 31, 2010

**Table 1: Detention Disposition by Race**

Disposition	Asian/Pacific Islander	% of Race	% of Disposition	Black	% of Race	% of Disposition
Arrested	0	0.0%	0.0%	0	0.0%	0.0%
Released	0	0.0%	0.0%	0	0.0%	0.0%
Ticketed	0	0.0%	0.0%	0	0.0%	0.0%
Warned (Written)	0	0.0%	0.0%	0	0.0%	0.0%
	0	0.0%	0.0%	0	0.0%	0.0%
	<b>Total</b>	<b>of Race</b>	<b>of all Detentions</b>	<b>Total</b>	<b>of Race</b>	<b>of all Detentions</b>

Disposition	Hispanic	% of Race	% of Disposition	White	% of Race	% of Disposition
Arrested	0	0.0%	0.0%	0	0.0%	0.0%
Released	0	0.0%	0.0%	0	0.0%	0.0%
Ticketed	3	75.0%	60.0%	2	66.7%	40.0%
Warned (Written)	1	25.0%	50.0%	1	33.3%	50.0%
	4	100.0%	57.1%	3	100.0%	42.9%
	<b>Total</b>	<b>of Race</b>	<b>of all Detentions</b>	<b>Total</b>	<b>of Race</b>	<b>of all Detentions</b>

Disposition	Native American	% of Race	% of Disposition
Arrested	0	0.0%	0.0%
Released	0	0.0%	0.0%
Ticketed	0	0.0%	0.0%
Warned (Written)	0	0.0%	0.0%
	0	0.0%	0.0%
	<b>Total</b>	<b>of Race</b>	<b>of all Detentions</b>

Disposition	Total %	Number
Arrested	0.0%	0
Released	0.0%	0
Ticketed	71.4%	5
Warned (Written)	28.6%	2
	<b>100.0%</b>	<b>7</b>



## Travis County Constable's Office - Precinct 4

**Table 2: Search Status by Race**

SearchStatus	Asian	% of Race	% of Search	Black	% of Race	% of Search
Consent Search	0	0.0%	0.0%	0	0.0%	0.0%
No Search	0	0.0%	0.0%	0	0.0%	0.0%
Probable Cause Search	0	0.0%	0.0%	0	0.0%	0.0%
	0	0.0%	0.0%	0	0.0%	0.0%
	Total	of Race	of all Detentions	Total	of Race	of all Detentions

SearchStatus	Hispanic	% of Race	% of Search	White	% of Race	% of Search
Consent Search	0	0.0%	0.0%	0	0.0%	0.0%
No Search	4	100.0%	0.0%	3	100.0%	0.0%
Probable Cause Search	0	0.0%	0.0%	0	0.0%	0.0%
	4	100.0%	0.0%	3	100.0%	0.0%
	Total	of Race	of all Detentions	Total	of Race	of all Detentions

SearchStatus	Native American	% of Race	% of Search
Consent Search	0	0.0%	0.0%
No Search	0	0.0%	0.0%
Probable Cause Search	0	0.0%	0.0%
	0	0.0%	0.0%
	Total	of Race	of all Detentions

SearchStatus	Total %	Number
Consent Search	0.0%	0
No Search	100.0%	7
Probable Cause Search	0.0%	0
	100.0%	7

Table 3: Stop Reason and Disposition by Race

StopReason	cboStopDisposition	Asian	% of Race	% of Stop	Black	% of Race	% of Stop
Hazardous Traffic	Arrested	0	0.0%	0.0%	0	0.0%	0.0%
Hazardous Traffic	Released	0	0.0%	0.0%	0	0.0%	0.0%
Hazardous Traffic	Ticketed	0	0.0%	0.0%	0	0.0%	0.0%
Hazardous Traffic	Warned (Written)	0	0.0%	0.0%	0	0.0%	0.0%
Investigation	Arrested	0	0.0%	0.0%	0	0.0%	0.0%
Investigation	Released	0	0.0%	0.0%	0	0.0%	0.0%
Investigation	Ticketed	0	0.0%	0.0%	0	0.0%	0.0%
Investigation	Warned (Written)	0	0.0%	0.0%	0	0.0%	0.0%
Non-Hazardous Traffic	Arrested	0	0.0%	0.0%	0	0.0%	0.0%
Non-Hazardous Traffic	Released	0	0.0%	0.0%	0	0.0%	0.0%
Non-Hazardous Traffic	Ticketed	0	0.0%	0.0%	0	0.0%	0.0%
Non-Hazardous Traffic	Warned (Written)	0	0.0%	0.0%	0	0.0%	0.0%
		<b>0</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0</b>	<b>0.0%</b>	<b>0.0%</b>
		<b>Total</b>	<b>of Race</b>	<b>of all Detentions</b>	<b>Total</b>	<b>of Race</b>	<b>of all Detentions</b>

StopReason	cboStopDisposition	Hispanic	% of Race	% of Stop	White	% of Race	% of Stop
Hazardous Traffic	Arrested	0	0.0%	0.0%	0	0.0%	0.0%
Hazardous Traffic	Released	0	0.0%	0.0%	0	0.0%	0.0%
Hazardous Traffic	Ticketed	3	75.0%	42.9%	2	66.7%	28.6%
Hazardous Traffic	Warned (Written)	1	25.0%	14.3%	0	0.0%	0.0%
Investigation	Arrested	0	0.0%	0.0%	0	0.0%	0.0%
Investigation	Released	0	0.0%	0.0%	0	0.0%	0.0%
Investigation	Ticketed	0	0.0%	0.0%	0	0.0%	0.0%
Investigation	Warned (Written)	0	0.0%	0.0%	0	0.0%	0.0%
Non-Hazardous Traffic	Arrested	0	0.0%	0.0%	0	0.0%	0.0%
Non-Hazardous Traffic	Released	0	0.0%	0.0%	0	0.0%	0.0%
Non-Hazardous Traffic	Ticketed	0	0.0%	0.0%	0	0.0%	0.0%
Non-Hazardous Traffic	Warned (Written)	0	0.0%	0.0%	1	33.3%	14.3%
		<b>4</b>	<b>100.0%</b>	<b>57.1%</b>	<b>3</b>	<b>100.0%</b>	<b>42.9%</b>
		<b>Total</b>	<b>of Race</b>	<b>of all Detentions</b>	<b>Total</b>	<b>of Race</b>	<b>of all Detentions</b>

StopReason	cboStopDisposition	Native American	% of Race	% of Stop
Hazardous Traffic	Arrested	0	0.0%	0.0%
Hazardous Traffic	Released	0	0.0%	0.0%
Hazardous Traffic	Ticketed	0	0.0%	0.0%
Hazardous Traffic	Warned (Written)	0	0.0%	0.0%
Investigation	Arrested	0	0.0%	0.0%
Investigation	Released	0	0.0%	0.0%
Investigation	Ticketed	0	0.0%	0.0%
Investigation	Warned (Written)	0	0.0%	0.0%
Non-Hazardous Traffic	Arrested	0	0.0%	0.0%
Non-Hazardous Traffic	Released	0	0.0%	0.0%
Non-Hazardous Traffic	Ticketed	0	0.0%	0.0%
Non-Hazardous Traffic	Warned (Written)	0	0.0%	0.0%
		<b>0</b>	<b>0.0%</b>	<b>0.0%</b>
		<b>Total</b>	<b>of Race</b>	<b>of all Detentions</b>

StopReason	cboStopDisposition	Total %	Number
Hazardous Traffic	Arrested	0.0%	0
Hazardous Traffic	Released	0.0%	0
Hazardous Traffic	Ticketed	71.4%	5
Hazardous Traffic	Warned (Written)	14.3%	1
Investigation	Arrested	0.0%	0
Investigation	Released	0.0%	0
Investigation	Ticketed	0.0%	0
Investigation	Warned (Written)	0.0%	0
Non-Hazardous Traffic	Arrested	0.0%	0
Non-Hazardous Traffic	Released	0.0%	0
Non-Hazardous Traffic	Ticketed	0.0%	0
Non-Hazardous Traffic	Warned (Written)	14.3%	1
		<b>100.0%</b>	<b>7</b>



## **Travis County Commissioners Court Agenda Request**

Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: Sherri Fleming, Health and Human Services and Veterans Service, 854-4101

Elected/Appointed Official/Dept. Head: Sherri Fleming, Executive Manager

Sponsors: Judge Biscoe

### **AGENDA LANGUAGE:**

Receive briefing and give direction regarding Travis County Indigent Burial Policy and Program, Including the Need for Additional Burial Plots.

### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

This is a followup to a discussion by the Court in August 2010

### **STAFF RECOMMENDATIONS:**

Health and Human Services recommends that the Commissioners Court direct Purchasing and the County Attorney's office to prepare the necessary Request for Proposals to acquire additional cemetery spaces

### **ISSUES AND OPPORTUNITIES:**

Transportation and Natural Resources Reports that there are approximately 80 spaces left for interment at the International Cemetery. The Court has an opportunity to consider the following:

1. Modifying your policy to include cremation. HHS periodically has requests for cremation services. See the attached survey from Tarrant County detailing the use of Cremation by other counties.
2. The future of the International Cemetery and Cemetery services operated by the County. Does the county wish to acquire land that would be developed for burial?

Attachments include updated reports regarding current Indigent Burial workload; reports from Transportation and Natural Resources detailing the costs of cemetery operations and the applicable statute regarding the operation of cemeteries.

### **FISCAL IMPACT AND SOURCE OF FUNDING:**

Unknown

### **REQUIRED AUTHORIZATIONS:**

Health and Human Services and Veterans Service

Transportation and Natural Resources Steven Manilla

County Attorney's Office

Mary Etta Gerhardt

Jim Lehrman Pending

Pending

Pending

Agenda Item

Meeting of March 8, 2011

Health and Human Services and Veterans Service

Pending

Health and Human Services and Veterans Service

Sherri Fleming Completed

03/03/2011 9:46 AM

County Judge's Office

Cheryl Aker

Pending

Commissioners Court

Cheryl Aker

Pending

# **A BRIEF OVERVIEW OF CEMETERY LAW IN TEXAS**

**by Donald Ray Burger**  
*Attorney at Law*

**A cemetery is a place that is used for internment, either in graves or mausoleums. Under Texas statutes, the tract of land that is used or intended to be used for internment in graves is called a “burial park.” Health & Safety Code § 711.001(1). Cemeteries can be regulated under state, municipal, and county regulations. Cemeteries are exempt from taxation, seizure by creditors, and eminent domain (§ 711.035).**

**Once a parcel of land is a cemetery, it stays a cemetery so long as the bodies remain. The location of cemeteries is regulated by § 711.008. The rule effectively prevents the creation of new cemeteries within city limits. Cemeteries existing as of 1993 are exempt from this rule. There are other narrow exceptions, such as for cemeteries attached to church property. However, the basic rule is that new cemeteries must be outside the city limits. How far out depends on the size of the city. Cemeteries cannot be within:**

**one mile of cities with a population of 5,000 to 25,000;  
two miles of cities with a population of 25,000 to 50,000;  
three miles of cities with a population of 50,000 to 100,000;  
four miles of cities with a population of 100,000 to 200,000; and  
five miles of cities with a population of over 200,000.**

**According to § 711.021(a), only corporations specifically organized to operate cemeteries can be in the cemetery business. The corporations are called cemetery organizations. Specifically, individuals, regular corporations, partnerships, and trusts cannot operate cemeteries. Exceptions to this section are created for (1) a family, fraternal, or community cemetery 10 acres or less; (2) an unincorporated association of plot owners not operated for profit; (3) churches; and (4) a public cemetery belonging to the state, or a county or municipality. (§711.021(g)).**

**A corporation conducting cemetery business can be either a “for profit” or a “non-profit” corporation. Cemetery corporations formed after September 1, 1993, must operate perpetual care cemeteries unless the cemetery is a family, fraternal, or community cemetery under ten acres (§711.021(g)(1)) or an unincorporated association of plot owners not operated for profit (§711.021(g)(2)) or a cemetery operated by a church, religious society, or denomination. (§711.021(g)(3)).**

**Cemetery organizations may not adopt or enforce a rule that prohibits internment because of race, color, or national origin of a decedent (§ 711.032).**

**The requirements as to cemetery organizations for the “layout” of cemeteries are controlled by § 711.034. The land must be divided into gardens or sections, and a map made showing the plots contained within the boundaries, with specific numbers assigned to each plot. The map shall be filed with the county clerk.**

**The public has the right to reasonable ingress and egress to all cemeteries for purposes of visiting the cemetery (§ 711.041).**

**Violations of the regulations in Chapter 711 are Class A misdemeanors (§ 711.052).**

**Chapter 712 sets out the rules for the operation of perpetual care cemeteries. The requirements do not apply to family, fraternal, or community cemeteries. Nor does it apply to special non-profit associations of plot owners, or churches or religious societies. Basically, perpetual care cemeteries must have a trust fund established in a trust company or bank (§712.021). The principal of the fund may not be reduced voluntarily. Section 712.003 sets out the minimum capital requirements (ranging from \$15,000 to \$75,000, depending upon the population of the municipality served). Section 712.004 sets out the amounts needed in the initial trust fund (ranging from \$15,000 to \$50,000).**

**The statute (§ 712.028) sets out the amounts the corporation shall deposit in its fund from sales. Various reports on the funds are also required (§§ 712.041 and 712.043). Penalties for violations are both monetary (up to \$1,000 per day) and criminal.**

**Chapter 713 deals with county regulations of cemeteries. The first part of Chapter 713 deals with cemeteries operated by municipalities. The second part of Chapter 713 discusses cemeteries operated by counties.**

**Chapter 714 establishes the depth of graves, which varies based on the type of container. Interestingly, graves do not have to be six feet deep (§ 714.001) The requirement is that the top of the "container of the body" must be at least two feet below the surface if the container is not made of "impermeable" material and at least 1-1/2 feet below the surface if the container is impermeable.**

**Chapter 715 deals with historic cemeteries and discusses the role of non-profit corporations to restore, operate, and maintain historic cemeteries.**

**Written by Donald Ray Burger, Attorney at Law  
Last revised: November 8, 2003**

## **INTERNATIONAL CEMETERY OPERATIONAL REVIEW 2010**

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### **Objective of Review**

The Objective of this review is to evaluate the current operations at the Travis County International Cemetery, project the term limitations at the site and explore options and cost for future indigent burial service within Travis County.

### **Perspective**

Travis County assumed responsibility from the City of Austin for operations and maintenance of the Travis County International Cemetery on February 1, 1989. The Transportation and Natural Resources Department assumed sole responsibility for operations and maintenance in September of 1996. Prior to the 1996 consolidation, the tasks were distributed between TNR and Facility Management. The operational tasks that are currently assigned to TNR include:

- Maintenance of grounds
- Scheduling internment services through Health & Human Services
- Locating available lots
- Performance of actual internments
- Final records management

Verification of eligibility for Indigent Burial Service has, and will continue to be provided by the Travis County Health & Human Services Department and in compliance with Texas State Health and Safety Code, Chapter 711.001(1), Chapters 713 and 714 (see attachment "A").

In August 1996 operations at the Travis County International Cemetery were reviewed to determine best actions necessary to extend the serviceability of the site and promote good management practices for Indigent Burial service. The objective of that comprehensive review was to explore options, review alternatives and recommend facility needs for operations and establish an effective organizational structure that would enhance productivity and efficiency. The county implemented many of the 1996 recommended actions and completed several site improvements.

- Consolidated operational control within the Transportation & Natural Resources Department
- Established record management practice w / site survey availability.
- Preformed drainage-way infrastructure improvement
- Relocated roads and site parking, installed asphalt surface on roads.
- Consolidated maintenance storage and operations within an on-site maintenance compound.
- Created annualized maintenance schedule for Site & Graves Maintenance
- Acquisition in 2004 of Two (2) adjacent tracks to the north with burials beginning in these areas in 2008.

## **Current Status**

TNR is designated as the management entity for the cemetery, with field operations assigned to the Road Maintenance Division. The Division added an internal FTE as the site maintenance person and to perform the actual internments. This employee also functions as first contact for visitors of the cemetery.

The improvements that were implemented have extended the functional term at the cemetery. In addition to the improvements, most usable “by-passed” burial lots were located; particularly those in the original southern portion of the cemetery and internments were performed in those lots allowing for a more complete utilization within the original cemetery boundaries.

These infrastructure improvements coupled with better management practices and with the acquisition of the two northern tracts have allowed the cemetery to function for several additional years beyond the projected end of its service life.

However, the Travis County International Cemetery it is now nearing saturation and few new burial lots can be accessed.

### **Actual Burials Since 2005**

<b>Year</b>	<b>Total</b>
FY 05	83
FY 06	88
FY 07	107
FY 08	120
FY 09	142
FY 10 YTD	107
FY 10 Projected	148

The above table reflects that the rate of internments have increased over the last several years and when this trend is applied to indentified available burial lots it offers a bleak prediction. After a close examination of all areas within the cemetery, only 230 burial lot sites have been identified. Even if an additional 50 lots might be found, or created within the boundaries of the cemetery that would still provide only 280 sites available.

Existing platted burial lots	—	30 ea
New lots that can be platted on available land	—	200 ea
<b>Sub total existing and new lots available</b>	—	<b>230 ea</b>
Additional Lots	—	50 ea
<b>Total all lots</b>	—	<b>280 ea</b>

**Based upon a conservative projection of 140 burials per year as indentified in the table above, the Travis County International Cemetery has a current projected service term within the existing cemetery of only two (2) more years.**



**Cost of Current Operation**

**Travis County International Cemetery  
Annualized Cost Estimate of Existing Operation & Other Support Groups  
Department 49 / Program 8525**

<b><u>Human Resources</u></b>	<b><u>Unit Cost</u></b>	<b><u>Annualized Cost</u></b>
(1 FTE) Road Maintenance Worker	\$ 20.39 / Hr	\$ 42,410.00
(0.5 FTE) Equip Operator (Equiv Value)	\$ 23.55 / Hr	\$ 24,490.00
CSR Participation (Equiv Value)		\$ 10,000.00

<b><u>Budget Supplies</u></b>		
Materials & Supplies / Tools / Safety / Uniforms / Utilities / Training		\$ 10,500.00

<b><u>Maintenance &amp; Excavation Equipment</u></b>		
Track Excavator            560 Hrs / Yr	\$ 12.50 / Hr	\$ 7,000.00
Tire Loader                560 Hrs / Yr	\$ 15.00 / Hr	\$ 8,400.00
Riding Lawn Mower       520 Hrs / Yr	\$ 2.50 /Hr	\$ 1,300.00
Light Duty Truck         208 Hrs / Yr	\$ 5.50 /Hr	\$ 1,140.00

<b><u>Other Support Cost</u></b>		
<b><u>Admint &amp; Survey &amp; Fleet</u></b>		
Composite Cost		\$ 12,000.00

<b><u>Annual S-Total Cost Estimate    (TNR)</u></b>		<b><u>\$ 117,240.00</u></b>
<b><u>Cost Estimate Per Burial    (TNR)</u></b>	<b><u>140 / Yr</u></b>	<b><u>\$ 837.00</u></b>

<b><u>Health &amp; Human Services</u></b>		
Funeral Home Fee (120 Burials)	\$ 850.00 / Burial	\$ 102,000.00
Funeral Home Fee (20 Burials)	\$ 1,000.00 / Burial	\$ 20,000.00

<b><u>Land Replacement Cost</u></b>		
Acreage Amortization	\$ 24,000.00 /	\$ 24,000.00
8 Ac @ \$ 30,000 / Acre for 10 Yrs	Yr	(\$ 170.00 / Burial)

<b><u>Annual Total Cost Estimate</u></b>		<b><u>\$ 263,240.00</u></b>
<b><u>TNR / HHS</u></b>		

<b><u>Cost Estimate Per Burial</u></b>	<b><u>140 / Yr</u></b>	<b><u>\$ 1,880.00</u></b>
<b><u>TNR /HHS</u></b>		

## **Comparison with Other Counties**

A review of how Travis County's neighboring counties provide Indigent Burial service is listed below. The review also looked at Bexar County's process for indigent burials. Bexar County has similar demographics and geography to Travis County.

**Williamson County** – Indigent burial approval is coordinated through the Williamson County Judge's Office utilizing very strict qualifying guidelines. The process involves consultations with surviving relatives and is generally finalized by referral to community service organizations (i.e. Red Cross). Williamson County does not own nor operate a public cemetery for indigent burial purposes and has coordinated very few indigent burials to date. Over the last 3 years only one (1) deceased indigent person was processed through the County Judge's Office resulting in a cremation. No value was disclosed, but it was through an open bid process.

**Hays County** – Indigent burials are processed through the Hays County Indigent Program a separate department reporting to the Commissioners Court. The process involves the review of application with final approval based upon established criteria. In 2009 Hays County processed 23 deceased indigents resulting in 14 burials and 9 cremations.

Area Funeral Homes are reimbursed based upon the age group of the deceased. Hays County owns its own cemetery for indigent burials only; however, actual burials are contracted to an outside vendor.

- Highest cost from funeral home is for adults at \$ 850.00 and includes the casket.
- Cremations are coordinated by the funeral homes and are reimbursed by the county at \$ 650.00 each.
- Contract vendor for burials at cemetery is reimbursed \$ 450.00 to open and close the grave.
- Overall maintenance of the county owned cemetery is also contracted out on an annual basis, however no value was disclosed.

**Bexar County** – Indigent burials are processed through the Bexar County Pauper Burial Program within the Department of Community Resources. They follow a similar application and final approval process as does Travis County. Bexar County does allow cremation as an alternate to burial. Bexar County does not operate a cemetery for Pauper Burial and contracts all services including funeral home service, cremation and burials to an outside vendor. Costs to provide these services have, as yet, not been provided.

The attached information sheet is provided by Bexar County to interested citizens and explains the process followed by Bexar County.

## **Options for Planning**

### **I Delay decision and continue with existing operations**

Implementation of improvements at the site have been maximized and the past available development areas are now being utilized. As noted in the “Current Status” section of this report only two (2) years of service at the existing cemetery are available. To delay any decision more than this year may result in not being able to perform indigent burial services other than through temporary, poorly planned and costly measures. However, ample time does exist to examine other options, make informed decisions and implement changes that will allow the county to continue to provide indigent burials effectively and efficiently and as required by State Mandate. It is recommended therefore, that a lengthy delay in reviewing options for indigent burial is not in the county’s best interest.

### **II Acquisition of land for a new cemetery and provide site development for operations.**

A preliminary review of the requirements necessary to develop a new cemetery inclusive of the necessary infrastructure must include a thorough review of the following:

- Determine size, years of service and number of burial sites to service need
- Suitable Location and geology to maximize use and extend service term.
- Adequate transportation access and utilities to service new site
- Requirement for land use, flood plain issues, permits.
- State Requirements for use, location, size and maintenance.
- Engineering infrastructure design for maximum use and ecstatic purpose.
- Acquisition and development cost.

#### **Planning Consideration**

Using experience gained at the Travis County International Cemetery on 7.5 acres with 3000 total usable sites and assuming:

Minimum 50 years of service term (based upon a 5 % increase per year)

Baseline of 140 burials / 1<sup>st</sup> year with a 5 % increase per year for 50 years

**Burials will increase annually to 498 burials per year at 25 years.**

#### **Size, years of service term & number of burial sites required for 30 year site.**

400 sites per acre equivalent to 60% maximum use of available acreage.

Avg 498 burials per year = less than 1 year of service per acre @ 25 years

Required burial sites for a 50 years service term @ an average 498 / yr (projected at mid-term or 25th year of service) is equivalent to 60 Acres of required land.

*To gain 50 years of service life would require a projection of near 2000 burials per year and near 100 acres developed. This would double the projected cost of land acquisition detailed below. ????*

### **Suitable location, geology, adequate infrastructure and available land use.**

Location will be dictated by several factors including ease of access to population base users, geology, appropriate land use requirements, transportation access, available utilities and cost of land acquisition. A preliminary assessment utilizing each of the factors listed, narrows the area to the near eastern portion of the county where each factor is favorably viewed:

- Within an arc of 20 miles from Central Austin and centralized to Travis County to enhance ease of visitation for the public.
- At least five (5) miles from the Austin City Limits and outside of any other Cooperative City Limits (compliant with State regulations).
- Prefer alluvial clay sub-grade materials with no hard strata (rock), suitable for excavation, backfill and compaction.
- Existing infrastructure in place with defined land use requirements identified.

After review of these basic requirements and focusing on suitable areas that might meet the criteria, the most obvious area that emerges is within close proximity of Eastern Travis County. The general area meets the initial base criteria. It is within the central core of Travis County, has suitable geology and has appropriate infrastructural of utilities and transportation routes in place and suitable sites for development exist in compliance with Texas State Regulations.

### **Cost estimate of acquisition and development of new cemetery**

The cost estimate is based upon review of land values associated with TCAD and the assumption of adequate utilities are in place and available at site.

60 Acres @ \$ 30,000 / acre =	\$ 1,800,000.00
Site Engineering and Plans & Permits development =	\$ 108,000.00
Site Construction of on site improvements (roads, etc.) =	<u>\$ 150,000.00</u>
<b>Preliminary Budget Requirement</b>	<b>\$ 2,058,000.00</b>
<i>(Cost per burial 25 Yr Amortization =</i>	<i>(\$ 4,133.00)</i>
Current Operational Annual Cost =	\$ 263,240.00
Continued Maintenance of Existing Cemetery =	<u>\$ 55,350.00</u>
<b>Total Cost Acquisition &amp; Operations =</b>	<b>\$ 2,376,590.00</b>
<b>Cost per Burial =</b>	<b><u>\$ 4,772.00</u></b>

### III Outsource of Indigent Burial Service to Third Party

The preliminary cost estimate of over two million dollars in addition to annual operational costs make outsourcing of indigent burial services to a third party a viable option; especially considering the current economic condition. Outsourcing has been effectively utilized by other surrounding counties including Hays, Williamson and Bexar Counties who all outsource their burial services. A brief review of cost associated to outsource to existing public cemeteries is illustrated below:

\$ 1,750.00 per Burial site  
\$ 850.00 per Internment (Open & Close Grave)  
\$ 850.00 per Funeral Home Cost  
**\$ 3,450.00 Estimated Cost / Burial**

Depending on the cemetery that may become the vendor; a requirement to provide a burial vault to elevate grave subsidence after burial may be a required. The cost of vaults range between \$ 500.00 to \$ 700.00 installed.

\$ 3,450.00 Estimated Cost  
\$ 650.00 Avg Cost per Vault  
**\$ 4,400.00 Estimated Cost w/Vault**

This is a one time cost per burial with no additional maintenance cost required as perpetual maintenance of the burial site would be maintained by others. Most contract agreements include the actual burial lot cost at non-county owned cemetery with perpetual maintenance care included in the lot cost.

Maintenance at the current Travis County International Cemetery would however, still be required. Currently that cost is **\$ 55,350 annually**. This cost would only be for maintenance of the existing cemetery and not for future internments.

#### **Comparison of New Cemetery Acquisition & Outsource Burials**

\$ 4,772.00 Burial @ New Cemetery  
\$ 4,400.00 Estimated Cost for Outsourced Vendor w/Vault  
**\$ 372.00 Estimated Saving to Outsource Indigent Burials**

#### **IV Initiate Cremation as Alternate to Burial**

*HHS has Cremation Estimate from previous estimates*

#### **Other Options**

##### **Option “A”**

The possibility of acquiring smaller properties that are contiguous to the existing cemetery could extend the service term at the existing cemetery. This would allow for a brief extension of the transition timeframe to a more permanent solution. Review of vacant properties, adjacent to the cemetery, reveal (2) properties abutting the southeast corner and totaling about one and one half acres, if acquired, they could accommodate an additional 400 + burial lots, or two additional years at the current site. Given two (2) years existing within the

Review of the Travis Central Appraisal District (TCAD) printout and map indicates that the combined land value of these properties is \$ 62,706.00. Development cost of \$ 15,000.00 would be necessary to convert these unimproved vacant properties for cemetery service and would include grade surface preparation, survey, access improvements and fencing.

Acquisition Cost =	\$ 62,706.00	(for both properties)
<u>Development Cost =</u>	<u>\$ 15,000.00</u>	
<b>Total Cost =</b>	<b>\$ 77,706.00</b>	

##### **Option “B”**

In previous reviews of cemetery operations it was discovered that other local and state agencies had operated cemeteries for their own internal purpose. The availability of a joint venture with other groups (i.e. State Agencies (MHMR) / Federal Agencies, other counties, etc.) may exist and should be explored to determine feasibility.

Other Opportunities to provide this service may emerge as discussions are opened and the planning function begun. It would be prudent for all who are involved in the Indigent Burial process to explore every opportunity that may be presented.

#### **Recommended Actions**

*Strategy III is initially recommended*

#### **Immediate Objective**

#### **Intermediate Objectives**

## **Long Term Objectives**

### **Scheduled Implementation**

Identified as continuous effort during the program year with review cycles in FY11 & 12 and implementation staged as soon as possible. Recommended schedule:

<b>Immediate Objective</b>	<b>June 1, 2010</b>	<b>(Initial implementation)</b>
<b>Intermediate Objective</b>	<b>October 1, 2011</b>	<b>(Initial Implementation)</b>
<b>Term Objectives</b>	<b>Continues in FY12</b>	<b>(Complete Implementation With completion TBD)</b>

## **Summary**



**Bexar County Pauper Burial Program**  
**233 N. Pecos, Suite 590**  
**San Antonio, Texas 78207**  
**(210) 335-3666**

Effective June 1, 2009

The contractors for the Bexar County Pauper Burial Program are the following:

Funeral	Burial
M. E. Rodriguez Funeral Home	First Memorial Park Cemetery
511 Guadalupe St.	20567 State Hwy 16 South
San Antonio, Texas 78207	Von Ormy, TX 78073
(210) 226-6111	(210) 624-2840

The **next of kin must call** Bexar County at (210) 335-3666 to schedule an appointment for assistance. Once you have completed your application for assistance Bexar County can provide the following:

Funeral Services	Burial Services	Cremation
Retrieval of the body	All Adults are buried three to a plot	Retrieval of the body
Preparation of the body	All infants and children will be buried in single plots	Direct Cremation only – no viewing or services
Simple Casket	Opening and closing of the grave	Cremains can be given to the family
Viewing or services for up to 2 hours	Brief gravesite service allowed	Cremains can be placed in a plot
Body transported to the cemetery	Granite headstone provided	Granite headstone provided with plot

If a family wishes to have a religious service during the two hour viewing time, this is allowed. You must arrange for your own religious person to perform your services during your designated time.

The **next of kin** will be charged a \$21.00 Death Certificate fee payable to the contracted funeral home.

**All honorably discharged veterans or eligible spouses will be buried at Ft. Sam Houston National Cemetery when possible.**

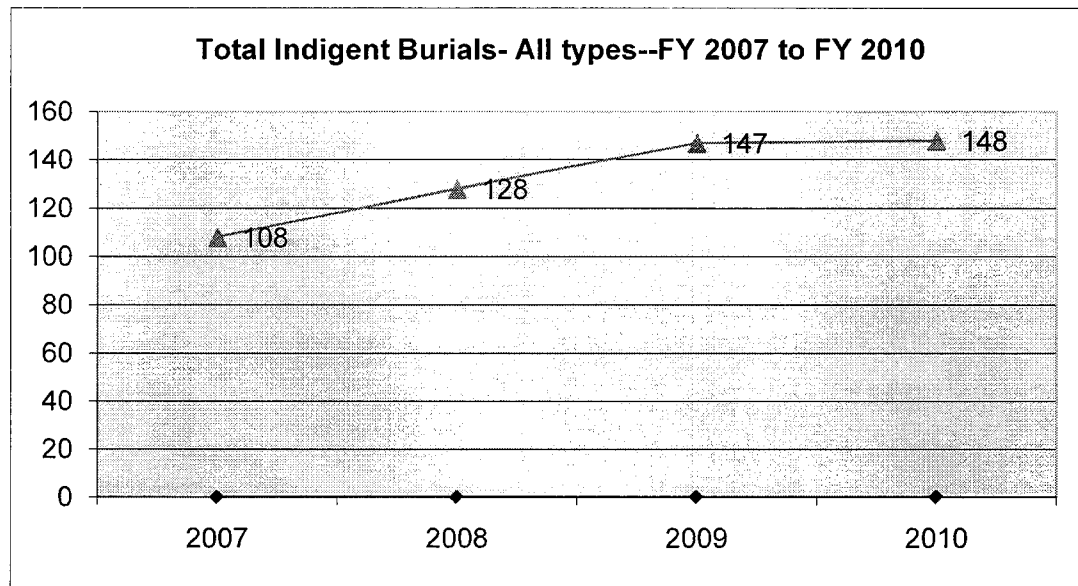
The Pauper Burial program provides a very simple and dignified service. The following services are **NOT** provided under this program:

<b>BEXAR COUNTY DOES NOT PROVIDE</b>	
Limousine or transportation for families	Flowers, prayer cards or guest books
Obituary	Viewing for cremations
Police escort	Urn for cremated remains
A Funeral Procession to the cemetery	Tent or chairs at cemetery

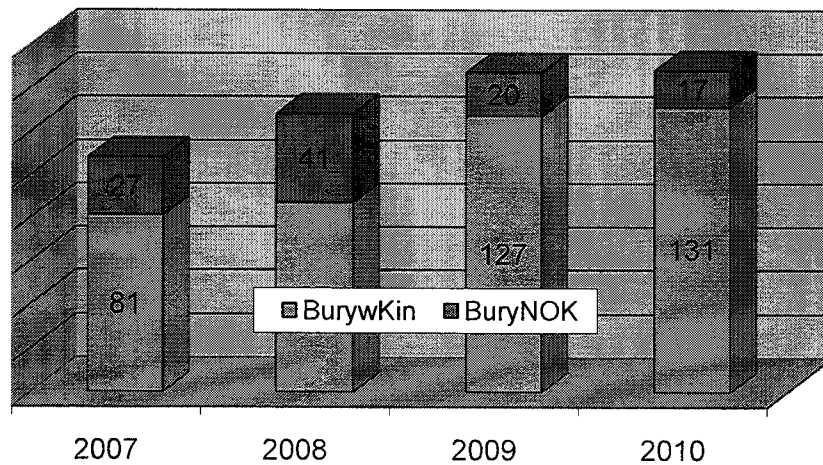


tblBurialsFY07thruFY10-Judy

FY	Type	Count	CountyExpenditure
2007	BURIAL	51	\$41,240.15
2007	BURYDEF	30	\$25,500.00
2007	BURYwKin	81	
2007	BURYNOK	27	\$22,950.00
2007	Total	108	
2008	BURIAL	51	\$44,100.00
2008	BURYDEF	36	\$29,700.00
2008	BURYwKin	87	
2008	BURYNOK	41	\$35,000.00
2008	Total	128	
2009	BURIAL	71	\$57,526.03
2009	BURYDEF	56	\$46,493.29
2009	BURYwKin	127	
2009	BURYNOK	20	\$16,550.00
2009	Total	147	
2010	BURIAL	74	\$62,150.00
2010	BURYDEF	57	\$48,450.00
2010	BURYwKin	131	
2010	BURYNOK	17	\$14,600.00
2010	Total	148	

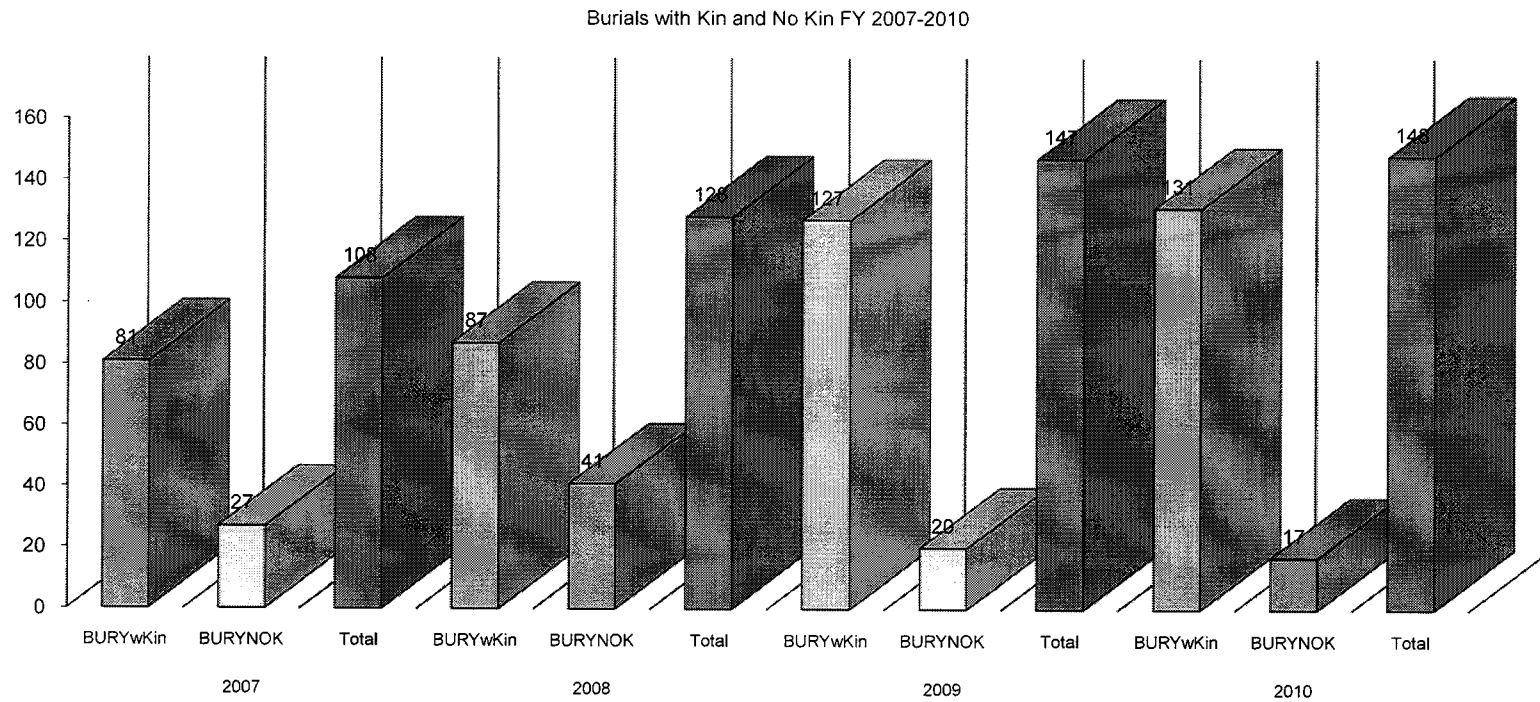


Burials with Kin and No Kin FY 2007-2010



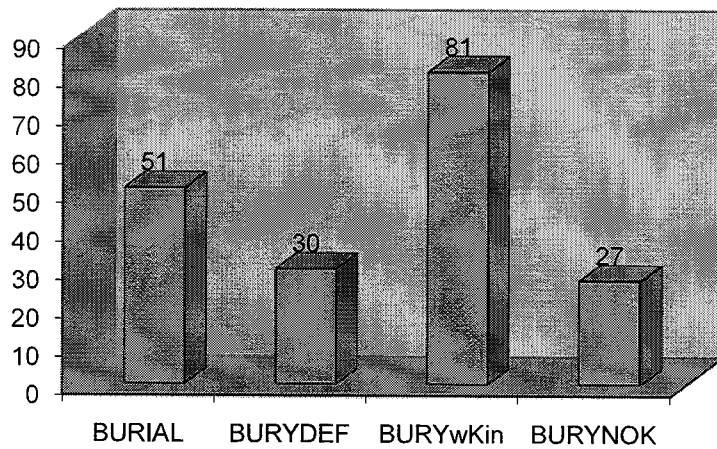
	2007	2008	2009	2010
BurywKin	81	87	127	131
BuryNOK	27	41	20	17
Total				

## tblBurialsFY07thruFY10-Judy

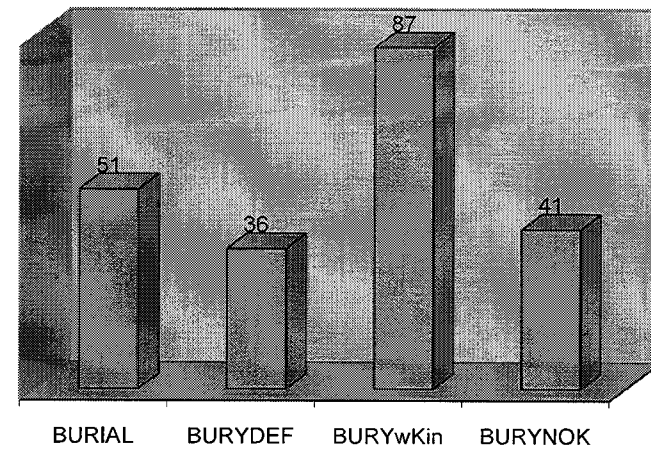


2007	BURYwKin	81
	BURYNOK	27
	Total	108
2008	BURYwKin	87
	BURYNOK	41
	Total	128
2009	BURYwKin	127
	BURYNOK	20
	Total	147
2010	BURYwKin	131
	BURYNOK	17
	Total	148

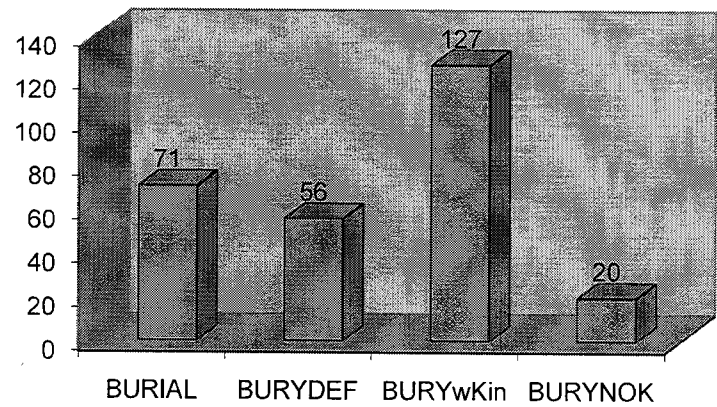
Indigent Burials - 2007



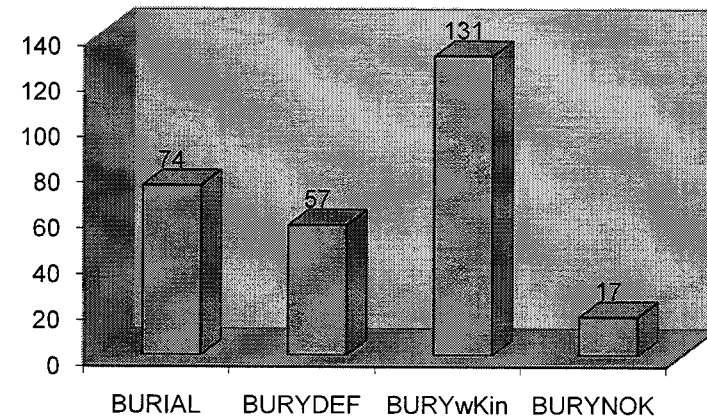
Indigent Burials - 2008



Indigent Burials - 2009



Indigent Burials - 2010



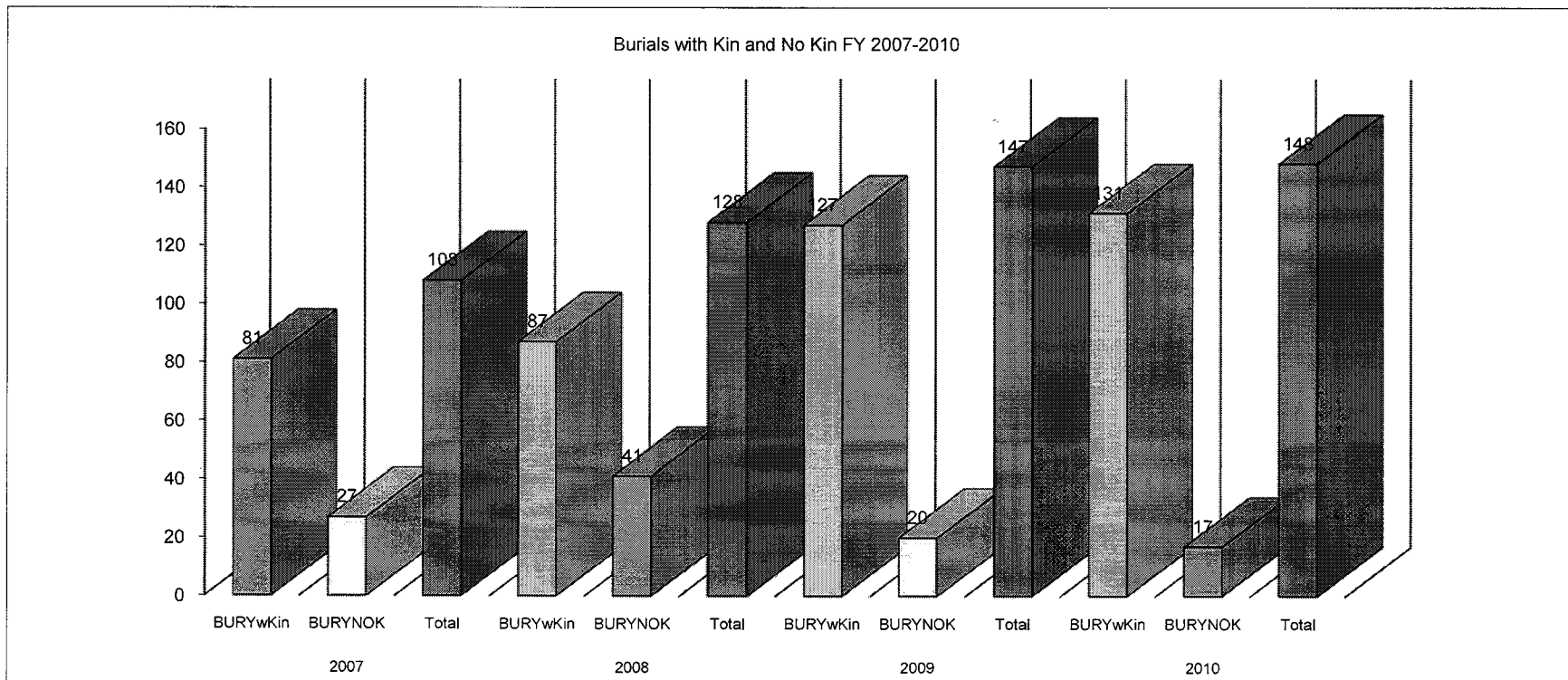
No Kin data shows substantial decrease after 2008.

Total Burials increased in 2009 and appear to still be level for 2010

Data shows substantial decrease of No next of Kin services after 2008.

Total Burials increased in 2009

Considering the FY10 budget year ends Sept. 30, 2010,  
this data shows total Burials have leveled off for FY2010



August 4, 2010

## Texas Indigent Burial & Cremation Program Survey Conducted by Tarrant County Department of Human Services

### Purpose of Survey

- Determine how counties across the state handle indigent burial and cremations
- Help Tarrant County make decisions about how we operate our current program
- Help inform county government decisions throughout the state

### Survey Methodology

- Survey instrument: 32 total questions; asked about administrative policies for burials and for cremations separately
- Email invitation to participate sent via email to 206 county judges on 11/13/09; Remaining 48 counties received paper invitation/survey via U.S. mail; Survey available online or in paper format
- 92 responses collected between 11/13/09 and 07/19/10; 36% response rate
- Respondents were asked to provide their county name and contact information
- On several questions, participants could choose more than one answer ("Check all that apply"). Results for these questions reflect percentages based on the number of counties that chose each option. These responses may total more than 100%.

### Respondents

County	2008 Population
Andrews County	13,645
Aransas County	24,900
Austin County	26,851
Bastrop County	73,491
Bell County	285,084
Borden County	593
Brazos County	175,122
Brooks County	7,549
Callahan County	13,533
Camp County	12,666
Carson County	6,251
Coke County	3,480
Collin County	762,010
Colorado County	20,734
Comal County	109,635
Crane County	4,017
Dallam County	6,267
Dallas County	2,492,850

Deaf Smith County	18,501
Denton County	636,557
Donley County	3,850
El Paso County	742,062
Falls County	16,900
Fannin County	33,229
Fort Bend County	556,810
Franklin County	11,001
Galveston County	288,239
Garza County	4,628
Glasscock County	1,212
Gregg County	117,528
Guadalupe County	117,172
Hall County	3,400
Hansford County	5,280
Hardeman County	3,984
Harris County	3,984,349
Hays County	149,476
Hockley County	22,205
Hood County	50,573

## Texas Indigent Burial &amp; Cremation Program Survey

August 4, 2010

Houston County	22,698
Howard County	32,537
Hunt County	82,805
Hutchinson County	21,512
Irion County	1,699
Jackson County	14,146
Jefferson County	243,090
Jim Wells County	41,069
Kaufman County	100,527
Kerr County	48,269
Kinney County	3,233
Lampasas County	21,197
Lavaca County	18,652
Limestone County	22,192
Loving County	42
Lubbock County	264,418
Marion County	10,544
Martin County	4,513
Matagorda County	37,265
McCulloch County	7,943
McLennan County	230,213
Midland County	129,494
Mitchell County	9,230
Montgomery County	429,953
Navarro County	49,456
Nueces County	322,077
Oldham County	2,062

Palo Pinto County	27,486
Panola County	23,084
Potter County	120,918
Randall County	114,546
Red River County	12,955
Roberts County	833
Rockwall County	77,633
Runnels County	10,273
Sabine County	10,062
San Jacinto County	24,882
San Patricio County	68,399
Schleicher County	2,819
Shelby County	26,529
Sherman County	2,930
Smith County	201,277
Somervell County	7,942
Starr County	62,249
Sterling County	1,257
Stonewall County	1,440
Swisher County	7,654
Tarrant County	1,750,091
Taylor County	126,791
Titus County	29,793
Tom Green County	107,864
Travis County	998,543
Wheeler County	4,772
Wood County	42,461

Source: Population Division, U.S. Census Bureau; Table 1: Annual Estimates of the Resident Population for Counties of Texas: April 1, 2000 to July 1, 2008 (CO-EST2008-01-48); Release Date: March 19, 2009

## Texas Indigent Burial &amp; Cremation Program Survey

August 4, 2010

County Population	Number	Percent
0-1,000	1	1%
1,001-5,000	18	20%
5,001-20,000	20	22%
20,001-100,000	26	28%
100,001-500,000	19	21%
500,001-1,000,000	5	5%
1,000,001-2,000,000	1	1%
2,000,001-4,000,000	2	2%

Total population of participating counties: 16,737,261 (69% of total Texas population)

Population Range: 42 – 3,984,349

91% were between 1,000 – 500,000

Number of Counties That...	Number	Percent
Fund a cremation AND/OR burial program	83	90.2%
Fund cremations	61	73.5%
Fund burials	56	68.3%

Has county considered offering ONLY cremations (no burials)?	Number	Percent
<i>Considered it &amp; now offer ONLY cremations (no burials)</i>	22	40.7%
<i>Currently considering dropping burials</i>	7	13.0%
<i>Considered dropping burials in the past but decided against it</i>	8	14.8%
<i>Never considered offering ONLY cremations</i>	13	24.1%
<i>Don't know</i>	4	7.4%

## Texas Indigent Burial &amp; Cremation Program Survey

August 4, 2010

## Findings: Costs

	Cremations		Burials	
	Number	Percent	Number	Percent
<i>County specifies maximum amount that can be paid</i>	49	84.5%	44	83.0%
<i>Approximate average cost for adult cremation or burial (funeral home only)</i>				
Under \$200	1	1.7%	4	7.8%
\$201 - \$500	21	36.2%	7	13.7%
\$501- \$750	21	36.2%	13	25.5%
\$751 – \$1,000	13	22.4%	16	31.4%
\$1,001 - \$1,250	0	0%	2	3.9%
\$1,251 - \$1,500	2	3.4%	8	15.7%
More than \$1,500	0	0%	1	2.0%

	Cremations		Burials	
	Number	Percent	Number	Percent
<i>Additional costs allowed for special services (death certificate fees, crash bags, etc.)</i>	17	26.1%	19	31.1%

	Cremations	Burials
	Number	Percent
<i>Maximum amount that can be paid</i>		
Range	\$300-\$1,000	\$100-\$1,870
Average	\$655	\$927
Median	\$600	\$950

## Findings: Administrative Policies

<b>3. Does your county currently fund a cremation AND/OR burial program for indigent residents?</b>		
Value	Count	Percent
Yes	83	90.2%
No	9	9.8%
<b>Total Responses:</b>	92	100.0%



4. Does your county currently fund cremations for indigent residents?		
Value	Count	Percent
Yes	61	73.5%
No	22	26.5%
Total Responses:	83	100.0%

5. Does your county designate a maximum amount that can be paid for each cremation? If yes, what is the maximum?		
Value	Count	Percent
No	8	13.8%
Yes	49	84.5%
Don't Know	1	1.7%
Total Responses:	58	100.0%

27 "Yes" responses specified amount: ranged from \$300 - \$1,000

Average \$ 655

Median \$ 600

*Comment: Yes-Interlocal agreement with UT Southwestern- When not used for the advancement of medical science - \$300 per cremation up to 250 pounds. Additional charge of \$1.00 per pound per each pound over \$250. Infant cremation payment based on vendor quotes through standard requisition and purchase order process.*

6. What is the approximate average cost your county authorizes for an adult cremation?		
Value	Count	Percent
Under \$200	1	1.7%
\$201-500	21	36.2%
\$501-\$750	21	36.2%
\$751-\$1,000	13	22.4%
\$1,251-\$1,500	2	3.4%
Total Responses:	58	100.0%

<b>7. Does your county allow any additional costs for special services? (Please check all that apply.)</b>		
<b>Value</b>	<b>Count</b>	<b>Percent</b>
No additional charges are allowed	48	82.8%
Death certificate fees	2	3.4%
Crash bags	3	5.2%
Charges based on size of the body	6	10.3%
Other (Please specify):	6	10.3%
<i>Amount is gross, regardless of what is spent on.</i>		
<i>the plot/lot, opening/closing of grave</i>		
<i>transportation of body to funeral home</i>		
<i>1 Death Certificate included in cost</i>		
<i>additional \$\$ for oversized caskets</i>		
<i>Refrigeration &amp; Storage of Remains</i>		
<b>Total Responses:</b>	<b>58</b>	

<b>8. Is any type of memorial service usually offered to families for cremations?</b>		
<b>Value</b>	<b>Count</b>	<b>Percent</b>
Yes	8	14.0%
No	29	50.9%
Sometimes (Decision is made at the discretion of funeral home unless there will be an additional cost to the county.)	14	24.6%
Don't Know	6	10.5%
<b>Total Responses:</b>	<b>57</b>	<b>100.0%</b>

*Comment: No-Families are provided information regarding cremains disposition location (memorial garden at UTSW and area within cemetery for infants.*

<b>9. Are family members permitted to receive the cremated remains?</b>		
<b>Value</b>	<b>Count</b>	<b>Percent</b>
<b>Yes</b>	35	61.4%
<b>No</b>	2	3.5%
<b>Sometimes (Decision is made at the discretion of funeral home unless there will be an additional cost to the county.)</b>	9	15.8%
<b>Don't Know</b>	11	19.3%
<b>Total Responses:</b>	57	100.0%

*Comment: No-unless family is located after body was considered unclaimed and disposition was made without prior family notification. Must be within 90 days of cremation or cremains will be interred in memorial garden.*

<b>10. How are the funeral homes selected in your county for cremations? (Please check all that apply)</b>		
<b>Value</b>	<b>Count</b>	<b>Percent</b>
<b>We regularly contract with only one funeral home</b>	15	26.3%
<b>We regularly contract with multiple funeral homes and a county employee chooses</b>	2	3.5%
<b>We regularly contract with multiple funeral homes and the choice is made using a rotation list</b>	9	15.8%
<b>We regularly contract with multiple funeral homes and the family chooses from that list</b>	6	10.5%
<b>Families choose any funeral home and the home completes an application for benefits</b>	14	24.6%
<b>Other (Please specify):</b>	13	22.8%
<i>Only have one in the county.</i>		
<i>The County bids out burials and cremations and awards the bid to one contractor who is required to provide everything. The bid does not specify "services." We do burials, not funerals.</i>		

## Texas Indigent Burial &amp; Cremation Program Survey

August 4, 2010

<i>If the deceased passes away in Bell County or is a resident of Bell County, we assist. They must meet certain qualifications, etc.</i>	
<i>Selection of funeral home is made by hospital, medical examiner, law enforcement, or others at the scene of death; depending on Funeral home with available transportation and/or county contract.</i>	
<i>Work with funeral home closest to family's residence.</i>	
<i>Currently contract with only one funeral home but will contract with more than one if all agree to the lowest offered pricing.</i>	
<i>Funeral homes are on a monthly rotation list with the police department or families can select the funeral home.</i>	
<i>Any home in county</i>	
<i>Funeral Home within Gregg County</i>	
<i>Families choose funeral home - then family completes application and returns it to County Judge for consideration.</i>	
<i>There is no formal contract with any funeral home, however, we work with any funeral home that agrees to our guidelines and charges.</i>	
<i>We contract with one funeral home but it is determined through bid process.</i>	
<i>Adults-Not performed through a funeral home. County has an interlocal agreement with UT Southwestern Medical Center to perform services. Infants-handled through standard requisition/purchase order process -- quotes obtained for potential vendors.</i>	
Total Responses:	57

## Texas Indigent Burial &amp; Cremation Program Survey

August 4, 2010

11. Has your county considered offering ONLY cremations (no burials)?		
Value	Count	Percent
We considered it and now offer only cremations (no burials)	22	40.7%
We are currently considering dropping burials	7	13.0%
We considered dropping burials in the past but decided against it	8	14.8%
We have never considered offering cremations only	13	24.1%
Don't Know	4	7.4%
<b>Total Responses:</b>	<b>54</b>	<b>100.0%</b>

*Comment: We considered it and now offer only cremations -  
- exception is oversized decedents (>600 lbs) and unidentified decedents.*

12. Does your county currently fund burials for indigent residents?		
Value	Count	Percent
Yes	56	68.3%
No	26	31.7%
<b>Total Responses:</b>	<b>82</b>	<b>100.0%</b>

*Comment: Yes-limited to oversize (>600 lbs) and unidentified decedents.*

13. Does your county designate a maximum amount that can be paid for each burial? If yes, what is the maximum?		
Value	Count	Percent
No	8	15.1%
Yes	44	83.0%
Don't Know	1	1.9%
<b>Total Responses:</b>	<b>53</b>	<b>100.0%</b>

28 "Yes" responses specified amount: ranged from \$100 - \$1,870

**Average** \$ 927

**Median** \$ 950

*Comment: No - based on standard purchasing process  
(quotes, requisition, purchase order issued.*

## Texas Indigent Burial &amp; Cremation Program Survey

August 4, 2010

<b>14. For adult burials, what is the approximate average cost your county authorizes for the FUNERAL HOME ONLY?</b>		
<b>Value</b>	<b>Count</b>	<b>Percent</b>
<b>Under \$200</b>	4	7.8%
<b>\$201-500</b>	7	13.7%
<b>\$501-\$750</b>	13	25.5%
<b>\$751-\$1,000</b>	16	31.4%
<b>\$1,001-\$1,250</b>	2	3.9%
<b>\$1,251-\$1,500</b>	8	15.7%
<b>More than \$1,500</b>	1	2.0%
<b>Total Responses:</b>	51	100.0%

<b>15. For adult burials, what is the approximate average cost your county authorizes for the CEMETERY ONLY?</b>		
<b>Value</b>	<b>Count</b>	<b>Percent</b>
<b>Under \$200</b>	12	38.7%
<b>\$201-500</b>	4	12.9%
<b>\$501-\$750</b>	8	25.8%
<b>\$751-\$1,000</b>	4	12.9%
<b>\$1,251-\$1,500</b>	3	9.7%
<b>Total Responses:</b>	31	100.0%

*Comment: We have all inclusive flat fee with the funeral home.*

<b>16. Does your county allow any additional costs for special services? (Please check all that apply.)</b>		
<b>Value</b>	<b>Count</b>	<b>Percent</b>
<b>No additional charges are allowed</b>	42	84.0%
<b>Death certificate fees</b>	2	4.0%
<b>Crash bags</b>	1	2.0%
<b>Concrete liners</b>	2	4.0%
<b>Oversize casket</b>	6	12.0%
<b>Other charges based on size of the body</b>	3	6.0%
<b>Other (Please specify):</b>	5	10.0%
<i>Our contracts are all inclusive.</i>		
<i>Opening and closing hardware</i>		
<i>transportation of body to funeral home</i>		
<i>Plot and Opening &amp; Closing of Grave</i>		
<i>Marker stones for grave-\$60 above cost allowed</i>		
<b>Total Responses:</b>	50	

## Texas Indigent Burial &amp; Cremation Program Survey

August 4, 2010

<b>17. What type(s) of containers are adult individuals buried in? (Please check all that apply.)</b>		
<b>Value</b>	<b>Count</b>	<b>Percent</b>
<b>Casket</b>	37	74.0%
<b>Body bag</b>	4	8.0%
<b>Other (Please specify):</b>	10	20.0%
<i>don't know</i>		
<i>Wooden coffin with a cloth-like covering known in the industry as a "Fuzzy."</i>		
<i>What funeral home does</i>		
<i>Up to funeral home</i>		
<i>unknown</i>		
<i>up to the family</i>		
<i>Left to funeral home to make decision</i>		
<i>unknown</i>		
<i>Simple wooden casket</i>		
<i>Urn</i>		
<b>Total Responses:</b>	50	

<b>18. Does your county allow multiple containers to be buried in a single grave space?</b>		
<b>Value</b>	<b>Count</b>	<b>Percent</b>
<b>Yes</b>	3	5.8%
<b>No</b>	35	67.3%
<b>Sometimes</b>	1	1.9%
<b>Don't Know</b>	13	25.0%
<b>Total Responses:</b>	52	100.0%

<b>19. Is any type of chapel or prayer service at the funeral home usually offered to families for burials?</b>		
<b>Value</b>	<b>Count</b>	<b>Percent</b>
<b>Yes</b>	2	3.8%
<b>No</b>	23	43.4%
<b>Sometimes (Decision is made at the discretion of funeral home unless there will be an additional cost to the county.)</b>	24	45.3%
<b>Don't Know</b>	4	7.5%
<b>Total Responses:</b>	53	100.0%

<b>20. Is any type of graveside service offered to families?</b>		
<b>Value</b>	<b>Count</b>	<b>Percent</b>
<b>Yes</b>	17	31.5%
<b>No</b>	17	31.5%
<b>Sometimes (Decision is made at the discretion of funeral home unless there will be an additional cost to the county.)</b>	16	29.6%
<b>Don't Know</b>	4	7.4%
<b>Total Responses:</b>	54	100.0%

<b>21. Are family members permitted to attend the burial?</b>		
<b>Value</b>	<b>Count</b>	<b>Percent</b>
<b>Yes</b>	36	69.2%
<b>No</b>	4	7.7%
<b>Sometimes (Decision is made at the discretion of funeral home unless there will be an additional cost to the county)</b>	7	13.5%
<b>Don't Know</b>	5	9.6%
<b>Total Responses:</b>	52	100.0%

*Comment: Because there is no funeral director involvement in our direct burials, we have been advised that no service can be held (legal reason).*

<b>22. Are open casket viewings offered to families?</b>		
<b>Value</b>	<b>Count</b>	<b>Percent</b>
<b>Yes</b>	8	15.1%
<b>No</b>	17	32.1%
<b>Sometimes (Decision is made at the discretion of funeral home unless there will be an additional cost to the county.)</b>	17	32.1%
<b>Don't Know</b>	11	20.8%
<b>Total Responses:</b>	53	100.0%

*Comment: No, no casket and no body preparation performed.*



## Texas Indigent Burial &amp; Cremation Program Survey

August 4, 2010

<b>23. How are the funeral homes selected in your county for burials? (Please check all that apply)</b>		
<b>Value</b>	<b>Count</b>	<b>Percent</b>
<b>We regularly contract with only one funeral home</b>	17	32.7%
<b>We regularly contract with multiple funeral homes and a county employee chooses</b>	3	5.8%
<b>We regularly contract with multiple funeral homes and the choice is made using a rotation list</b>	6	11.5%
<b>We regularly contract with multiple funeral homes and the family chooses</b>	7	13.5%
<b>Families choose a funeral home and the home completes an application for benefits</b>	13	25.0%
<b>Other (Please specify):</b>	10	19.2%
<i>We only have one.</i>		
<i>The County bids out burials and cremations and awards the bid to one contractor who is required to provide everything. The bid does not specify "services." We do burials, not funerals. Depending on the contractor "words" might be said over the grave site, but typically this occurs with or without family. Burials are about who we are not about who the buried is.</i>		
<i>Only 1 funeral home generally is willing to assist with pauper burials.</i>		
<i>Funeral homes are on a monthly rotation list with the police department or the family can select the funeral home.</i>		
<i>In county</i>		
<i>Funeral homes located in Gregg County that will accept the county amount of funds.</i>		
<i>Whoever is called - usually the nearest funeral home.</i>		
<i>We do not have a written contract with any funeral home, however, we work with any funeral home that agrees with our guidelines and charges.</i>		
<i>We contract with one funeral home but it is determined through bid process.</i>		
<i>No funeral home involvement.</i>		
<b>Total Responses:</b>	<b>52</b>	

<b>24. What are the income eligibility requirements for the cremation and/or burial program in your county? (Please check all that apply.)</b>		
<b>Value</b>	<b>Count</b>	<b>Percent</b>
<b>Decedent does not have enough liquid assets to cover the cost of the service</b>	35	44.9%
<b>Decedent's family does not have enough liquid assets to cover the cost of the service</b>	37	47.4%
<b>Decedent's family income must be at or below specific income guidelines</b>	15	19.2%
<b>Other (Please specify):</b>	17	21.8%
<i>We have not paid for a single cremation in a number of years. We offer the option of donating the body to science with remains returned from the medical school. Most people accept that option or come up with funding on their own.</i>		
<i>Technically, counties are responsible for burying folks who won't otherwise be buried. Income is the usual reason this occurs, but if the family refuses burial the county gets to do the job.</i>		
<i>Decedent has no family members to claim the body. If there are any family members who claim the body, we follow the state law that says those family members are responsible for disposal of the remains.</i>		
<i>If the decedent has no family members</i>		
<i>Decedent and/or family must have NO liquid assets to cover the costs of service. Consideration for funding on a case-by-case basis by County Judge only.</i>		
<i>Screening by funeral home director.</i>		
<i>Pauper Only.</i>		
<i>The funeral home we contract with determines if the family is indigent for us.</i>		
<i>Policy in place based on statute</i>		
<i>If a person has no assets and no family then they qualify.</i>		
<i>Currently this criteria in process of being changed to add Decedent's family income.</i>		
<i>Decedent AND all Decedent's family members do not have enough liquid assets to cover the cost of the service.</i>		
<i>Mainly based on discussion with funeral director by family.</i>		
<i>Decedent must meet indigent requirements (less than \$500 in total assets) and there must not be any relatives with the ability to pay for services.</i>		

## Texas Indigent Burial &amp; Cremation Program Survey

August 4, 2010

<i>The deceased nor any person responsible for the deceased has any assets such as money, bank accounts, investments, insurance, property or any such assets, i.e., auto, social security for burial.</i>	
<i>"Pauper burials are approved on a case by case basis when a family can show no means of burying the deceased. The family cannot have any assets or resources that can be liquidated or any insurance policy on the deceased that covers burial."</i>	
<i>Decedent is unclaimed (no family located or family refuses to claim the body) or family self-reports insufficient resources to provide for disposition of the body.</i>	
<b>Total Responses:</b>	78

<b>25. How does your county usually receive requests for cremation and/or burial program benefits? (Please check all that apply.)</b>		
<b>Value</b>	<b>Count</b>	<b>Percent</b>
<b>Family members</b>	35	46.1%
<b>Funeral homes</b>	62	81.6%
<b>Medical Examiner's Office</b>	8	10.5%
<b>Nursing homes/hospitals</b>	16	21.1%
<b>Other (Please specify):</b>	6	7.9%
<i>All of the above. Mostly family members, followed by Funeral Homes and Medical Examiner. Nursing homes lesser so.</i>		
<i>citizens in the community</i>		
<i>caretakers of indigent persons</i>		
<i>Hospitals, Law Enforcement, Funeral Home or JP usually</i>		
<i>Have received requests from all of the above.</i>		
<i>Home Health Care Provides Hospices Community Agencies</i>		
<b>Total Responses:</b>	76	

<b>26. What family members are recognized as an "authorized" party to approve burial or cremation? (Check all that apply.)</b>		
<b>Value</b>	<b>Count</b>	<b>Percent</b>
<b>Spouse</b>	35	45.5%
<b>Adult child</b>	33	42.9%
<b>Parent</b>	33	42.9%
<b>Friend</b>	7	9.1%
<b>Those allowed by statute</b>	57	74.0%
<b>Other (Please specify):</b>	12	15.6%
<i>Funeral home if no one comes forward.</i>		
<i>Friends if family can't be found.</i>		
<i>Any relative</i>		
<i>We only offer to assist if there are no family members so the request usually comes from the nursing home or someone else in the community</i>		
<i>Caretakers of indigent persons</i>		
<i>A friend only on the rare occasion that there are not family members and only burial no cremation</i>		
<i>Application is made by the party at the Funeral Home. The Funeral Home then submits an affidavit for reimbursement to the County.</i>		
<i>McLennan County</i>		
<i>I sign as county judge</i>		
<i>See #24.</i>		
<i>We don't get involved in decisions regarding burial or cremation - don't know.</i>		
<i>It is a case by case process. The closest living relative may make the decision or if there is no living relative, we have allowed a friend to authorize cremation.</i>		
<b>Total Responses:</b>	<b>77</b>	

<b>27. Are family members required to complete a formal application?</b>		
<b>Value</b>	<b>Count</b>	<b>Percent</b>
<b>Yes</b>	46	60.5%
<b>No</b>	24	31.6%
<b>Don't Know</b>	6	7.9%
<b>Total Responses:</b>	<b>76</b>	<b>100.0%</b>

*Comment: No-if family is known to us, they are **asked** to complete a form designating the decedent as unclaimed or "pauper".*

<b>28. Are family members or outside groups allowed to purchase special services once burial/cremation has been approved for payment? (For example, special caskets, chapel service, limousine, graveside amenities, etc.)</b>		
<b>Value</b>	<b>Count</b>	<b>Percent</b>
<b>Yes</b>	5	6.6%
<b>No, any money available must first be used to reimburse the county for burial/cremation expenses</b>	61	80.3%
<b>Don't know</b>	10	13.2%
<b>Total Responses:</b>	76	100.0%

<b>29. Does your county currently maintain a data summary of burial/cremation expenses?</b>		
<b>Value</b>	<b>Count</b>	<b>Percent</b>
<b>Yes</b>	42	54.5%
<b>No</b>	28	36.4%
<b>Don't know</b>	7	9.1%
<b>Total Responses:</b>	77	100.0%

*Comment: No-These costs are tracked within a line item in the Office of the Medical Examiner budget. The Commissioners Court is briefed annually regarding various aspects of the program, including volume and cost data.*

<b>30. Is your burial/cremation program governed by formal Commissioners Court policies?</b>		
<b>Value</b>	<b>Count</b>	<b>Percent</b>
<b>Yes</b>	58	72.5%
<b>No</b>	18	22.5%
<b>Don't Know</b>	4	5.0%
<b>Total Responses:</b>	80	100.0%



## **Travis County Commissioners Court Agenda Request**

Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: Robert Resnick, County Clerk's Office, 512-854-4722

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

Sponsors: Judge Biscoe

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### **AGENDA LANGUAGE:**

Approve the Commissioners Court Minutes for the Voting Session of February 8, 2011.

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### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

n/a

### **STAFF RECOMMENDATIONS:**

Enter Staff Recommendations here

### **ISSUES AND OPPORTUNITIES:**

Enter Issues and Opportunities here

### **FISCAL IMPACT AND SOURCE OF FUNDING:**

n/a

### **REQUIRED AUTHORIZATIONS:**

County Judge's Office  
Commissioners Court

Cheryl Aker  
Cheryl Aker

Pending  
Pending



# Minutes for the Travis County Commissioners Court Tuesday, February 8, 2011 Voting Session

Minutes Prepared by the Travis County Clerk  
512-854-4722 • [www.co.travis.tx.us](http://www.co.travis.tx.us) • PO Box 149325, Austin, TX 78714-9325

## Roll Call

Meeting called to order on February 8, 2011 in the Ned Granger Building, Commissioners Courtroom, 1st Floor, 314 W. 11th St., Austin, TX. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

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

## Citizens Communication

Members of the Court heard from:  
Ronnie Gjemre, Travis County Resident  
Gus Peña, Travis County Resident  
Dr. John K. Kim, Travis County Resident  
Morris Priest, Travis County Resident

## Special Items

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

Members of the Court heard from:  
Hershel Lee, Travis County Fire Marshal

**MOTION:** Approve an order prohibiting outdoor burning in the unincorporated areas of Travis County. This order will be in place for 30 days.  
**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Samuel T. Biscoe, Judge  
**SECONDER:** Ron Davis, Commissioner  
**AYES:** Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Karen L. Huber  
**ABSENT:** Margaret J. Gómez

## Planning and Budget Dept. Items

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

**RESULT:** **ADDED TO CONSENT**

3. Consider and take appropriate on appointment or reappointment of County member to the Waller Creek Tax Increment Financing Board.

*Clerk's Note: The Court noted that Rodney Rhoades, Executive Manager, Planning and Budget Office (PBO) will continue to serve as the appointee, with Leroy Nellis, Budget Manager, PBO as the alternate.*

**RESULT:           ADDED TO CONSENT**

#### **Administrative Operations Items**

4. 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 \$564,906.99 for the period of January 21 to January 27, 2011.

**RESULT:           ADDED TO CONSENT**

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

**RESULT:           ADDED TO CONSENT**

#### **Justice and Public Safety Items**

6. Consider and take appropriate action regarding a proposed reallocation of funding and restructuring of the Commitment to Change Program administered by the Counseling and Education Services Department.

**RESULT:           PULLED**

#### **Purchasing Office Items**

7. Approve Modification No. 3 to Contract No. CM100144GM, Tempset Controls, Inc., for upgrades to the HVAC Controls Systems.

**RESULT:           ADDED TO CONSENT**

8. Approve Contract Award for relief pharmacist services to Linda Tusluk, R. Ph.

**RESULT:           ADDED TO CONSENT**

9. Consider and take appropriate action on recommended list of three finalists responding to Request for Services for consulting services related to redistricting, S110035-EC, and request to authorize the Travis County Purchasing Agent to conduct interviews and begin negotiations.

Members of the Court heard from:

Cyd Grimes, Purchasing Agent

Deece Eckstein, Intergovernmental Relations Officer

**MOTION:**           The Court will interview the top three candidates.

**A Clarification of the Previous Motion** was made by Judge Biscoe that the top three candidates are:

- Bickerstaff Heath Delgado Acosta LLP
- Training and Assessment Professionals
- Rolando L. Rios & Associates PLLC

**RESULT:           APPROVED [UNANIMOUS]**

**MOVER:**           Ron Davis, Commissioner

**SECONDER:**       Margaret J. Gómez, Commissioner

**AYES:**           Biscoe, Davis, Eckhardt, Huber, Gómez





## Health and Human Services Dept. Items

15. Consider and take appropriate action on the following matters related to the Travis County Healthcare District Board of Managers:
  - a. Short list for interviews to fill current County-appointed vacancy;
  - b. Proposed questions for interviews with candidates; and
  - c. Interview schedule, and other related issues.

Members of the Court heard from:

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

**RESULT: DISCUSSED**

**Reset for: 2/15/2011**

16. Consider and take appropriate action on request to spend \$1,800 in Community Development Block Grant Funds to train local permanent supportive housing providers on affirmatively supporting fair housing in Travis County in February, 2011.

**RESULT: ADDED TO CONSENT**

## Other Items

17. Consider and take appropriate action on legislative matters, including:
  - a. Update on legislative activities;
  - b. Additions to the priorities, policy positions, and the positions on other proposals sections of the Travis County legislative agenda; and
  - c. Resolution in support of House Joint Resolution 64, proposing a constitutional amendment limiting the uses of revenue from motor vehicle registration fees, taxes on motor fuels and lubricants, and certain revenue received from the Federal Government..

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer  
Morris Priest, Travis County Resident

**MOTION:** Support the House Joint Resolution 64.

**RESULT:** **APPROVED [UNANIMOUS]**

**MOVER:** Sarah Eckhardt, Commissioner

**SECONDER:** Karen L. Huber, Commissioner

**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

18. Consider and take appropriate action regarding invitation to certain Chinese officials to visit Travis County.

Members of the Court heard from:

John Hille, Assistant County Attorney

**MOTION:** Authorize the County Judge to add extra information to the letter and circulate to the Court members for signatures. If a Court member wishes to change the content of the letter the item will be posted to the next Agenda for discussion.

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

19. Consider and take appropriate action on the proposal to amend the County's Economic Development Program Policy to include an initiative by the County to utilize incentives to solicit and attract businesses that would provide job opportunities for low-income individuals who are currently unemployed or underemployed. (Commissioners Davis and Eckhardt)

Members of the Court heard from:

John Hille, Assistant County Attorney  
Mary Etta Gerhardt, Assistant County Attorney  
Rodney Rhoades, Executive Manager, Planning and Budget Office (PBO)

*Clerk's Note: The Court noted that there will be a work session regarding this topic on March 3, 2011.*

**RESULT:**           **DISCUSSED**

20. Consider and take appropriate action on request to reappoint Margie Stewart Alford to serve on Travis County Historical Commission, effective immediately through January 31, 2013. (Commissioner Eckhardt)

**RESULT:**           **ADDED TO CONSENT**

21. Consider and take appropriate action on request to reappoint May Schmidt to serve on Travis County Historical Commission, effective immediately through January 31, 2013. (Commissioner Eckhardt)

**RESULT:**           **ADDED TO CONSENT**

22. Consider and take appropriate action on request to reappoint Rosemary Morrow to serve on Travis County Historical Commission, effective immediately through January 31, 2013. (Commissioner Eckhardt)

**RESULT:**           **ADDED TO CONSENT**

23. Consider and take appropriate action on request to reappoint Nora Jackson to serve on Travis County Historical Commission, effective immediately through January 31, 2013. (Commissioner Eckhardt)

**RESULT:**           **ADDED TO CONSENT**

24. Consider and take appropriate action on request to appoint Laraine Lasdon to serve on Travis County Historical Commission, effective immediately through January 31, 2013. (Commissioner Eckhardt)

**RESULT:**           **ADDED TO CONSENT**

### **Executive Session Items**

The Commissioners Court will consider the following items in Executive Session. The Commissioners Court may also consider any other matter posted on the agenda if there are issues that require consideration in Executive Session and the Commissioners Court announces that the item will be considered during Executive Session.

*Note 1: Gov't Code Ann 551.071, Consultation with Attorney*

*Note 2: Gov't Code Ann 551.072, Real Property*

*Note 3: Gov't Code Ann 551.074, Personnel Matters*

*Note 4: Gov't Code Ann 551.076, Security*

*Note 5: Gov't Code Ann 551.087, Economic Development Negotiations*

25. Consider and take appropriate action regarding potential acquisition of open space land located in Precinct Three. (Commissioner Huber) <sup>1 and 2</sup>

*Judge Biscoe announced that Item 25 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.*

**RESULT: DISCUSSED**

**Reset for: 2/15/2011**

26. Consider and take appropriate action regarding proposal for downtown office building by D2000, a turn key development company. <sup>1 and 2</sup>

*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.*

**RESULT: POSTPONED**

27. Receive briefing and take appropriate action regarding the following lease agreements at 700 Lavaca:

a. West Corporation d/b/a Intrado, Inc.; and

b. James L. Arth, Catherine A. Mauzy, Catherine Benouis, Friday, Friday & Kazen LLP. <sup>1 and 2</sup>

*Judge Biscoe announced that Items 27.a-b would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.*

**RESULT: POSTPONED**

**Reset for: 2/15/2011**

28. Receive legal briefing and take appropriate action on settlement offer regarding appeal from Travis County Grievance Panel decision in Sergio Flores v. Constable Richard McCain, Precinct Three, pursuant to Travis County Code Section 9.257(k). <sup>1 and 3</sup>

*Judge Biscoe announced that Item 28 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.074, Personnel Matters.*

Members of the Court heard from:

John Hille, Assistant County Attorney

**MOTION:** Accept the offer by Mr. Flores' attorney and move forward with negotiations through the County Attorneys Office for a final settlement and release, and authorize the County Judge to sign the settlement on behalf of the Commissioners Court.

**RESULT: APPROVED [UNANIMOUS]**

**MOVER:** Sarah Eckhardt, Commissioner

**SECONDER:** Ron Davis, Commissioner

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

**ABSENT:** Karen L. Huber

## Consent Items

Members of the Court heard from:

Ronnie Gjemre, Travis County Resident

**MOTION:** Approve the following Consent Items: C1–C3 and Agenda Items 2, 3, 4, 5, 7, 8, 10, 12, 16, 20, 21, 22, 23, and 24.

**RESULT:** **ADOPTED [UNANIMOUS]**

**MOVER:** Ron Davis, Commissioner

**SECONDER:** Karen L. Huber, Commissioner

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

**ABSENT:** Margaret J. Gómez

C1. Receive bids from County Purchasing Agent.

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

C3. Approve setting a Public Hearing date for February 22, 2011 to receive comments regarding a request to temporarily close Boyce Lane in Precinct One for bridge maintenance beginning March 14, 2011 and continuing through April 15, 2011 or until construction is completed.  
(Commissioner Davis)

## Minutes approved by the Commissioners Court

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Date of Approval

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Samuel T. Biscoe, Travis County Judge



## **Travis County Commissioners Court Agenda Request**

Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: Gillian Porter, County Clerk's Office, 512-854-4722

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

Sponsors: Judge Biscoe

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### **AGENDA LANGUAGE:**

Approve the Commissioners Court Minutes for the Voting Session of February 15, 2011.

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### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

na

na

### **FISCAL IMPACT AND SOURCE OF FUNDING:**

na

### **REQUIRED AUTHORIZATIONS:**

County Judge's Office  
Commissioners Court

Cheryl Aker  
Cheryl Aker

Pending  
Pending



# Minutes for the Travis County Commissioners Court Tuesday, February 15, 2011 Voting Session

Minutes Prepared by the Travis County Clerk  
512-854-4722 • [www.co.travis.tx.us](http://www.co.travis.tx.us) • PO Box 149325, Austin, TX 78714-9325

## Roll Call

Meeting called to order on February 15, 2011 in the Ned Granger Building, Commissioners Courtroom, 1st Floor, 314 W. 11th St., Austin, TX. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

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

## Public Hearings

1. Receive input related to the Community Development Block Grant available from HUD regarding the community needs and project ideas for the unincorporated areas of Travis County for Program Year 2011 and funding priorities for Program Years 2011-2013.

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

Members of the Court heard from:

Christy Moffett, Social Services Manager, Travis County Health and Human Services (TCHHS)  
Dr. John K. Kim, Travis County Resident  
Aleithia Artemis, Travis County Resident

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

## Citizens Communication

Members of the Court heard from:

Gus Peña, Travis County Resident  
Paul Aviña, Travis County Resident  
Richard Victorin, Audits in the Publics Interest  
Aleithia Artemis, Travis County Resident  
Morris Priest, Travis County Resident

Dr. John K. Kim, Travis County Resident  
Steven Turner, Travis County Resident  
Ronnie Gjemre, Travis County Resident

*Clerk's Note: Commissioner Davis requested a moment of silence for the loss of Eric Mitchell, former City Council Member and for the County Judge and his family on their recent loss. Commissioner Davis also added a prayer for a speedy recovery for Gary Cobb of the District Attorney's Office.*

### Special Items

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

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

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

### Proclamations and Resolutions

3. Approve Proclamation celebrating the 135th year of providing higher education at Huston Tillotson University.

Members of the Court heard from:  
Marvin Douglas, Huston-Tillotson University  
Kurt Childredge, Huston-Tillotson University  
Juliette Nias, Huston-Tillotson University

**MOTION:** Approve the Resolution in Item 3.  
**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Samuel T. Biscoe, Judge  
**SECONDER:** Margaret J. Gómez, Commissioner  
**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

### Administrative Operations Items

4. 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 \$957,377.67 for the period of January 28 to February 3, 2011.

**RESULT:** **ADDED TO CONSENT**





## Transportations and Natural Resources Dept. Items

13. Consider and take appropriate action to allocate additional Local Initiative Program grant funds to the Counterfeit Motor Vehicle Inspection Program to identify vehicles that have counterfeit state inspection certificates.

*Items 13 and A1 are associated with one another and were called for concurrent discussion.*

Members of the Court heard from:

Adele Noel, Air Quality Project Manager, Transportation and Natural Resources (TNR)  
Jon White, Natural Resources Program Manager, TNR  
Aleithia Artemis, Travis County Resident

**MOTION:** Approve Items 13 and A1.  
**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Sarah Eckhardt, Commissioner  
**SECONDER:** Margaret J. Gómez, Commissioner  
**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

14. Consider and take appropriate action on an exemption from platting requirements for The Courtyards at Lakeway Condominium Project – Six (6) single-family detached units (0.8265 acres, Hummingbird Lane). (Commissioner Huber)

**RESULT:** **ADDED TO CONSENT**

15. Consider and take appropriate action on a proposal to create a Joint Task Force to address bicycle safety on Travis County roads in the unincorporated areas. (Commissioner Eckhardt)

Members of the Court heard from:

Steve Manilla, Executive Manager, TNR  
Joe Gieselman, Travis County Resident  
Annick Beaudet, Bike Program Manager, City of Austin

**RESULT:** **DISCUSSED** **Reset for: 3/8/2011**

16. Consider and take appropriate action regarding the appointment of a Groundwater Availability Stakeholder Committee including:

- a. Extension of application deadline;

Members of the Court heard from:

Anna Bowlin, Program Manager, Planning and Engineering, TNR  
Steve Manilla, Executive Manager, TNR

**MOTION:** Extend the deadline to Friday, February 18, 2011, at 12:00 PM.  
**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Samuel T. Biscoe, Judge  
**SECONDER:** Karen L. Huber, Commissioner  
**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

- b. Expansion of Rancher category to “Rancher/Agriculture” for western Travis County; and

**MOTION:** Approve Item 16.b.  
**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Karen L. Huber, Commissioner  
**SECONDER:** Samuel T. Biscoe, Judge  
**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

- c. Other related issues.

**RESULT: DISCUSSED**

- 17. Consider and take appropriate action on the following:

- a. Amendment to Chapter 82 to require notification regarding Travis County's limited land use authority on the cover sheet of plats; and
- b. Amendment to Title 30 to add section 30-2-87 to require notification regarding Travis County's limited land use authority on the cover sheet of plats. (Commissioner Davis)

Members of the Court heard from:

Anna Bowlin, Program Manager, Planning and Engineering, TNR  
Steve Manilla, Executive Manager, TNR  
Hank Smith, President, Home Builders Association (HBA)

**RESULT: DISCUSSED**

**Reset for: 2/22/2011**

#### **Health and Human Services Dept. Items**

- 18. Consider and take appropriate action on the following matters related to the Travis County Healthcare District Board of Managers:

- a. Short list for interviews to fill current County-appointed vacancy;

Members of the Court heard from:

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

**MOTION:** Approve the short list of applicants in Item 18.a.  
**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Karen L. Huber, Commissioner  
**SECONDER:** Sarah Eckhardt, Commissioner  
**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

- b. Proposed questions for interviews with candidates; and

**MOTION:** Approve the list of questions in Item 18.b.  
**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Sarah Eckhardt, Commissioner  
**SECONDER:** Karen L. Huber, Commissioner  
**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

- c. Interview schedule and other related issues.

Members of the Court heard from:

David Escamilla, Travis County Attorney

**RESULT: DISCUSSED**

*Clerk's Note: The Court noted that the interviews will be held on Thursday, March 10, 2011, at 1:00 PM in the Commissioners Courtroom.*

19. Consider and take appropriate action on the following related to the Environmental Review for the Gilbert Lane Land Acquisition for Affordable Housing Development Project funded by Community Development Block Grant Funds through HUD:

- a. Receive comments provided during the public comment period;

Members of the Court heard from:

Christy Moffett, Social Services Manager, TCHHS

**RESULT: DISCUSSED**

- b. Certify the results of the environmental review; and  
c. Authorize submission to the HUD San Antonio Field Office, Region VI.

Members of the Court heard from:

Christy Moffett, Social Services Manager, TCHHS

Aleithia Artemis, Travis County Resident

**MOTION:** Approve Items 19.b–c.

**RESULT: APPROVED [UNANIMOUS]**

**MOVER:** Samuel T. Biscoe, Judge

**SECONDER:** Margaret J. Gómez, Commissioner

**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

#### Planning and Budget Dept. Items

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

*Clerk's Note: The Court noted a correction to the Lake Travis Economic Study line item A1 from 001-4901-621-4007 to 001-4913-631-4007.*

**RESULT: ADDED TO CONSENT**

#### Other Items

21. Consider and take appropriate action on legislative matters, including:

- a. Update on legislative activities; and  
b. Additions to the priorities, policy positions, and the positions on other proposal sections of the Travis County legislative agenda.

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer

John Hille, Assistant County Attorney

**MOTION:** Support the four bills (HB 450, SB 238, SB 302 and SB 447) regarding prohibiting a property owners' association from imposing or enforcing restrictions against solar energy devices.

**RESULT: APPROVED [UNANIMOUS]**

**MOVER:** Ron Davis, Commissioner

**SECONDER:** Sarah Eckhardt, Commissioner

**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

**MOTION:** Direct Staff to review HB2585 to see how it fits into Travis County's legislative policy positions and priorities, starting with the drafting process.  
**RESULT:** **APPROVED [4 TO 0]**  
**MOVER:** Ron Davis, Commissioner  
**SECONDER:** Karen L. Huber, Commissioner  
**AYES:** Ron Davis, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez  
**ABSTAIN:** Samuel T. Biscoe

22. Consider and take appropriate action on Resolution regarding decision by Lower Colorado River Authority to sell water and wastewater utilities.

Members of the Court heard from:

Tom Weber, Environmental Quality Program Manager, TNR  
Ronnie Gjemre, Travis County Resident  
Dennis Daniel, Manager, LCRA  
Roland Peña, LCRA

**MOTION:** Approve the Resolution in Item 22.  
**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Karen L. Huber, Commissioner  
**SECONDER:** Margaret J. Gómez, Commissioner  
**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

### Executive Session Items

The Commissioners Court will consider the following items in Executive Session. The Commissioners Court may also consider any other matter posted on the agenda if there are issues that require consideration in Executive Session and the Commissioners Court announces that the item will be considered during Executive Session.

*Note 1: Gov't Code Ann 551.071, Consultation with Attorney*

*Note 2: Gov't Code Ann 551.072, Real Property*

*Note 3: Gov't Code Ann 551.074, Personnel Matters*

*Note 4: Gov't Code Ann 551.076, Security*

*Note 5: Gov't Code Ann 551.087, Economic Development Negotiations*

23. Receive briefing from County Attorney's Office regarding public/private partnerships and other alternative funding mechanisms available to the County under its existing authority. <sup>1</sup>

*Judge Biscoe announced that Item 23 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.*

**RESULT:** **DISCUSSED**

24. Consider and take appropriate action regarding potential acquisition of open space land. <sup>1 and 2</sup>

*Judge Biscoe announced that Item 24 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.*

**RESULT:** **NOT DISCUSSED**

**Reset for: 2/22/2011**

25. Consider and take appropriate action regarding proposal for downtown office building by D2000, a turn key development company. <sup>1 and 2</sup>

*Judge Biscoe announced that Item 25 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.*

**RESULT: REPOSTED**

**Reset for: 3/1/2011**

26. Receive briefing and take appropriate action regarding the following lease agreements at 700 Lavaca:

- a. West Corporation d/b/a Intrado, Inc.; and

*Judge Biscoe announced that Items 26.a-b would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.*

**RESULT: POSTPONED**

- b. City of Austin.<sup>1 and 2</sup>

*Judge Biscoe announced that Items 26.b would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.*

**MOTION:** Approve the changes to the proposed amendment by the City of Austin.  
**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Samuel T. Biscoe, Judge  
**SECONDER:** Karen L. Huber, Commissioner  
**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

## Consent Items

Members of the Court heard from:

Aleithia Artemis, Travis County Resident  
Ronnie Gjemre, Travis County Resident

**MOTION:** Approve the following Consent Items: C1–C3 and Agenda Items 4, 5, 6, 7, 9, 12, 14, and 20.  
**RESULT:** **ADOPTED [UNANIMOUS]**  
**MOVER:** Margaret J. Gómez, Commissioner  
**SECONDER:** Ron Davis, Commissioner  
**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

C1. Receive bids from County Purchasing Agent.

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

C3. Approve setting a Public Hearing on March 8, 2011 to receive comments regarding a request to authorize the filing of an instrument to vacate a portion of a drainage easement which traverses Lot 18, Block A of Granada Oaks – a subdivision in Travis County, Precinct Three.  
(Commissioner Huber)

## Added Items

- A1. Consider and take appropriate action to support full funding for the Low-Income Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program and the Local Initiative Projects.

*Items 13 and A1 are associated with one another and were called for concurrent discussion.*

Members of the Court heard from:

Adele Noel, Air Quality Project Manager, Transportation and Natural Resources (TNR)  
Jon White, Natural Resources Program Manager, TNR  
Aleithia Artemis, Travis County Resident

**MOTION:** Approve Items 13 and A1.  
**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Sarah Eckhardt, Commissioner  
**SECONDER:** Margaret J. Gómez, Commissioner  
**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

## Minutes approved by the Commissioners Court

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Date of Approval

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Samuel T. Biscoe, Travis County Judge

#3704

# \_\_\_\_\_

Travis County Commissioners Court Agenda RequestVoting Session: 03/08/2011  
(Date)Work Session: \_\_\_\_\_  
(Date)I. A. Request made by: Steven M. Manilla, P.E. Phone # 854-9383  
Signature of Executive Manager

B. Requested Text:

**Approve setting a public hearing date for March 29, 2011, to receive comments regarding a plat for recording in the Lewis Ramirez Subdivision in Precinct Four.**Approved by: \_\_\_\_\_  
Commissioner Margaret Gomez, Precinct Four

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

Joe L. Arriaga: 854-7562Chris Gilmore: 854-9455Anna Bowlin: 854-7561

- III. Required Authorizations: Please check if applicable:

Planning and Budget Office (854-9106)

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

Human Resources Department (854-9165)

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

Purchasing Office (854-9700)

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

County Attorney's Office (854-9415)

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

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



***ISSUES AND OPPORTUNITIES:***

At this time, staff has not received any inquiries from any adjacent property owners. Should the case manager receive any inquiries prior to Court, an addendum to this memorandum will be presented to the Court.

***BUDGETARY AND FISCAL IMPACT:***

None.

***REQUIRED AUTHORIZATIONS:***

None.

***FEES:***

Subdivision review fees of \$694.00 were paid on September 3, 2010.

***EXHIBITS:***

Precinct map

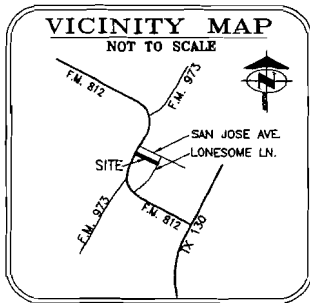
Location map

Proposed Final Plat

AB: ja

# LEWIS RAMIREZ SUBDIVISION

A RESUBDIVISION OF THE SOUTH 50' OF LOT 18, VALLE SAN JOSE ADDITION, SECTION ONE, BK. 38 PG. 31



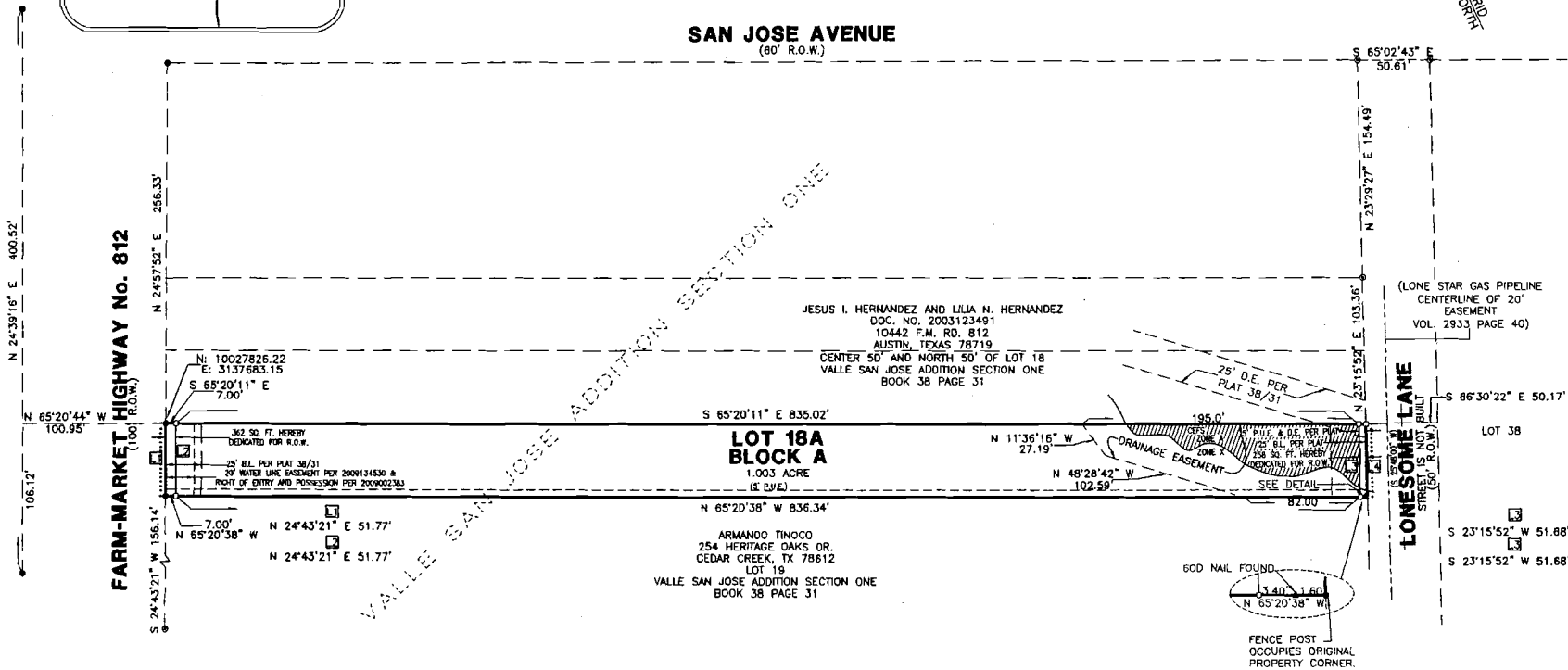
50 0 50 100 150 Feet

BEARING BASIS:  
STATE PLANE COORDINATE  
SYSTEM, CENTRAL ZONE.  
BEARING ARE GRID.  
DISTANCES ARE SURFACE.



**SAN JOSE AVENUE**  
(80' R.O.W.)

**FARM-MARKET HIGHWAY No. 812**  
(100' R.O.W.)



## LEGEND

- 1/2" NEAR FOUND
- 1/4" NEAR SET
- BL. BUILDING LINE
- P.S.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- C.M. CENTERLINE
- R.S.R. RIGHT OF WAY
- SEE NOTE 15
- OPTIONAL DIMENSIONAL  
FEATURE SYMBOL

OWNERS:  
LEWIS RAMIREZ  
ADDRESS:  
633 OLIVE ST.  
AUSTIN, TX 78702  
TOTAL ACRES:  
1.008 OF AN ACRE  
LINEAR STREET FRONTAGE:  
51.77 ALONG FM 812  
NUMBER OF LOTS  
AND PROPOSED USE:  
1 RESIDENTIAL  
SURVEY:  
JURISDICTION:  
CITY OF AUSTIN, 2 MILE ETJ  
DATE:  
JANUARY, 2010  
SURVEYOR:  
B & G SURVEYING, INC.  
PHONE:  
(512) 458-6969  
FAX:  
(512) 458-6845  
WEBSITE:  
<http://www.bandsurvey.com>

CASE # CBJ-2010-0043.0A

## LEWIS RAMIREZ SUBDIVISION

B&G Surveying, Inc.  
Victor M. Garza R.P.L.S.

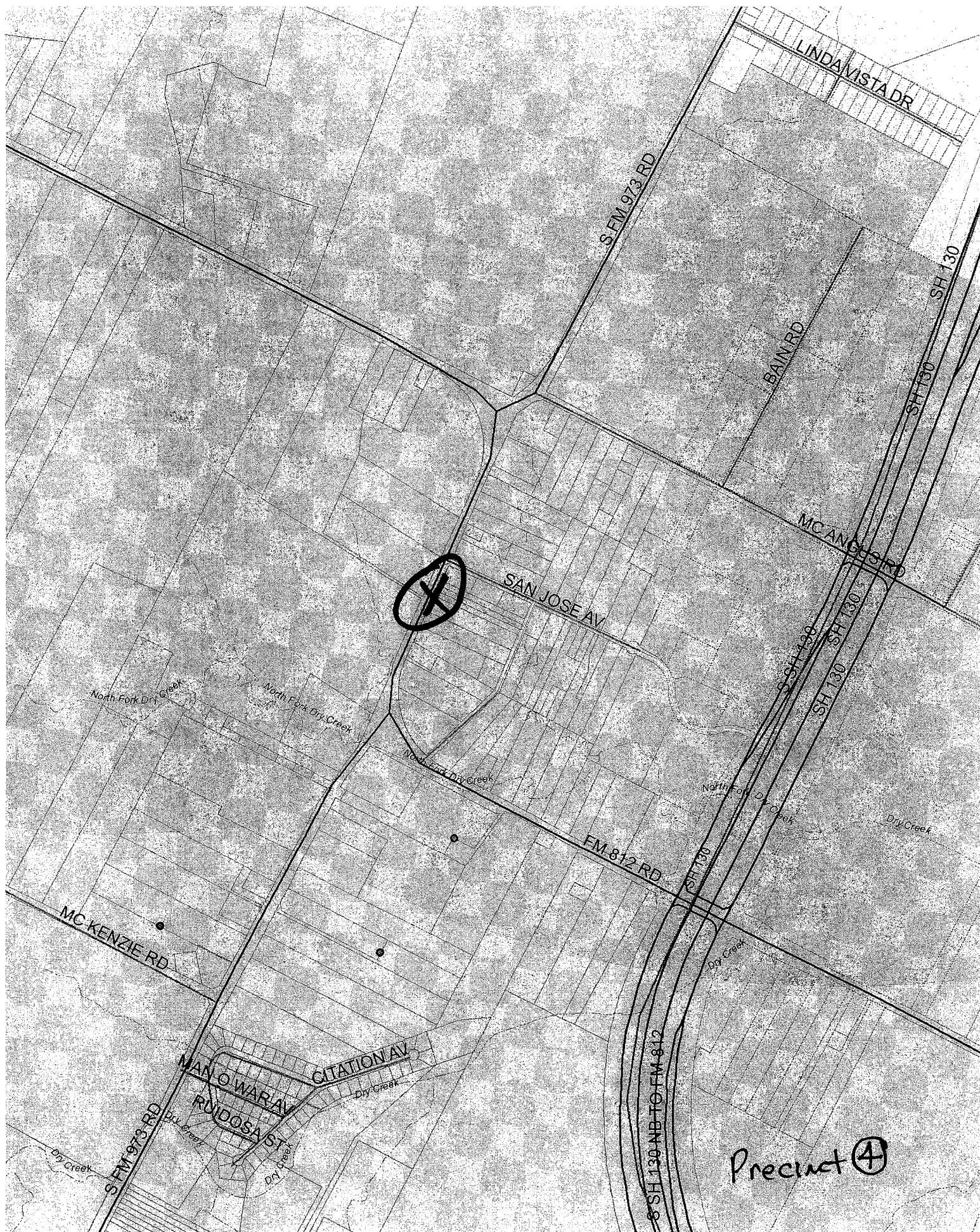
Office 312408-8999  
Fax 512458-9845  
1404 West North Loop Blvd. Austin, Texas 78756

REV. 11-02-10  
REV. 09-17-10  
REV. 09-03-10  
REV. 03-23-10

DATE: JANUARY, 2010  
JOB # 81203809 PLAT  
SCALE: 1"=50'

FIELD: T. KELLY  
CALCULATIONS: J. ENRIQUEZ  
DRAWING: J. ENRIQUEZ

SHEET  
1  
OF 3



\* # 3705

Item C6

VS # \_\_\_\_\_

**TRAVIS COUNTY COMMISSIONERS COURT AGENDA REQUEST**Voting Session 03/08/11

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

I. A. Request made by: Steven M. Manilla, P.E. Phone # 854-9383  
Executive Manager

B. Requested Text:

**Approve setting a Public Hearing on March 29, 2011 to receive comments regarding a request to authorize the filing of an instrument to vacate two 5' public utility easements located along the common lot line of Lots 1367 and 1368 of the Amended Plat of Apache Shores, Section Three – a subdivision in Precinct Three.**

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 – 1 original and 8 copies

B. Have the agencies affected by this request been invited to attend?

Yes X

No \_\_\_\_\_

Please list those contacted and their phone number.

John Hille - 854-9415

Austin American-Statesman

Anna Bowlin - 854-9383

Joe Arriaga - 854-9383

Stacey Scheffel - 854-9383

III. PERSONNEL

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

IV. BUDGET REQUESTS

If your request involves any of the following please check appropriately.

\_\_\_\_ Additional funding for your department

\_\_\_\_ Transfer of funds within your department budget

\_\_\_\_ A change in your department's personnel

The County Personnel (473-9165) and/or the Budget and Research Office (473-9171)  
must be notified prior to submission of this agenda request.

**AGENDA REQUEST DEADLINES**

All Agenda Requests and supporting materials must be submitted to the County Judge's Office in writing by 5:00 p.m. on Tuesdays for the next week's meeting.

Page 2

February 15, 2011

**Issues and Opportunities:**

Travis County has no need for the subject easement and would not benefit from vacating or not vacating. It has been the responsibility of the applicant to contact the utility companies operating in the area. Travis County has relied on the utility companies to decide if the easements need to be retained for the surrounding property owners. TNR staff foresees no reason for opposition to this vacation.

**Required Authorizations:**

All responding utility companies known to be serving this area have stated that they have no need to retain the easements as described in the attached field notes and sketch.

**Exhibits:**

Order of Vacation

Field Notes and Sketch

Request Letter

Statements from utility companies

Maps

SM:AB:ps

1105 Apache Shores Sec. 3 - Broken Bow Trail

11-PUE-01

EXHIBIT "\_\_\_\_"

1,338 SQUARE FOOT  
PARTIAL RELEASE OF  
PUBLIC UTILITY EASEMENT

EXHIBIT "A"

BEING 1338 SQUARE FEET OF LAND, BEING A PORTION OF A PUBLIC UTILITY EASEMENT, OUT OF LOTS 1367 AND 1368, AMENDED PLAT OF APACHE SHORES, SECTION 3, A SUBDIVISION RECORDED IN VOLUME 50, PAGE 81, PLAT RECORDS, TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THOSE CERTAIN KENETH R. WHELPTON TRACTS RECORDED IN DOCUMENT NUMBERS 2010195207, 2010195209, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THOSE CERTAIN 5 FOOT PUBLIC UTILITY EASEMENTS RECORDED IN VOLUME 3822, PAGE 1757, DEED RECORDS, TRAVIS COUNTY, TEXAS, SAID 1338 SQAURE FEET OF LAND TO BE MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point in the common property line of said Lots 1367 and 1368, from which an iron rod set at the northwest corner of said Lot 1368 and the northeast corner of said Lot 1367 bears, North 01 degrees 03 minutes 32 seconds East, 10.00 feet;

THENCE South 88 degrees 27 minutes 14 seconds East, through said Lot 1368, 5.00 feet to a calculated point in the easterly line of a 5 foot public utility easement (herein called PUE), for the northeast corner hereof;

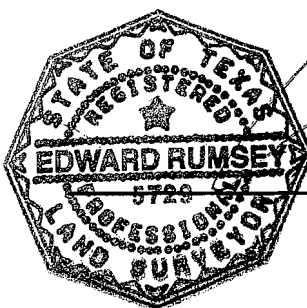
THENCE South 01 degrees 03 minutes 32 seconds West, continuing through said Lot 1368, along the easterly line of said PUE, 133.77 feet to a calculated point in said line being in the northerly line of a 6 foot PUE recorded in Volume 3822, Page 1757, Deed Records, said county, for the southeast corner hereof;

THENCE North 88 degrees 27 minutes 14 seconds West, continuing through said Lot 1368, 5.00 feet to a calculated point in the common line of said Lots 1367 and 1368, from which an iron rod set at the southeast corner of said Lot 1367 and the southwest corner of said Lot 1368 bears, South 01 degrees 03 minutes 32 seconds West, 6.00 feet;

THENCE North 88 degrees 27 minutes 14 seconds West, through said Lot 1367, 5.00 feet to a calculated point in the westerly line of a 5 foot PUE, for the southwest corner hereof;

THENCE North 01 degrees 03 minutes 32 seconds East, continuing through said Lot 1367, along the westerly line of said PUE, 133.77 feet to a calculated point in said line, for the northwest corner hereof;

THENCE South 88 degrees 27 minutes 14 seconds East, continuing through said Lot 1367, 5.00 feet to the POINT OF BEGINNING.



DATE 02-14-2011

EDWARD C. RUMSEY, TX. RPLS #5729  
ALL STAR LAND SURVEYING  
9020 ANDERSON MILL ROAD  
AUSTIN, TEXAS 78729  
JOB # A0203011  
AUSTIN GRID-Z-32

Transportation and Natural Resources

411 W. 13<sup>th</sup> Street

Executive Office Building

Thank you for taking the time to read our request to vacate the Public Utility Easements between Lots 1367 and lot 1368 Broken Bow Trail, Austin TX 78734. The legal descriptions of both lots are as follows:

1. Lot 1367 Apache Shores, Sec 3 Amended
2. Lot 1367 Apache Shores, Sec 3 Amended

I have enclosed a copy of the full survey with the PUE highlighted. We will be applying for all permits required by Travis County while we wait for this vacation to be approved. We are interested in building a single family home across both lot lines. Please contact Greg James as the representative for Urban Green Builder. Greg James direct line is 512.997.8525. Thank you for your attention to this matter.



Ken Whelpton

Direct: 512.585.530.9209

**RECEIVED**

**FEB 02 2011**

**TRAVIS COUNTY - TNR  
PERMITS DEPARTMENT**



## SOUTHWESTERN BELL TELEPHONE COMPANY

### RELEASE OF EASEMENT

THIS RELEASE OF EASEMENT, entered into by *SOUTHWESTERN BELL TELEPHONE COMPANY*, a Missouri corporation, GRANTOR, AND *Kenneth Whelpton*, GRANTEE, wherein GRANTOR does by these presents ABANDON, RELEASE, RELINQUISH AND DISCLAIM to GRANTEE, as is, all or a specific portion of certain easements for telecommunication purposes hereinafter described that affects land owned by GRANTEE, situated in Travis County, Texas, and described as follows:

Lots 1367 and 1368, Apache Shores Section 3 Amended, Block 1, Deeds of record in Documents 2010195207 and 2010195209, Official Records of Travis County, Texas,

Said land of GRANTEES being subject to:

*Easements recorded in Volume 50, Page 81, Official Records of Travis County, Texas,*

The portion of said easements to be hereby released, described as follows:

*All of the 5 foot PUE's on either side of the common side property lines of Lots 1367 and 1368, described above,*

TO HAVE AND TO HOLD same, together with all rights and appurtenances to the same belonging, unto GRANTEES, their heirs, successors and assigns forever.

IN WITNESS WHEREOF, GRANTOR has caused this Release of Easement to be executed by its duly authorized officers this 27<sup>th</sup> day of JANUARY, 2011.

SOUTHWESTERN BELL TELEPHONE COMPANY

Name: Michael Thurman

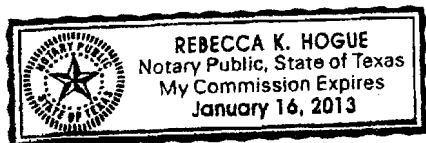
Title: MGR-ENG. DESIGN

THE STATE OF TEXAS  
COUNTY OF TRAVIS

BEFORE ME, the undersigned authority, on this day personally appeared MICHAEL THURMAN, known to me to be the person whose name is subscribed to the foregoing instrument as Manager, Engineering-Design of Southwestern Bell Telephone Company, a Missouri corporation, and acknowledged to me that he/she executed the same for purposes and considerations therein expressed in the capacity stated, and as the act and deed of said corporation.

Given under my hand and seal of office this the 27<sup>th</sup> day of JANUARY, 2011.

Notary Public in and for the State of TEXAS  
My Commission Expires JAN. 16, 2013







12012 N. Mopac Expressway  
512/485-6417 (Laurie Schumpert)

Austin, TX 78758  
512/485-6106 (Fax)

### APPLICATION FOR VACATION OF EASEMENT

Please Print

Application is hereby made for the release of the following easement(s) as described below:

The easement is on property legally described as:

Subdivision: Apache Shores Section: 3 Block: 1

Lot Numbers: Lot 1367 & Lot 1368

Street Address: Broken Bow Trail

As recorded in Volume 50, Page 81, of the Plat Records of Travis County, Texas

Provide common description of the easement requested for release, indicating the amount of the easement to be released:  
(Example: Five foot P.U.E. & D.E. on either side of the common lot line between lots X and X).

Please provide a survey or plat of the area with the easement to be released highlighted.

Requesting vacation of easement between lots 1367 and lot 1368.

Reason for requesting release (Example: Single Family Residence, Accessory Building, etc)

Our company is Urban Green Builder and we plan to construct a custom home for our client Ken Whelpton across  
lots 1367 and 1368. It will be one single family residence taking up both lots for structure and septic system.

Please note: If multiple owners are making this request, complete name, address, phone must be provided for all.

Property Owner's name(s): Ken Whelpton

Mailing Address: 2803 Manitou Drive Austin TX 78734  
Number & Street City State Zip

Phone: 585-530-9209  
Day Time Cell Fax

I authorize the following person/company to act in my behalf as my designated agent:

Name of agent/company: Urban Green Builder Greg James  
Name of Company Name of Contact

Phone: 512-997-8525 512-997-8525 512-266-9889  
Day Time Cell Fax

The undersigned Owner/Applicant/Agent understands that the processing of the Easement Release Application will be handled in accordance with procedure for requesting release of easements established by Time Warner Cable. It is further understood that acceptance of this application does not obligate Time Warner Cable to release the subject easement

  
Signature of Applicant/Agent

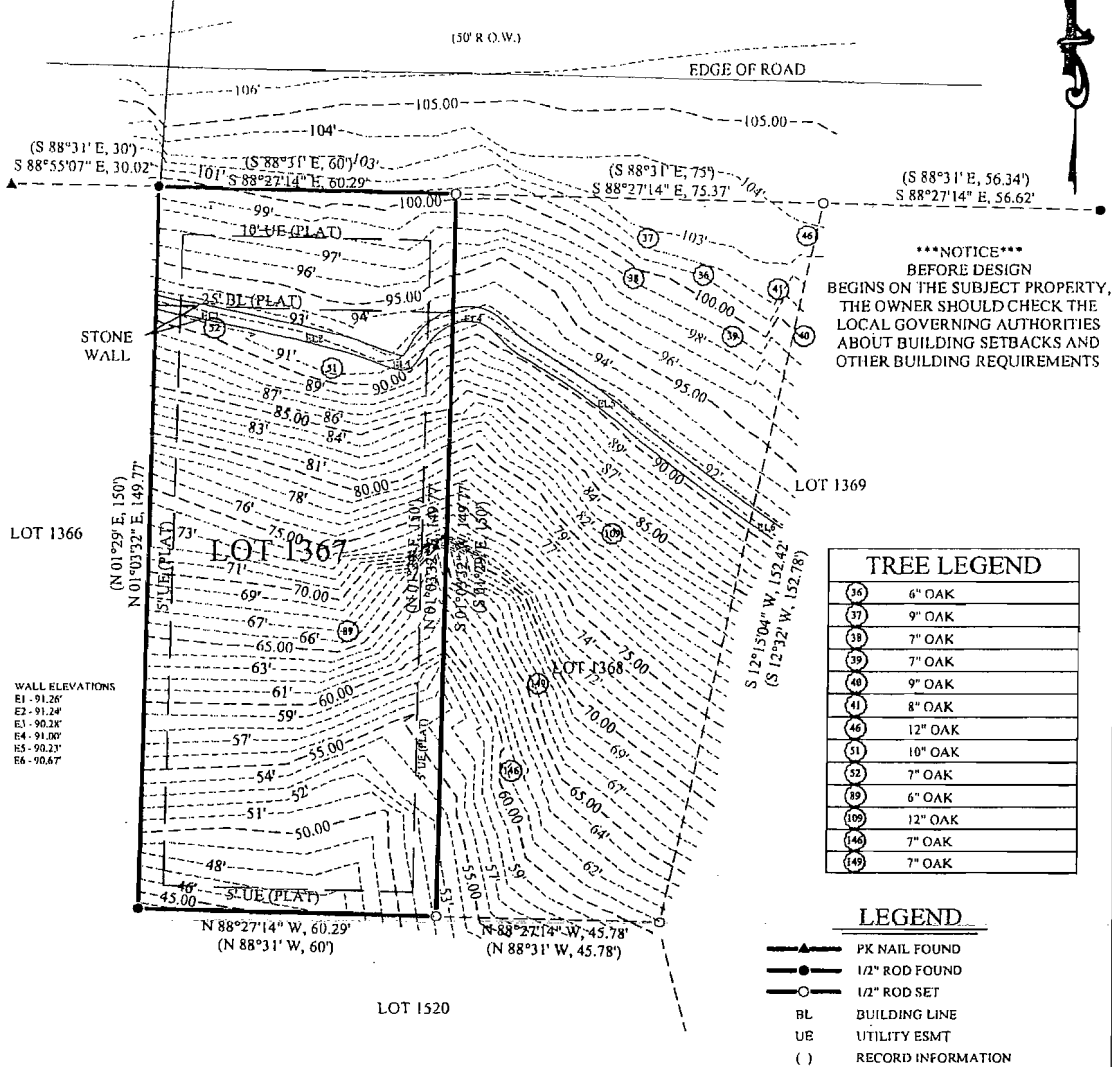
1/24/11

Date

TBM IS TOP OF  
IRON ROD FOUND  
ASSUMED EL. = 100.00'

SCALE 1" = 30'

## BROKEN BOW TRAIL



## RESTRICTIONS:

SUBJECT TO RESTRICTIONS IN VOLUME 3822, PAGE 1757, VOLUME 4820, PAGE 374, VOLUME 7831, PAGE 147, VOLUME 8102, PAGE 162, VOLUME 9072, PAGE 273, VOLUME 11752, PAGE 823, VOLUME 12235, PAGE 1269, VOLUME 12362, PAGE 132, VOLUME 12371, PAGE 36, VOLUME 12660, PAGE 29, VOLUME 13052, PAGE 8, DOCUMENTS 2001046286, 2001047841, 2001101400, 2002037444, 2002092096, 2003087784, 2003275618, 2003275619, 200327620, 2003275621, 2003275622, 2004034272, 2004034273, 2004034274, 2004034275, 2004034276, 2004141796, 2004141797, 2004141798, 2004141799, 2006002112, 2006002113, 2006002114, 2006002115, 2007156991, 2007156992, 2007156993, 2009070751, 2009070752, 2009070753, 2009070754, 2009138711, 2009138712, 2009138713.

SUBJECT TO ASSIGNMENT OF RIGHTS OF WAY AND EASEMENT RECORDED IN VOLUME 13082, PAGE 52, VOLUME 13091, PAGE 2218.

SUBDIVISION: AMENDED PLAT OF APACHE SHORES, SECTION 3

LOT: 1367 BLOCK: - VOLUME 50 PAGE 81 PLAT RECORDS

COUNTY: TRAVIS STATE OF TEXAS STREET ADDRESS 0 BROKEN BOW

CITY: AUSTIN REFERENCE NAME KEN WHELPTON

SIGNED BY

THIS PROPERTY DOES NOT LIE WITHIN THE



## TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street  
Executive Office Building  
PO Box 1748  
Austin, Texas 78767  
(512) 854-9383  
FAX (512) 854-4649

### EASEMENT REQUIREMENT STATEMENT FOR VACATION OF PROPERTY

An application is being made to Travis County for the vacation of property at LOT 1367 + 1368 Broken Bow Rd. (address) and/or \_\_\_\_\_ (legal description) and as described on the enclosed drawing or document. An action of the Commissioners' Court of Travis County is pending your return of this statement. Your prompt reply is requested.

### STATEMENT

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

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

Henry A. Marley 1.24.11  
Reviewer


Deborah S. Gernes  
Signature  
Deborah S. Gernes  
Printed Name  
General Manager  
Title  
WCID #17  
Utility Company or District

Date

Please return this completed form to:

Greg James - UrbanGreen  
Name  
2803 MANITOU DR. Builder  
Address  
Austin, TX 78734  
City/State/Zip

MAP N  
1 475

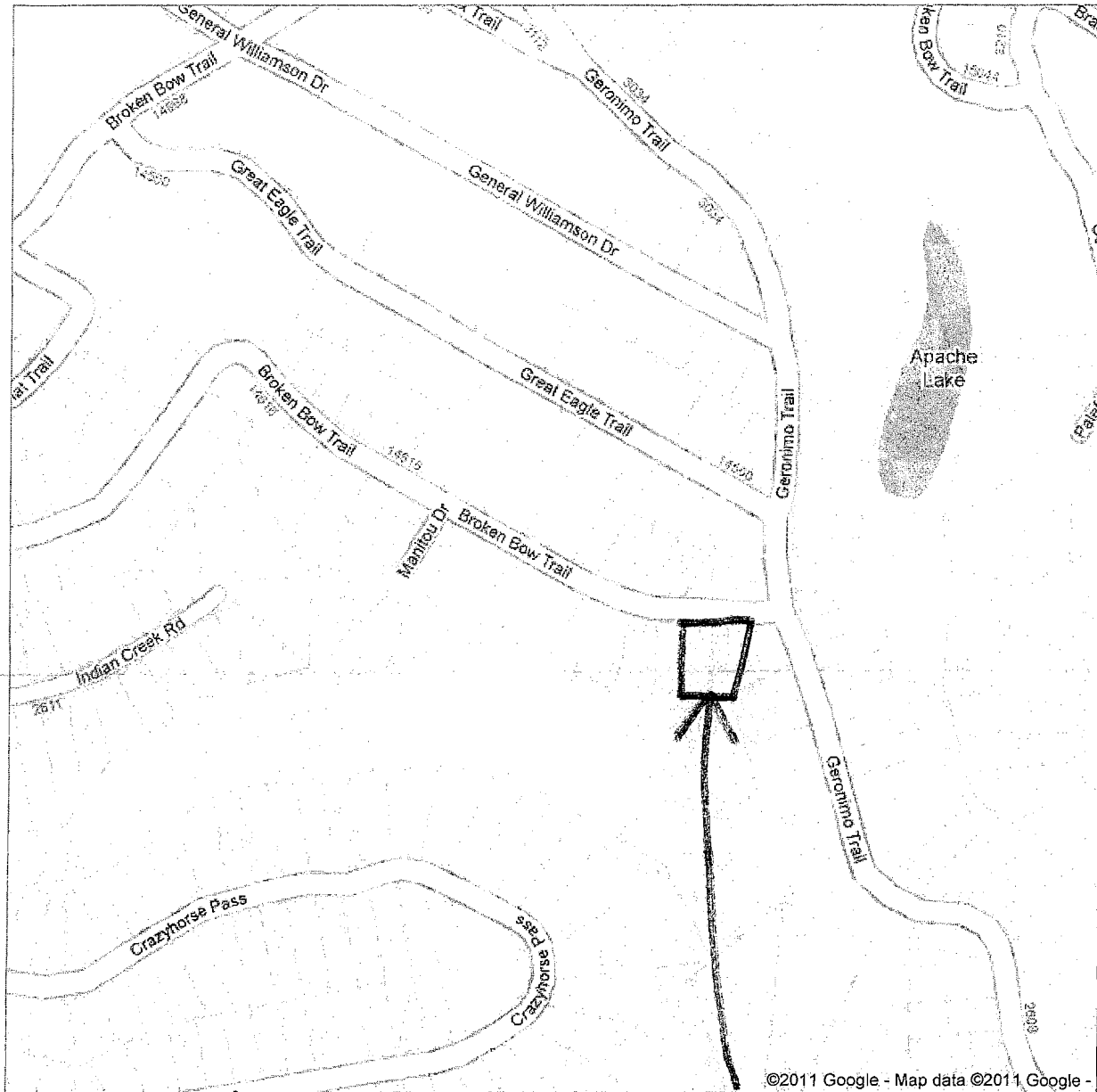
15060	15058	1
14760		1
14560	14558	1

1" = 400' M  
REFERENC  
1 4257

Google maps

Address Broken Bow Trail  
Austin, TX 78734

Notes Request to vacate two 5' public  
utility easements located along  
the common lot line of Lots 1367  
and 1368 of the Amended Plat of  
Apache Shores, Section 3 - a  
subdivision in Precinct Three,  
Commissioner Karen Huber.



Site



## **Travis County Commissioners Court Agenda Request**

Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: Robert Resnick, County Clerk's Office, 512-854-4722

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

Sponsors: Judge Biscoe

---

### **AGENDA LANGUAGE:**

Approve the Northwest Travis County Road District No. 3 Minutes for the Voting Session February 8, 2011.

---

### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

n/a

### **STAFF RECOMMENDATIONS:**

Enter Staff Recommendations here

### **ISSUES AND OPPORTUNITIES:**

Enter Issues and Opportunities here

### **FISCAL IMPACT AND SOURCE OF FUNDING:**

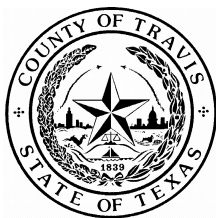
n/a

### **REQUIRED AUTHORIZATIONS:**

County Judge's Office  
Commissioners Court

Cheryl Aker  
Cheryl Aker

Pending  
Pending



## Minutes for the Northwest Travis County Road District No. 3 (Golden Triangle) Tuesday, February 8, 2011 Voting Session

Minutes Prepared by the Travis County Clerk

512-854-4722 • [www.co.travis.tx.us](http://www.co.travis.tx.us) • PO Box 149325, Austin, TX 78714-9325

Meeting called to order on February 8, 2011 in the Ned Granger Building, Commissioners Courtroom, 1st Floor, 314 W. 11th St., Austin, TX. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

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

1. Approve payment of claims and authorize County Treasurer to invest Road District funds.

**MOTION:** Approve Item 1.  
**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Margaret J. Gómez, Commissioner  
**SECONDER:** Ron Davis, Commissioner  
**AYES:** Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Margaret J. Gómez  
**ABSENT:** Karen L. Huber

2. Approve the Northwest Travis County Road District No. 3 Minutes for the Voting Session of December 21, 2010.

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

### Minutes approved by the Commissioners Court

---

Date of Approval

---

Samuel T. Biscoe, Travis County Judge



## **Travis County Commissioners Court Agenda Request**

Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: Gillian Porter, County Clerk's Office, 512-854-4722

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

Sponsors: Judge Biscoe

---

### **AGENDA LANGUAGE:**

Approve the Northwest Travis County Road District No. 3 Minutes for the Voting Session February 15, 2011.

---

### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

na

na

### **FISCAL IMPACT AND SOURCE OF FUNDING:**

na

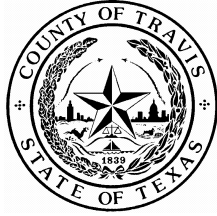
### **REQUIRED AUTHORIZATIONS:**

County Judge's Office  
Commissioners Court

Cheryl Aker  
Cheryl Aker

Pending  
Pending





# Minutes for the Northwest Travis County Road District No. 3 (Golden Triangle) Tuesday, February 15, 2011 Voting Session

Minutes Prepared by the Travis County Clerk  
512-854-4722 • [www.co.travis.tx.us](http://www.co.travis.tx.us) • PO Box 149325, Austin, TX 78714-9325

Meeting called to order on February 15, 2011 in the Ned Granger Building, Commissioners Courtroom, 1st Floor, 314 W. 11th St., Austin, TX. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

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

1. Approve payment of claims and authorize County Treasurer to invest Road District funds.

<b>MOTION:</b>	Make the investments in Item 1.
<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Margaret J. Gómez, Commissioner
<b>SECONDER:</b>	Karen L. Huber, Commissioner
<b>AYES:</b>	Biscoe, Davis, Eckhardt, Huber, Gómez

## Minutes approved by the Commissioners Court

---

Date of Approval

---

Samuel T. Biscoe, Travis County Judge



## **Travis County Commissioners Court Agenda Request**

Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: Robert Resnick, County Clerk's Office, 512-854-4722

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

Sponsors: Judge Biscoe

---

### **AGENDA LANGUAGE:**

Approve the Travis County Bee Cave Road District No. 1 Minutes for the Voting Session February 8, 2011.

---

### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

n/a

### **STAFF RECOMMENDATIONS:**

Enter Staff Recommendations here

### **ISSUES AND OPPORTUNITIES:**

Enter Issues and Opportunities here

### **FISCAL IMPACT AND SOURCE OF FUNDING:**

n/a

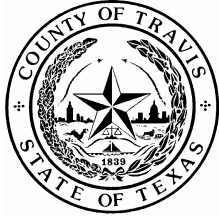
### **REQUIRED AUTHORIZATIONS:**

County Judge's Office  
Commissioners Court

Cheryl Aker  
Cheryl Aker

Completed  
Pending

03/01/2011 3:27 PM



# Minutes for the Travis County Bee Cave Road District No. 1 (Galleria) Tuesday, February 8 2011 Voting Session

Minutes Prepared by the Travis County Clerk  
512-854-4722 • [www.co.travis.tx.us](http://www.co.travis.tx.us) • PO Box 149325, Austin, TX 78714-9325

Meeting called to order on February 8 2011 in the Ned Granger Building, Commissioners Courtroom, 1st Floor, 314 W. 11th St., Austin, TX. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

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

1. Approve payment of claims and authorize County Treasurer to invest Road District funds.

**MOTION:** Approve Item 1.  
**RESULT:** **APPROVED [3 TO 0]**  
**MOVER:** Margaret J. Gómez, Commissioner  
**SECONDER:** Samuel T. Biscoe, Judge  
**AYES:** Samuel T. Biscoe, Sarah Eckhardt, Margaret J. Gómez  
**ABSTAIN:** Ron Davis  
**ABSENT:** Karen L. Huber

2. Approve the Travis County Bee Cave Road District No. 1 Minutes for the Voting Sessions of December 21 and 28, 2010.

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

## Minutes approved by the Commissioners Court

\_\_\_\_\_  
Date of Approval

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



## **Travis County Commissioners Court Agenda Request**

Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: Gillian Porter, County Clerk's Office, 512-854-4722

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

Sponsors: Judge Biscoe

---

### **AGENDA LANGUAGE:**

Approve the Travis County Bee Cave Road District No. 1 Minutes for the Voting Session February 15, 2011.

---

### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

na

na

### **FISCAL IMPACT AND SOURCE OF FUNDING:**

na

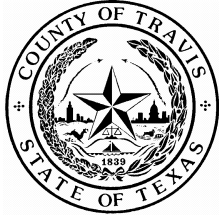
### **REQUIRED AUTHORIZATIONS:**

County Judge's Office  
Commissioners Court

Cheryl Aker  
Cheryl Aker

Completed  
Pending

03/01/2011 3:26 PM



# **Minutes for the Travis County Bee Cave Road District No. 1 (Galleria) Tuesday, February 15, 2011 Voting Session**

**Minutes Prepared by the Travis County Clerk**  
**512-854-4722 • [www.co.travis.tx.us](http://www.co.travis.tx.us) • PO Box 149325, Austin, TX 78714-9325**

Meeting called to order on February 15, 2011 in the Ned Granger Building, Commissioners Courtroom, 1st Floor, 314 W. 11th St., Austin, TX. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

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

1. Approve payment of claims and authorize County Treasurer to invest Road District funds.

<b>MOTION:</b>	Make the investments in Item 1.
<b>RESULT:</b>	<b>APPROVED [4 TO 0]</b>
<b>MOVER:</b>	Margaret J. Gómez, Commissioner
<b>SECONDER:</b>	Karen L. Huber, Commissioner
<b>AYES:</b>	Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez
<b>ABSTAIN:</b>	Ron Davis

## **Minutes approved by the Commissioners Court**

---

Date of Approval

---

Samuel T. Biscoe, Travis County Judge



## Corporations Agenda Request

### Travis County Housing Finance Corporation

---

Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: Harvey Davis, Corporations, 854-4743

Elected/Appointed Official/Dept. Head: Harvey Davis, Corporations & Assistant Investment Manager

---

#### **AGENDA LANGUAGE:**

Consider and take appropriate action on request to approve an invoice from Atchley & Associates, LLP for professional audit services.

---

#### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

The attached invoice for \$3,786 represents 60% billing of the total fee.

Staff recommends approval of the invoice.

We carefully reviewed the contract with Atchley & Associates, LLP, and represent that the interim payment is allowed in the contract.

The contract provides that 60% of the audit fee is due after the interim fieldwork (60% of the \$6,310 audit fee = \$3,786).

The attached worksheet shows the allocation for this invoice to be:

Travis County Housing Finance Corporation ---- \$2,335.33

Travis County Health Facilities Dev. Corp. ----- \$1,450.67

The County Auditor's office has confirmed that the final fieldwork was completed.

#### **FISCAL IMPACT AND SOURCE OF FUNDING:**

None

#### **REQUIRED AUTHORIZATIONS:**

Corporations	Harvey Davis	Completed	02/25/2011 2:55 PM
Planning and Budget Office	Leroy Nellis	Completed	03/01/2011 12:54 PM
County Judge's Office	Cheryl Aker	Completed	03/01/2011 3:22 PM
Commissioners Court	Cheryl Aker	Pending	

Agenda Item No. \_\_\_\_\_

**TRAVIS COUNTY HOUSING FINANCE CORPORATION**  
**TRAVIS COUNTY HEALTH FACILITIES DEVELOPMENT CORPORATION**

**AGENDA REQUEST**

Work Session \_\_\_\_\_ Voting Session March 8, 2011 Executive Session \_\_\_\_\_  
Date Date Date

- I. A. Request made by: Samuel T. Biscoe, President  
Elected Official
- B. Requested Text: Consider and take appropriate action on request to approve an invoice from Atchley & Associates, LLP for professional audit services.

Approved by: \_\_\_\_\_  
Signature of Samuel T. Biscoe, President

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

III. Required Authorizations: Please check if applicable.

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


AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted to the County Judge's office in writing by 5:00 PM on Tuesdays for the next week's meeting. Late or incomplete requests may be deferred to the next meeting.

**TRAVIS COUNTY HOUSING FINANCE CORPORATION  
TRAVIS COUNTY HEALTH FACILITIES DEVELOPMENT CORPORATION**

---

DATE: March 8, 2011

TO: Board of Directors

FROM: Harvey L. Davis, Manager 

SUBJECT: Invoice for auditing services

**Summary and Background Information:**

The attached invoice for \$3,786 represents 60% billing of the total fee.

Staff recommends approval of the invoice.

We carefully reviewed the contract with Atchley & Associates, LLP, and represent that the interim payment is allowed in the contract.

The contract provides that 60% of the audit fee is due after the interim fieldwork (60% of the \$6,310 audit fee = \$3,786).

The attached worksheet shows the allocation for this invoice to be:

Travis County Housing Finance Corporation ---- \$2,335.33

Travis County Health Facilities Dev. Corp. ----- \$1,450.67

The County Auditor's office has confirmed that the final fieldwork was completed.

cc: Rodney Rhoades, Executive Manager, Planning and Budget  
Leroy Nellis, Budget Director  
Miguel Gonzalez, Sr. Financial Analyst



Attachment A  
Allocation of Audit Fees

**Travis County Corporations**

Allocation per FY-11 Budget

<u>Allocation per Actual Fund Balances</u>	<u>9/30/2011 BALANCE</u>	<u>PERCENT.</u>	<u>AUDIT FEE COST</u>	<u>ADM FEE COST</u>
TRAVIS CO. HOUSING FINANCE CORP.	\$ 925,885.88	57.01%	\$ 3,597.33	\$ 171,090.82
TRAVIS CO. HEALTH FACILITIES DEV. CORP.	\$ 676,897.21	41.68%	\$ 2,629.94	\$ 55,869.78
CAPITAL INDUSTRIAL DEV. CORP.	\$ 6,244.80	0.38%	\$ 24.26	\$ 515.43
TC Cultural Education Fac. Finance Corp	\$ 15,047.20	0.93%	\$ 58.46	\$ 1,241.97
	<u>\$ 1,624,075.09</u>	<u>100.00%</u>	<u>\$ 6,310.00</u>	<u>\$ 228,718.00</u>

Allocation for March audit invoice (60% of the fee)

	<u>AUDIT</u>
TRAVIS CO. HOUSING FINANCE CORP.	\$ 2,335.33
TRAVIS CO. HEALTH FACILITIES DEV. CORP.	\$ 1,450.67
CAPITAL INDUSTRIAL DEV. CORP.	
TC Cultural Education Fac. Finance Corp	
	<u>\$ 3,786.00</u>

Travis County Housing Finance paid the first 20% (\$1,262)



RECEIVED  
2011 FEB 23 AM 9:29  
TRAVIS COUNTY  
AUDITORS OFFICE

Travis County, Re: 10302.Corporation  
Attn: Susan Spataro, CPA, CMA  
PO Box 1748  
Austin, TX 78767

Re: Time/Expense for the period ending February 15, 2011

10302.Corporation

In Reference To: Progress billing for professional services rendered in connection with audit of the following corporations which are included in the Travis County audit as of and for the year ended September 30, 2010, based on the related contract allowing 60% billing of total fees within 30 days after final fieldwork.

Capital Health Facilities Development Corporation,  
Travis County Housing Finance Corporation  
Travis County Health Facilities Development Corporation  
Travis County Cultural Education Facilities Finance Corporation,  
Capital Industrial Development Corporation, and  
Travis County Development Authority.

Invoice # **49545**

For professional services rendered

Balance due

Amount

\$3,786.00

✓ \$3,786.00

Please include the invoice number on your check.

Invoice payable upon receipt. Thank you for your continued business and referrals.

6850 Austin Center Boulevard, Suite 180, Austin, TX 78731-3129 (512) 346-2086 / 1-877-977-6850 EIN 74-2920819



## Corporations Agenda Request Travis County Housing Finance Corporation

---

Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: Harvey Davis, Corporations, 854-4743

Elected/Appointed Official/Dept. Head: Harvey Davis, Corporations & Assistant Investment Manager

---

### **AGENDA LANGUAGE:**

Consider and take appropriate action on request to approve minutes of Board of Directors meetings of January 25, February 1, February 8, and February 15, 2011.

---

### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

Enter Background/Summary of Request

See attachment

---

### **FISCAL IMPACT AND SOURCE OF FUNDING:**

No financial Impact.

---

### **REQUIRED AUTHORIZATIONS:**

Corporations	Harvey Davis	Completed	02/25/2011 10:50 AM
Planning and Budget Office	Leroy Nellis	Completed	02/25/2011 11:34 AM
County Judge's Office	Cheryl Aker	Completed	03/01/2011 11:43 AM
Commissioners Court	Cheryl Aker	Pending	

Agenda Item No. \_\_\_\_\_

**TRAVIS COUNTY HOUSING FINANCE CORPORATION**  
**AGENDA REQUEST**

Work Session \_\_\_\_\_ Voting Session March 8, 2011 Executive Session \_\_\_\_\_  
Date Date Date

- I. A. Request made by: Samuel T. Biscoe, President  
Elected Official
- B. Requested Text: Consider and take appropriate action on request to approve minutes of Board of Directors meetings of January 25, February 1, February 8, and February 15, 2011.

Approved by: \_\_\_\_\_  
Signature of Samuel T. Biscoe, President

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

III. Required Authorizations: Please check if applicable.

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

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted to the County Judge's office in writing by 5:00 PM on Tuesdays for the next week's meeting. Late or incomplete requests may be deferred to the next meeting.

**MINUTES OF THE MEETING  
OF THE BOARD OF DIRECTORS OF  
TRAVIS COUNTY HOUSING FINANCE CORPORATION  
HELD ON TUESDAY, JANUARY 25, 2011**

A regular meeting of the TRAVIS COUNTY HOUSING FINANCE CORPORATION Board of Directors was held on Tuesday, January 25, 2011, at 1:41 p.m. at Travis County Commissioners' Court Room, 314 W. 11th St., Austin, Texas pursuant to proper notice and call of said meeting.

Members of the Board of Directors in attendance were Samuel T. Biscoe, President; Sarah Eckhardt, Vice President; Karen Huber, Treasurer; Margaret Gomez, Secretary; and Ron Davis, Assistant Secretary.

- 1. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE THE FOLLOWING: A. RELEASE OF LIEN ON A HOME DOWN PAYMENT ASSISTANCE LOAN; AND B. REIMBURSEMENT PAYMENT TO TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS DUE TO REPAYMENT IN FULL OF A HOME DOWN PAYMENT ASSISTANCE LOAN.**

**The Board heard from:** Mike Gonzalez, Sr. Financial Analyst

**Motion:** Director Biscoe moved to approve the request.  
Director Huber seconded the motion.

<b>Motion carried:</b>	Director Biscoe	yes
	Director Eckhardt	yes
	Director Huber	yes
	Director Gomez	yes
	Director Davis	yes

**Staff Note:** The reimbursement to the state is \$1,093.

**ADJOURN**

The meeting was adjourned at 1:42 p.m.

---

Margaret Gomez, Secretary

**MINUTES OF THE MEETING  
OF THE BOARD OF DIRECTORS OF  
TRAVIS COUNTY HOUSING FINANCE CORPORATION  
HELD ON TUESDAY, FEBRUARY 1, 2011**

A regular meeting of the TRAVIS COUNTY HOUSING FINANCE CORPORATION Board of Directors was held on Tuesday, February 1, 2011, at 1:39 p.m. at Travis County Commissioners' Court Room, 314 W. 11th St., Austin, Texas pursuant to proper notice and call of said meeting.

Members of the Board of Directors in attendance were Samuel T. Biscoe, President; Sarah Eckhardt, Vice President; Karen Huber, Treasurer; Margaret Gomez, Secretary; and Ron Davis, Assistant Secretary.

**1. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE MINUTES OF BOARD OF DIRECTORS MEETINGS OF JANUARY 4, JANUARY 11 AND JANUARY 18, 2011.**

**The Board heard from:** Mike Gonzalez, Sr. Financial Analyst

**Motion:** Director Gomez moved to approve the request.  
Director Biscoe seconded the motion.

**Motion carried:**

Director Biscoe	yes
Director Eckhardt	yes
Director Huber	yes
Director Gomez	yes
Director Davis	yes

**2. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE MEMBERSHIP INVOICE FROM TEXAS ASSOCIATION OF LOCAL HOUSING FINANCE AGENCIES.**

**The Board heard from:** Mike Gonzalez, Sr. Financial Analyst

**Motion:** Director Gomez moved to approve the request.  
Director Biscoe seconded the motion.

**Motion carried:**

Director Biscoe	yes
Director Eckhardt	yes
Director Huber	yes
Director Gomez	yes
Director Davis	yes

**Staff Note:** The membership invoice \$675.

**ADJOURN**

The meeting was adjourned at 1:41 p.m.

---

Margaret Gomez, Secretary

**MINUTES OF THE MEETING  
OF THE BOARD OF DIRECTORS OF  
TRAVIS COUNTY HOUSING FINANCE CORPORATION  
HELD ON TUESDAY, FEBRUARY 8, 2011**

A regular meeting of the TRAVIS COUNTY HOUSING FINANCE CORPORATION Board of Directors was held on Tuesday, February 8, 2011, at 11:58 a.m. at Travis County Commissioners' Court Room, 314 W. 11th St., Austin, Texas pursuant to proper notice and call of said meeting.

Members of the Board of Directors in attendance were Samuel T. Biscoe, President; Sarah Eckhardt, Vice President; Margaret Gomez, Secretary; and Ron Davis, Assistant Secretary. Karen Huber, Treasurer, was absent.

**1. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO  
SUBMIT AN INVOICE TO THE OWNER OF THE WESTCHESTER  
WOODS APARTMENTS.**

**Motion:** Director Gomez moved to approve the request.  
Director Biscoe seconded the motion.

**Motion carried:**

Director Biscoe	yes
Director Eckhardt	yes
Director Huber	absent
Director Gomez	yes
Director Davis	yes

**Staff Note:** The invoice will be \$625.

**ADJOURN**

The meeting was adjourned at 11:59 a.m.

---

Margaret Gomez, Secretary



**MINUTES OF THE MEETING  
OF THE BOARD OF DIRECTORS OF  
TRAVIS COUNTY HOUSING FINANCE CORPORATION  
HELD ON TUESDAY, FEBRUARY 15, 2011**

A regular meeting of the TRAVIS COUNTY HOUSING FINANCE CORPORATION Board of Directors was held on Tuesday, February 15, 2011, at 1:41 p.m. at Travis County Commissioners' Court Room, 314 W. 11th St., Austin, Texas pursuant to proper notice and call of said meeting.

Members of the Board of Directors in attendance were Samuel T. Biscoe, President; Sarah Eckhardt, Vice President; Karen Huber, Treasurer; Margaret Gomez, Secretary; and Ron Davis, Assistant Secretary.

- 1. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE THE FOLLOWING: A. ANNUAL REPORT FROM THE HOUSING AUTHORITY OF TRAVIS COUNTY CONCERNING ELIGIBLE SERVICES RENDERED TO TRAVIS COUNTY RESIDENTS; AND B. REIMBURSEMENT REQUEST FROM THE HOUSING AUTHORITY OF TRAVIS COUNTY.**

**The Board heard from:** Harvey Davis, Manager and Craig Alter, Executive Director, Housing Authority of Travis County

**Motion:** Director Gomez moved to approve the request.  
Director Biscoe seconded the motion.

**Motion carried:**

Director Biscoe	yes
Director Eckhardt	yes
Director Huber	yes
Director Gomez	yes
Director Davis	yes

**Staff Note:** Mr. Alter presented the annual report; the reimbursement amount approved was \$115,110.

**ADJOURN**

The meeting was adjourned at 1:50 p.m.

---

Margaret Gomez, Secretary



## Corporations Agenda Request

### Travis County Health Facilities Development Corporation

---

Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: Harvey Davis, Corporations, 854-4743

Elected/Appointed Official/Dept. Head: Harvey Davis, Corporations & Assistant Investment Manager

---

#### **AGENDA LANGUAGE:**

Consider and take appropriate action on request to approve an invoice from Atchley & Associates, LLP for professional audit services.

---

#### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

The attached invoice for \$3,786 represents 60% billing of the total fee.

Staff recommends approval of the invoice.

We carefully reviewed the contract with Atchley & Associates, LLP, and represent that the interim payment is allowed in the contract.

The contract provides that 60% of the audit fee is due after the interim fieldwork (60% of the \$6,310 audit fee = \$3,786).

The attached worksheet shows the allocation for this invoice to be:

Travis County Housing Finance Corporation ---- \$2,335.33

Travis County Health Facilities Dev. Corp. ----- \$1,450.67

The County Auditor's office has confirmed that the final fieldwork was completed.

#### **FISCAL IMPACT AND SOURCE OF FUNDING:**

None

#### **REQUIRED AUTHORIZATIONS:**

Corporations	Harvey Davis	Completed	02/25/2011 2:57 PM
Planning and Budget Office	Leroy Nellis	Completed	03/01/2011 12:55 PM
County Judge's Office	Cheryl Aker	Completed	03/01/2011 3:23 PM
Commissioners Court	Cheryl Aker	Pending	

Agenda Item No. \_\_\_\_\_

**TRAVIS COUNTY HOUSING FINANCE CORPORATION**  
**TRAVIS COUNTY HEALTH FACILITIES DEVELOPMENT CORPORATION**

**AGENDA REQUEST**

Work Session \_\_\_\_\_ Voting Session March 8, 2011 Executive Session \_\_\_\_\_  
Date Date Date

- I. A. Request made by: Samuel T. Biscoe, President  
Elected Official
- B. Requested Text: Consider and take appropriate action on request to approve an invoice from Atchley & Associates, LLP for professional audit services.

Approved by: \_\_\_\_\_  
Signature of Samuel T. Biscoe, President

- II. A. Any backup material to be presented to the court must be submitted with this Agenda Request (Original and eight copies of agenda request and backup).
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\_\_\_\_ Transfer of existing funds within or between any line item  
\_\_\_\_ Grant
- Human Resources Department (473-9165)  
\_\_\_\_ A change in your department's personnel (reclassifications, etc.)
- Purchasing Office (473-9700)  
\_\_\_\_ Bid, Purchase Contract, Request for Proposal, Procurement
- County Attorney's Office (473-9415)  
\_\_\_\_ Contract, Agreement, Policy & Procedure

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted to the County Judge's office in writing by 5:00 PM on Tuesdays for the next week's meeting. Late or incomplete requests may be deferred to the next meeting.

**TRAVIS COUNTY HOUSING FINANCE CORPORATION  
TRAVIS COUNTY HEALTH FACILITIES DEVELOPMENT CORPORATION**

---

DATE: March 8, 2011

TO: Board of Directors

FROM: Harvey L. Davis, Manager



SUBJECT: Invoice for auditing services

**Summary and Background Information:**

The attached invoice for \$3,786 represents 60% billing of the total fee.

Staff recommends approval of the invoice.

We carefully reviewed the contract with Atchley & Associates, LLP, and represent that the interim payment is allowed in the contract.

The contract provides that 60% of the audit fee is due after the interim fieldwork (60% of the \$6,310 audit fee = \$3,786).

The attached worksheet shows the allocation for this invoice to be:

Travis County Housing Finance Corporation ---- \$2,335.33

Travis County Health Facilities Dev. Corp. ----- \$1,450.67

The County Auditor's office has confirmed that the final fieldwork was completed.

cc: Rodney Rhoades, Executive Manager, Planning and Budget  
Leroy Nellis, Budget Director  
Miguel Gonzalez, Sr. Financial Analyst

Attachment A  
Allocation of Audit Fees

**Travis County Corporations**

Allocation per FY-11 Budget

<u>Allocation per Actual Fund Balances</u>	<u>9/30/2011 BALANCE</u>	<u>PERCENT.</u>	<u>AUDIT FEE COST</u>	<u>ADM FEE COST</u>
TRAVIS CO. HOUSING FINANCE CORP.	\$ 925,885.88	57.01%	\$ 3,597.33	\$ 171,090.82
TRAVIS CO. HEALTH FACILITIES DEV. CORP.	\$ 676,897.21	41.68%	\$ 2,629.94	\$ 55,869.78
CAPITAL INDUSTRIAL DEV. CORP.	\$ 6,244.80	0.38%	\$ 24.26	\$ 515.43
TC Cultural Education Fac. Finance Corp	\$ 15,047.20	0.93%	\$ 58.46	\$ 1,241.97
	<u>\$ 1,624,075.09</u>	<u>100.00%</u>	<u>\$ 6,310.00</u>	<u>\$ 228,718.00</u>

Allocation for March audit invoice (60% of the fee)

	<u>AUDIT</u>
TRAVIS CO. HOUSING FINANCE CORP.	\$ 2,335.33
TRAVIS CO. HEALTH FACILITIES DEV. CORP.	\$ 1,450.67
CAPITAL INDUSTRIAL DEV. CORP.	
TC Cultural Education Fac. Finance Corp	
	<u>\$ 3,786.00</u>

Travis County Housing Finance paid the first 20% (\$1,262)



RECEIVED  
2011 FEB 23 AM 9:29  
TRAVIS COUNTY  
AUDITORS OFFICE

Travis County, Re: 10302.Corporation  
Attn: Susan Spataro, CPA, CMA  
PO Box 1748  
Austin, TX 78767

Re: Time/Expense for the period ending February 15, 2011

10302.Corporation

In Reference To: Progress billing for professional services rendered in connection with audit of the following corporations which are included in the Travis County audit as of and for the year ended September 30, 2010, based on the related contract allowing 60% billing of total fees within 30 days after final fieldwork.

Capital Health Facilities Development Corporation,  
Travis County Housing Finance Corporation  
Travis County Health Facilities Development Corporation  
Travis County Cultural Education Facilities Finance Corporation,  
Capital Industrial Development Corporation, and  
Travis County Development Authority.

Invoice # **49545**

For professional services rendered

Amount  
\$3,786.00

Balance due

\$3,786.00

Please include the invoice number on your check.

Invoice payable upon receipt. Thank you for your continued business and referrals.

6850 Austin Center Boulevard, Suite 180, Austin, TX 78731-3129 (512) 346-2086 / 1-877-977-6850 EIN 74-2920819



## Corporations Agenda Request

### Travis County Health Facilities Development Corporation

---

Meeting Date: 3/8/2011, 9:00 AM, Voting Session

Prepared By: Harvey Davis, Corporations, 854-4743

Elected/Appointed Official/Dept. Head: Harvey Davis, Corporations & Assistant Investment Manager

---

#### **AGENDA LANGUAGE:**

Consider and take appropriate action on request to approve minutes of Board of Director meeting of February 8, 2011.

---

#### **BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:**

Enter Background/Summary of Request

See attachment

---

#### **FISCAL IMPACT AND SOURCE OF FUNDING:**

No financial Impact.

---

#### **REQUIRED AUTHORIZATIONS:**

Corporations	Harvey Davis	Completed	02/25/2011 11:31 AM
Planning and Budget Office	Leroy Nellis	Completed	02/25/2011 11:35 AM
County Judge's Office	Cheryl Aker	Completed	03/01/2011 11:45 AM
Commissioners Court	Cheryl Aker	Pending	

Agenda Item No. \_\_\_\_\_

**TRAVIS COUNTY HEALTH FACILITIES DEVELOPMENT CORPORATION**  
**AGENDA REQUEST**

Work Session \_\_\_\_\_ Voting Session March 8, 2011 Executive Session \_\_\_\_\_  
Date Date Date

- I. A. Request made by: Samuel T. Biscoe, President  
Elected Official
- B. Requested Text: Consider and take appropriate action on request to approve minutes of Board of Director meeting of February 8, 2011.

Approved by: \_\_\_\_\_  
Signature of Samuel T. Biscoe, President

- II. A. Any backup material to be presented to the court must be submitted with this Agenda Request (Original and eight copies of agenda request and backup).
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\_\_\_\_ A change in your department's personnel (reclassifications, etc.)

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

County Attorney's Office (473-9415)  
\_\_\_\_ Contract, Agreement, Policy & Procedure

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**MINUTES OF THE MEETING  
OF THE BOARD OF DIRECTORS OF  
TRAVIS COUNTY HEALTH FACILITIES DEVELOPMENT CORPORATION  
HELD ON TUESDAY, FEBRUARY 8, 2011**

A regular meeting of the TRAVIS COUNTY HEALTH FACILITIES DEVELOPMENT CORPORATION Board of Directors was held on Tuesday, February 8, 2011, at 11:59 a.m. at Travis County Commissioners' Court Room, 314 W. 11th St., Austin, Texas pursuant to proper notice and call of said meeting.

Members of the Board of Directors in attendance were Samuel T. Biscoe, President; Sarah Eckhardt, Vice President; Margaret Gomez; and Ron Davis, Assistant Secretary. Karen Huber, Treasurer, was absent.

**1. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE THREE INVOICES FROM THE WELLNESS BUDGET.**

**The Board heard from:** Harvey L. Davis, Manager

**Motion:** Director Biscoe moved to approve the request.  
Director Gomez seconded the motion.

<b>Motion carried:</b>	Director Biscoe	yes
	Director Eckhardt	yes
	Director Huber	absent
	Director Gomez	yes
	Director Davis	yes

**Staff Note:** The amount of the three invoices is \$5,374.

**ADJOURN**

The meeting was adjourned at 12:01 P.m.

---

Ron Davis, Assistant Secretary