Travis County Commissioners Court Agenda Request

Meeting Date: December 6, 2011
Prepared By/Phone Number: Christy Moffett / 854-3460
Elected/Appointed Official/Dept. Head:
Sherri E. Fleming, County Executive of Travis County Health and Human Services & Veterans Service

Commissioners Court Sponsor: Judge Samuel T. Biscoe

AGENDA LANGUAGE:
Receive public comments regarding the Program Year 2010 Consolidated Annual Performance Evaluation Report for the Community Development Block Grant provided by HUD.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:
Under the provisions of Title 1 of the Housing and Community Development Act of 1974 (42 USC 5301), the federal government, through the U.S Department of Housing and Urban Development (HUD), sponsors the Community Development Block Grant (CDBG), a program that provides annual grants to cities and counties to develop viable urban communities by providing decent housing, a suitable living environment, and by expanding economic opportunities for low and moderate income persons.

Since 2006, Travis County has received CDBG funds from HUD on an annual basis. As a CDBG urban entitlement, Travis County must compile and publish a report detailing the use of CDBG funds and associated progress and accomplishments for every program year. HUD calls this annual report the Consolidated Annual Performance and Evaluation Report (CAPER).

The CAPER describes the County's CDBG housing and community development activities as well as the County's overall housing and community development efforts. This year's CAPER corresponds to activities conducted during the 2010 program year spanning October 1, 2010 to September 30, 2011.

On October 25, 2011, the Travis County Commissioners Court approved a 15-day public comment period spanning from December 1, 2011, through December 15, 2011, as well as a public hearing on December 6, 2011. Notice of the comment period and public hearing was provided in newspapers of general circulation, through postal and electronic mailings, on the County's website, Facebook, Twitter and the seven Travis County Community Centers.

STAFF RECOMMENDATIONS:
Staff recommends the public hearing to be compliant with HUD regulations and Travis County's Citizen Participation Plan.

ISSUES AND OPPORTUNITIES:
Comments may be received in writing beginning December 1, 2011 at 8:00 a.m. through on December 15, 2011 at 5:00 p.m. The public can access the draft document by visiting **www.co.travis.tx.us/CDBG**, by visiting any of the seven Travis County Community Centers or by calling 512-854-3460 to request a copy. The public can submit written comments by mailing them to CDBG Program, Travis County HHSVS, P.O. Box 1748, Austin, TX 78767 or emailing them to **cdbg@co.travis.tx.us**.

FISCAL IMPACT AND SOURCE OF FUNDING:
No budget impacts are anticipated by this item.

REQUIRED AUTHORIZATIONS:
None.

Updated 12/1/11, 3:15 p.m.

Travis County Community Development Block Grant (CDBG) Program

PY10 CDBG Annual Report Public Hearing

Travis County Commissioners Court
Presentation by the Health & Human Services and Veteran Services (HHS & VS) Department
December 6, 2011

PY10 Accomplishments: Land Acquisition

- **In October 2010 Austin Habitat for Humanity closed on 27 lots on Gilbert Lane to build affordable single-family housing for low-income families.**
- **In January 2011 a substantial amendment was approved to provide an additional $174,000 in CDBG funding from prior year project savings for the acquisition of an additional 4 lots on the Gilbert Lane parcel.**
- **Austin Habitat for Humanity closed on the final four lots in July, 2011.**
- **The first house for the project was 90% complete at the end of PY10.**
- **Of the $1,076,613.70 budgeted, $1,044,505.02 was expended in PY10.**

PY10 Accomplishments: Lava Lane

- **Roadway improvements are complete for Lava Lane, a substandard road in Precinct 4. The project was substantially complete on June 13, 2011.**

- **The road has been accepted on to the Travis County system.**
- **The project benefits 1,297 people.**
- **Of the $475,000 budgeted in PY10, $334,762.79 was expended in PY10.**

PY10 Accomplishments: Social Services Expansion

- **175 people benefitted from services, exceeding annual project goals.**
- **Outreach conducted to 29 organizations, to inform the community about social work services available.**
- **Four clients received assistance through the Youth and Family Assessment Center program.**
- **Eleven clients were assisted with Best Single Source funds.**
- **Of the $69,295 budgeted in PY10, $65,374.48 was expended in PY10.**

PY10 Accomplishments: Planning and Administration

- **Staff continue to complete grant administration and project development.**
- **In February 2011, the two vacant CDBG Planner positions were filled.**
- **The PY2011-2013 Consolidated Plan and PY2011 Action Plan were completed on time.**
- **Staff were active in homelessness and housing planning efforts.**
- **Of the $188,454 budgeted in PY10, $159,860.35 was expended in PY10.**

PY10 Other Accomplishments

- **Achieved timeliness compliance in August 2011. In September 2011, the ratio was 1.34.**
- **In PY10, Travis County renewed its Urban County status for 2012-2014.**
- **The Village of Webberville elected to join the Urban County, and a Cooperative Agreement was approved by TCCC in July, 2011.**

Pipeline Projects

Project	Budgeted	Status
1. Homebuyer Assistance	PY09: $509,945 PY10: $285,000	• Program design is complete. • A Request-for-Services (RFS) process is underway to identify a sub-recipient.
2. YFAC Flex Fund Expansion	PY09: $32,100	•The project was delayed due to competing priorities in getting other projects completed.
3. Home Rehabilitation	PY08: $106,136 PY09: $130,000	•A Request-for-Services (RFS) process will take place in Program Year 2011 to identify a sub-recipient. •Anticipated to begin in PY2011.

Summary of PY 2006 – 2010 Accomplishments

Completed 12 projects

Spent over $3 million

Benefitted over 3550 people

Public Comment Period

Public Comment Period:

- Comments are accepted beginning December 1, 2011 at 8:00 a.m. and ending December 15, 2011 at 5:00 p.m.

To access the draft Annual Report:

- Visit **www.traviscountytx.gov/CDBG**
- Visit any of the seven Travis County Community Centers
- Or call 512-854-3460 to request a copy

To submit written comments:

- Mail them to CDBG Program, Travis County HHSVS, P.O. Box 1748, Austin, TX 78767
- Email them to **cdbg@co.travis.tx.us**

Item 3

Travis County Commissioners Court Agenda Request

Meeting Date: 12/6/2011
Prepared By/Phone Number: Debbie Ties – 854-6472
Elected/Appointed Official/Dept. Head: Hershel Lee
Commissioners Court Sponsor: Judge Biscoe

AGENDA LANGUAGE: CONSIDER AND TAKE APPROPRIATE ACTION ON AN ORDER CONCERNING OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

STAFF RECOMMENDATIONS:

ISSUES AND OPPORTUNITIES:

FISCAL IMPACT AND SOURCE OF FUNDING: None

REQUIRED AUTHORIZATIONS:
Hershel Lee
Danny Hobby
Cheryl Aker
Commissioners Court

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us **by Tuesdays at 5:00 p.m.** for the next week's meeting.

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 January 3, 2012 or upon such date as a determination is made by the Travis County Commissioners Court or by the Travis County Fire Marshal 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 6th DAY OF December 2011.

TRAVIS COUNTY COMMISSIONERS COURT

By: _____
Samuel T. Biscoe, County Judge

CONDADO DE TRAVIS §
§
ESTADO DE TEJAS §

ORDEN EL PROHIBIR
EL QUEMARSE AL AIRE LIBRE

MIENTRAS QUE, la sección 352.081 del código del gobierno local proporciona que la corte de las comisiones de un condado por orden puede prohibir quemarse al aire libre en unincorporated el área del condado si la corte de las comisiones hace encontrar que las circunstancias presentes en unincorporated área crean un peligro de seguridad público que sería exacerbado por quemarse al aire libre; y,

MIENTRAS QUE, las comisiones Corte del condado de Travis encuentran por este medio que las circunstancias presentes en todo el unincorporated a área de Travis que el condado crea un peligro de seguridad público que sería exacerbado por quemarse al aire libre;

AHORA, POR LO TANTO, SE PIDE que el quemarse al aire libre está prohibido en todo el unincorporated áreas del condado de Travis como sigue:

(1) Acciones prohibidas:
- (a) Una persona viola esta orden si el/ella se quema cualquier exterior material combustible de un recinto que los servicios para contener todas las llamas y/o chispas, o pidan tal quemarse por otros.
- (b) Una persona viola esta orden si he/she engancha a cualquier actividad al aire libre que podría permitir las llamas o las chispas que podrían dar lugar a un fuego a menos que estuvieron hechas en un recinto diseñaron proteger la extensión del fuego, o piden tales actividades por otras.

(2) Aplicación:
- (a) Sobre la notificación de quemarse al aire libre sospechado, el cuerpo de bomberos con la jurisdicción para la localización del fuego responderá a la escena y tomará medidas inmediatas de contener y/o de extinguir el fuego.
- (b) Cuanto antes, enviarán un oficial debido comisionado de la paz a la escena para investigar la naturaleza del fuego.
- (c) Si, según la opinión del oficial en la escena, la meta de esta orden puede ser lograda informando al partido responsable sobre las prohibiciones establecidas por esta orden, el oficial puede, en su discreción, conformidad de la petición con ella. En tales casos, una entrada de esta notificación que contiene la fecha, la época y el lugar de la advertencia, junto con el nombre del partido que recibe la advertencia, serán remitidos a la oficina del juez del condado.
- (d) De acuerdo con la sección 352.081 del código del gobierno local, una persona que viola con conocimiento o intencionalmente esta orden confía un delito menor de la clase C, castigable por una multa hasta $500.

(3) Esta orden no se aplica a las actividades ardientes al aire libre:
- (a) relacionado con la salud pública y la seguridad para las cuales son autorizados por la Comisión de Tejas en la calidad ambiental:
  - (a) entrenamiento del bombero;
  - (b) utilidad pública, tubería del gas natural, u operaciones de explotación minera; o
  - (c) el plantar o el cosechar de las cosechas de la agricultura.
- (b) eso es conducida por un encargado prescrito de la quemadura certificado bajo sección 153.048, código de los recursos naturales,

y resuelve los estándares de la sección 153.047, código de los recursos naturales.

(c) eso implica el funcionamiento de **al aire libre** operaciones combustibles, incluyendo pero no limitadas a, soldadura al aire libre, corte u operaciones que muelen y operaciones de trabajos calientes al aire libre, por cualquier persona (i) si el mariscal del fuego del condado de Travis ha publicado un permiso para la soldadura o las operaciones de trabajos calientes de acuerdo con el fuego cifran o (ii) si las operaciones se realizan de acuerdo con los requisitos siguientes que crean un ambiente controlado y salvaguardias en cada día en que se realizan las operaciones:

(a) Se están realizando las áreas donde el soldar con autógena, corte o las operaciones del operación que muelen o calientes de trabajos están libres de la vegetación por lo menos veinticinco pies en todas las direcciones;

(b) Las superficies alrededor de la soldadura o del área de trabajos caliente se mojan abajo;

(c) Se está realizando cada localización en donde el soldar con autógena, corte o las operaciones del operación que muelen o calientes de trabajos debe tener comunicaciones del teléfono portátil para la respuesta de la emergencia;

(d) Antes de comenzar cualesquiera operaciones, la persona que realiza la soldadura, el corte o moliendo las operaciones del operación o calientes de trabajos debe notificar el districto local del cuerpo de bomberos o de los servicios de emergencia cuál sirve la localización en donde se planean la soldadura, el corte o las operaciones del operación que muelen o calientes de trabajos.

(e) Una persona dedicada del reloj del fuego atiende a cada soldador, cortador, amoladora, o trabajador que realiza operaciones de trabajos calientes o cualquier actividad que cause una chispa;

(f) En menos un (1) presión del agua el extintor por persona del reloj del fuego está situado a 10 pies de la localización donde soldando con autógena, corte o se están realizando las operaciones del operación que muelen o calientes de trabajos;

(G) No se permite ninguna soldadura, corte u operaciones del operación que muelen o calientes de trabajos el los días señalados como días amonestadores de la bandera roja por el servicio nacional del tiempo;

(h) Si toda la soldadura, corte y operaciones que muelen u operaciones de trabajos calientes se realizan solamente en una soldadura total o un recinto caliente de los trabajos, o una "caja de la soldadura" o una "caja caliente de los trabajos", que es suficientemente alta controlar chispas, incluyendo una cubierta retardataria del fuego sobre la tapa, se anima que se conformen con el ANUNCIO de los

requisitos inclusivo , si es factible y se apropian a las operaciones deben conformarse con los requisitos E, F, y G en esta lista y, y;

(i) Si toda la soldadura, corte y operaciones que muelen u operaciones de trabajos calientes se realizan solamente en superficie inferior, o "agujero de la campana", se anima a la soldadura y las operaciones que muelen o las operaciones de trabajos calientes dentro de excavaciones aprobadas, las operaciones deben conformarse con los requisitos E, F, y G en esta lista y que se conformen con el ANUNCIO de los requisitos inclusivo, si es factible y apropiado.

Sea también ORDENADO que es el propósito de esta orden la mitigación del peligro de seguridad público se presentó por los fuegos salvajes durante el actual secan el tiempo acortando la práctica de quemarse al aire libre, que el propósito debe considerado en cualquier acción de la aplicación basada sobre esta orden.

Esta orden que prohíbe quemarse al aire libre expirará el 3 de enero de 2012 o a partir de esa fecha haste que una determinacion se hace por la Corte de comisionados de Travis, o por el mariscal de fuego del condado de Travis que las circunstancias presentes en unincorporated las áreas del condado de Travis crean no más un peligro de seguridad público que sería exacerbado por quemarse al aire libre, cualquiera ocurre anterior.

PIDIÓ ESTOS 6 DÍA DEL DICIEMBRE DE 2011.

COMISIONES CORTE DEL CONDADO DE TRAVIS

Por: _____

Samuel T. Biscoe, juez del condado

Travis County Commissioners Court Agenda Request

Meeting Date: December 6, 2011
Prepared By/Phone Number: Norman McRee/854-4821
Elected/Appointed Official/Dept. Head: Leroy Nellis, Acting County Executive, Planning & Budget
Commissioners Court Sponsor: Sam Biscoe, County Judge

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 $1,045,944.29, for the period of November 18 to November 24, 2011.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

See 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 $1,045,944.29.

ISSUES AND OPPORTUNITIES:

See attached.

FISCAL IMPACT AND SOURCE OF FUNDING:

Employee Health Benefit Fund (526) – $1,045,944.29

REQUIRED AUTHORIZATIONS:

Dan Mansour, 854-9499
Diane Blankenship, 854-9170
Leroy Nellis, 854-9106

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us **by Tuesdays at 5:00 p.m.** for the next week's meeting.

TRAVIS COUNTY
RECOMMENDATION FOR TRANSFER OF FUNDS

DATE:	December 6, 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:	November 18, 2011 to November 24, 2011
REIMBURSEMENT REQUESTED FOR THIS PERIOD:	$1,045,944.29
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 $1,045,944.29

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

NOVEMBER 18, 2011 TO NOVEMBER 24, 2011

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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. FY Comparison of Paid Claims to Budget.

Page 5. Notification of amount of request from United Health Care (UHC).

Page 6. Last page of the UHC Check Register for the Week.

Page 7. List of payments deemed not reimbursable.

Page 8. Journal Entry for the reimbursement.

TRAVIS COUNTY
RECOMMENDATION FOR TRANSFER OF FUNDS

DATE:	December 6, 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: November 18, 2011
TO: November 24, 2011

REIMBURSEMENT REQUESTED: $ 1,045,944.29

SUPPORTING DETAIL FOR REIMBURSEMENT REQUESTED:

NOTIFICATION OF AMOUNT OF REQUEST FROM UHC*:	$	1,805,830.28
bank withdrawal correction	$	(2,850.00)
LESS: REIMBURSEMENTS PREVIOUSLY APPROVED BY COMMISSIONERS COURT: November 29, 2011	$	(757,171.26)
	$	-
October 5, 2010 adj	$	135.10
Adjust to balance per UHC	$	0.17
TOTAL CLAIMS REIMBURSEMENT REQUESTED BY UHC FOR THIS WEEK:**	**$**	**1,045,944.29**
PAYMENTS DEEMED NOT REIMBURSABLE	$	-
TRANSFER OF FUNDS REQUESTED:	**$**	**1,045,944.29**

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

All claims over $25,000 (2 this week totaling $29,029.81) 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 ($154,297.36) 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 ($34,943.39).

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.

Diane Blankenship 11/29/11
Diane Blankenship, Director, HRMD Date

Dan Mansour 11-29-2011
Dan Mansour, Risk Manager Date

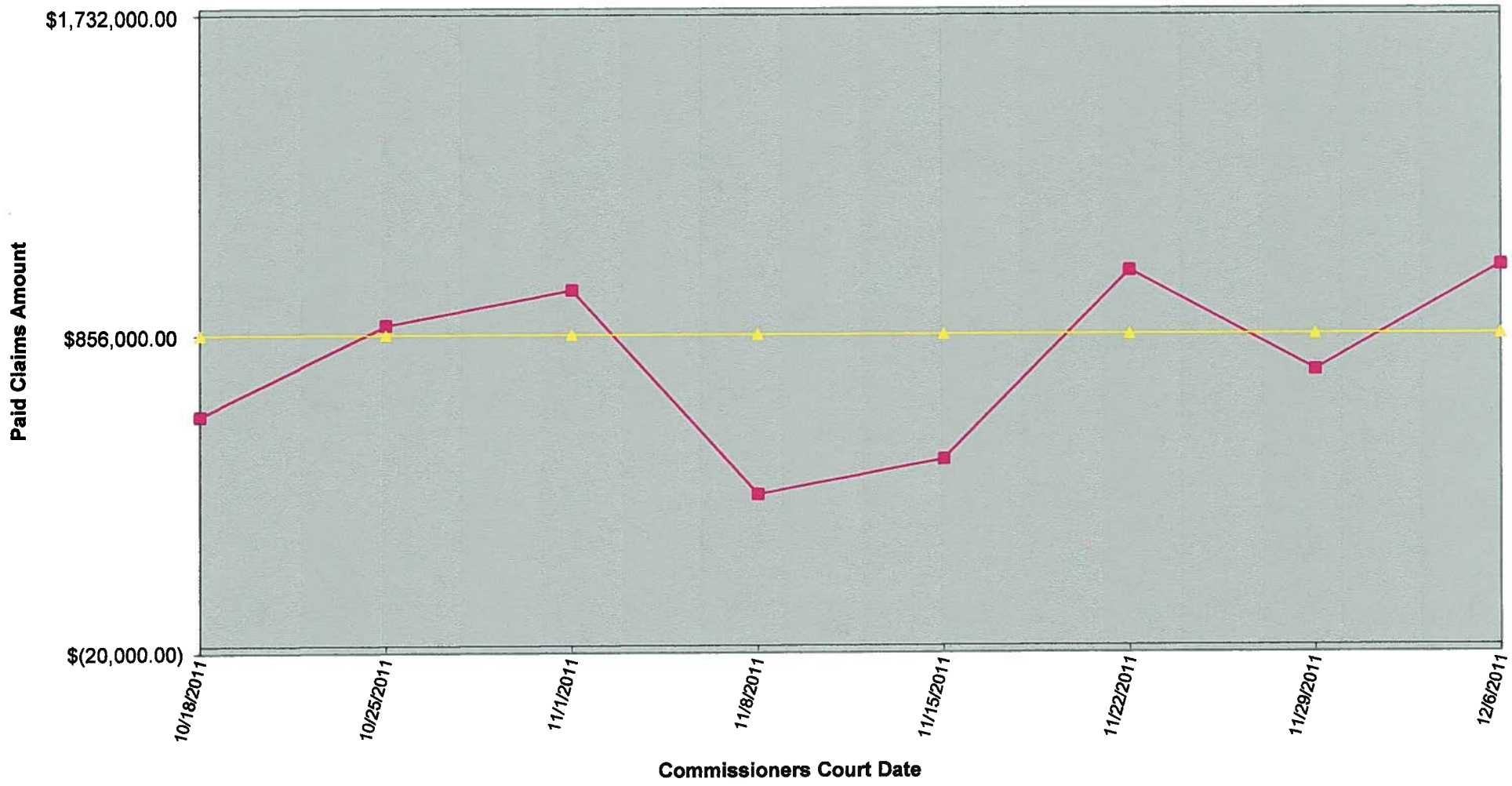
Cindy Purinton 11-29-11
Cindy Purinton, Benefit Contract Administrator Date

Norman McRee 11/29/11
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

Updated 12/1/11, 3:15 p.m.

Travis County Employee Benefit Plan
FY12 Paid Claims vs Weekly Claims Budget of $856,615.23



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Updated 12/1/11, 3:15 p.m.

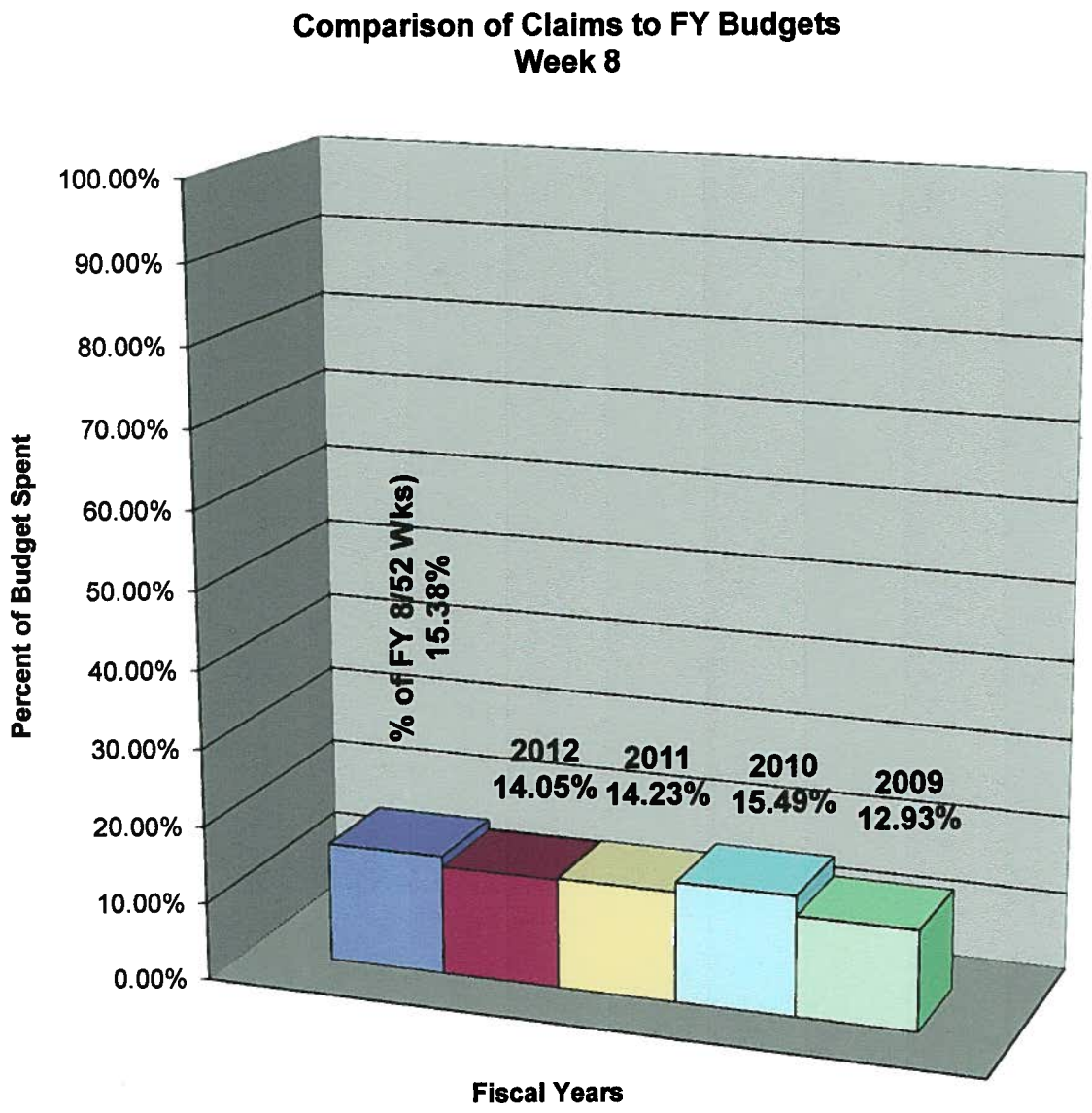
Travis County Employee Benefit Plan
FY11 Weekly Paid Claims VS Weekly Budgeted Amount

Wk	Period from	Period To	Voting Session Date	Pd Claims Request Amount	Budgeted Weekly Claims	# of Large Claims	Total of Large Claims	FY 2012 % of Budget Spent	FY 2011 % of Budget Spent
1	9/30/2011	10/6/2011	10/18/2011	$ 633,677.95	$ 856,615.23	2	$ 84,383.56	1.42%	1.14%
2	10/7/2011	10/13/2011	10/25/2011	$ 882,462.44	$ 856,615.23	1	$ 34,434.26	3.40%	3.65%
3	10/14/2011	10/20/2011	11/1/2011	$ 978,780.20	$ 856,615.23	1	$ 85,633.00	5.60%	4.76%
4	10/21/2011	10/27/2011	11/8/2011	$ 417,495.82	$ 856,615.23	0	$ -	6.54%	7.22%
5	10/28/2011	11/3/2011	11/15/2011	$ 513,031.56	$ 856,615.23	1	$ 25,354.52	7.69%	8.28%
6	11/4/2011	11/10/2011	11/22/2011	$ 1,031,570.27	$ 856,615.23	0	$ -	10.01%	10.69%
7	11/11/2011	11/17/2011	11/29/2011	$ 757,171.26	$ 856,615.23	2	$ 166,108.32	11.71%	12.20%
8	11/18/2011	11/24/2011	12/6/2011	$ 1,045,944.29	$ 856,615.23	1	$ 29,029.81	14.05%	14.23%

Paid & Budgeted Claims to Date	$ 6,260,133.79	$ 6,852,921.85
Paid Claims less Total Weekly Budget		$ (592,788.06)

note: Not predictive of impact on reserve, intended to show relationship of weekly claims cost to weekly budget.

Updated 12/1/11, 3:15 p.m.



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Norman McRee

From: SIFSFAX@UHC.COM
Sent: Thursday, November 24, 2011 10:48 PM
To: Norman McRee
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: 2011-11-25 REQUEST AMOUNT: $1,805,830.28

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

CALCULATION OF REQUEST AMOUNT

+ ENDING BANK ACCOUNT BALANCE FROM: 2011-11-23	$987,938.96
- REQUIRED BALANCE TO BE MAINTAINED:	$2,668,041.00
+ PRIOR DAY REQUEST:	$00.00
= UNDER DEPOSIT:	$1,680,102.04
+ CURRENT DAY NET CHARGE:	$125,728.24
+ FUNDING ADJUSTMENTS:	$00.00
REQUEST AMOUNT:	$1,805,830.28

ACTIVITY FOR WORK DAY: 2011-11-18

CUST PLAN	CLAIM	NON CLAIM	NET CHARGE
0632	$38,736.47	$00.00	$38,736.47
TOTAL:	$38,736.47	$00.00	$38,736.47

UNITED HEALTHCARE CHECK REGISTER FOR TRAVIS COUNTY SUBMITTED 2011_11_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	-352.94	A1	59800	AH	1	11/16/2011	200	11/23/2011	11/24/2011
701254	632	-376.22	A1	100360	AH	1	11/16/2011	200	11/23/2011	11/24/2011
701254	632	-419.08	A1	72907	AA	16	11/16/2011	200	11/23/2011	11/24/2011
701254	632	-439.19	NN	SSN0000C	AL	0	11/15/2011	600	11/21/2011	11/24/2011
701254	632	-445.85	A1	7984	AH	5	11/16/2011	200	11/23/2011	11/24/2011
701254	632	-480.60	QG	90676594	AH	9	11/16/2011	50	11/22/2011	11/24/2011
701254	632	-527.40	QG	90676594	AH	9	11/16/2011	50	11/22/2011	11/24/2011
701254	632	-543.29	A1	66285	AH	5	11/16/2011	200	11/23/2011	11/24/2011
701254	632	-553.84	A1	66283	AH	5	11/16/2011	200	11/23/2011	11/24/2011
701254	632	-673.37	A1	77963	AA	1	11/16/2011	200	11/23/2011	11/24/2011
701254	632	-944.12	A1	10613	AH	7	11/16/2011	200	11/23/2011	11/24/2011
701254	632	-1,042.66	A1	81308	AH	6	11/16/2011	200	11/23/2011	11/24/2011
701254	632	-1,172.00	QG	90662954	AA	8	11/16/2011	50	11/22/2011	11/24/2011
701254	632	-1,591.23	A1	66163	AH	3	11/16/2011	200	11/23/2011	11/24/2011
701254	632	-2,000.47	NN	SSN0000C	AL	0	11/15/2011	600	11/21/2011	11/24/2011
701254	632	-2,027.57	26	263337	AE	1	11/17/2011	50	11/22/2011	11/24/2011
701254	632	-2,843.20	NN	SSN0000C	AL	0	11/15/2011	600	11/21/2011	11/24/2011
701254	632	-3,491.60	NN	SSN0000C	AL	0	11/15/2011	600	11/21/2011	11/24/2011
701254	632	-6,169.90	26	261959	AH	6	11/17/2011	50	11/22/2011	11/24/2011
		1,045,944.29								

2

Travis County Hospital and Insurance Fund - County Employees

UHC Payments Deemed Not Reimbursable

For the payment week ending: 11/24/2011

CONTR_#	*TRANS_AMT*	*SRS*	*CHK_#*	*GRP*	*CLAIM ACCT#*	*ISS_DATE*	*TRANS CODE*	*TRANS_DATE*

Total: $0.00

2

Travis County - Hospital and Self Insurance Fund (526)

Journal Entry for the Reimbursement to United Health Care

For the payment week ending: 11/24/2011

TYPE		MEMBER TYPE	TRANS_AMT	
CEPO				
	EE			
		526-1145-522.45-28	**127,840.64**	
	RR			
		526-1145-522.45-29	**9,391.53**	
Total CEPO				$137,232.17
EPO				
	EE			
		526-1145-522.45-20	**228,134.03**	
	RR			
		526-1145-522.45-21	**45,895.86**	
Total EPO				$274,029.89
PPO				
	EE			
		526-1145-522.45-25	**546,962.27**	
	RR			
		526-1145-522.45-26	**87,719.96**	
Total PPO				$634,682.23
Grand Total				$1,045,944.29

Travis County Commissioners Court Agenda Request

Meeting Date: 12/6/2011
Prepared By/Phone Number: Cynthia Lam-Roldan, 854-4822
Elected/Appointed Official/Dept. Head: Leroy Nellis, 854-9106
Commissioners Court Sponsor: Judge Biscoe

AGENDA LANGUAGE:
Consider and take appropriate action on the following items for Human Resources Management Department:

A. Proposed routine personnel amendments; and

B. Non-routine request from Juvenile Probation for a variance to Travis County Code § 10.03008, Promotion.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:
Attached are Personnel Amendments for Commissioners Court approval.

A. Routine Personnel Actions – Pages 2 – 5.

B. Non-Routine Personnel Action – Pages 6 – 9.

Juvenile Probation requests approval to record an action as a voluntary job change - Travis County Code § 10.03009 in lieu of a promotion - Travis County Code § 10.03008 for Slot 154, Juvenile Probation Division Director, PG 25 to Slot 630, Attorney IV, PG 26.

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

STAFF RECOMMENDATIONS:
N/A

ISSUES AND OPPORTUNITIES:
N/A

FISCAL IMPACT AND SOURCE OF FUNDING:
None.

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us **by Tuesdays at 5:00 p.m.** for the next week's meeting.

REQUIRED AUTHORIZATIONS:
Todd Osburn, Human Resources Management Department, 854-2744
Diane Blankenship, Human Resources Management Department, 854-9170
Leroy Nellis, Planning and Budget Office, 854-9106
Cheryl Aker, County Judge's Office, 854-9555

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us **by Tuesdays at 5:00 p.m.** for the next week's meeting.

Human Resources Management Department

700 Lavaca Street, 4th Floor • P.O. Box 1748 • Austin, Texas 78767 • (512) 854-9165 / FAX (512) 854-9757

December 6, 2011

ITEM # :

DATE: November 23, 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: Leroy Nellis, Acting County Executive, Planning and Budget

FROM: Diane Blankenship, Director, HRMD

SUBJECT: Weekly Personnel Amendments

Attached are Personnel Amendments for Commissioners Court approval.

A. Routine Personnel Actions – Pages 2 – 5.

B. Non-Routine Personnel Action – Pages 6 – 9.

Juvenile Probation requests approval to record an action as a voluntary job change - Travis County Code § 10.03009 in lieu of a promotion - Travis County Code § 10.03008 for Slot 154, Juvenile Probation Division Director, PG 25 to Slot 630, Attorney IV, PG 26.

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

LN/DB/TLO

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

WEEKLY PERSONNEL AMENDMENTS --- ROUTINE

NEW HIRES

Dept.	Slot	Position Title	Dept. Requests Level/Salary	HRMD Recommends Level/Salary
County Clerk	38	Recording Spec I	12 / Level 3 / $30,804.80	12 / Level 3 / $30,804.80
County Clerk	108	Recording Spec I	12 / Level 3 / $30,804.80	12 / Level 3 / $30,804.80
Fac Mgmt	59	Custodian*	5 / $24,960.00	5 / $24,960.00
PBO	18	Budget Analyst I**	16 / Level 2 / $39,429.60	16 / Level 2 / $39,429.60
Pretrial Services	24	Office Spec Part-time	10 / Midpoint / $15,117.44	10 / Midpoint / $15,117.44
Sheriff	1422	Cadet**	80 / Step 1 / $34,594.77	80 / Step 1 / $34,594.77

*** Temporary to Regular** **** Actual vs Authorized**

TEMPORARY APPOINTMENTS

Dept.	Slot	Position Title	Dept. Requests Grade/Salary	HRMD Recommends Grade/Salary	**Temporary Status Type Code
TCCES	50054	Counselor	15 / $16.64	15 / $16.64	05
TNR	50008	Park Tech I	8 / $11.00	8 / $11.00	05
TNR	50017	Park Tech I	8 / $11.00	8 / $11.00	05
TNR	50030	Park Tech I	8 / $11.00	8 / $11.00	05
TNR	50032	Park Tech I	8 / $11.00	8 / $11.00	05
TNR	50033	Park Tech I	8 / $11.00	8 / $11.00	05

****Temporary Status Type Codes:** (Temporary less than 6 mos. = 02) (Project Worker more than 6 mos. = 05, includes Retirement Benefits).

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

Dept. (From)	Slot – Position Title – Salary	Dept. (To)	Slot – Position Title –Salary	Comments
TNR	Slot 20078 / Park Tech I / Grd 8 / $11.00	TNR	Slot 50038 / Park Tech I / Grd 8 / $11.00	Status changed from Temporary Worker (02) to Project Worker (05).

CAREER LADDERS – POPS						
Dept.	**Slot**	**Current Position Title/Grade**	**New Position Title/Grade**	**Current Annual Salary**	**Proposed Annual Salary**	**Comments Current HRMD Practice**
Sheriff	278	Corrections Ofcr* / Grd 81	Corrections Ofcr Sr / Grd 83	$39,706.37	$43,159.58	Career Ladder. Peace Officer Pay Scale (POPS).
Sheriff	345	Deputy Sheriff Law Enforcement* / Grd 72	Deputy Sheriff Sr Law Enfrcmt / Grd 74	$48,506.02	$52,590.72	Career Ladder. Peace Officer Pay Scale (POPS).
Sheriff	399	Cadet* / Grd 80	Corrections Ofcr* / Grd 81	$34,594.77	$39,706.37	Career Ladder. Peace Officer Pay Scale (POPS).
Sheriff	1480	Cadet* / Grd 80	Corrections Ofcr* / Grd 81	$34,594.77	$39,706.37	Career Ladder. Peace Officer Pay Scale (POPS).
Sheriff	1836	Cadet* / Grd 80	Corrections Ofcr / Grd 81	$34,594.77	$39,706.37	Career Ladder. Peace Officer Pay Scale (POPS).
*** Actual vs Authorized**						

CAREER LADDERS – NON-POPS						
Dept.	**Slot**	**Current Position Title/Grade**	**New Position Title/Grade**	**Current Annual Salary**	**Proposed Annual Salary**	**Comments Current HRMD Practice**
Pretrial Services	8	Pretrial Ofcr I* / Grd 15	Pretrial Ofcr II / Grd 16	$37,429.39	$39,300.86	Career Ladder. Pay is between min and midpoint of pay grade.
TCCES	24	Chem Dependency Counselor / Grd 15	Chem Dependency Counselor Sr / Grd 16	$40,827.80	$42,869.19	Career Ladder. Pay is between min and midpoint of pay grade.
*** Actual vs Authorized**						

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PROMOTIONS / SALARY ADJUSTMENTS / LATERAL TRANSFERS / VOLUNTARY REASSIGNMENTS / TEMPORARY ASSIGNMENTS				
Dept. (From)	**Slot – Position Titl – Grade – Salary**	**Dept. (To)**	**Slot – Position Title – Grade – Salary**	**Comments**
Constable 4	Slot 5 / Court Clerk I / Grd 13 / $30,238.83	**Constable 4**	Slot 26 / Accountant Assoc / Grd 13 / $32,497.00	Lateral transfer. Employee transferred to different slot, different position, same department, same pay grade. Pay is between min and midpoint of pay grade.
Constable 4	Slot 26 / Accountant Assoc / Grd 13 / $37,042.43	**Constable 4**	Slot 5 / Court Clerk I / Grd 13 / $34,784.26	Lateral transfer. Employee transferred to different slot, different position, same department, same pay grade. Pay is between min and midpoint of pay grade.
ITS	Slot 116 / Network Engineer I / Grd 23 / $67,868.64	**ITS**	Slot 37 / Network Engineer II / Grd 25 / $72,196.80	Promotion. Pay is between min and midpoint of pay grade.
Sheriff	Slot 179 / Certf Peace Ofcr Sr* / Grd 84 / $63,481.39	**Sheriff**	Slot 1880 / Certf Peace Ofcr Sr / Grd 84 / $63,481.39	POPS lateral transfer. Employee transferred to different slot, same position, same department, same pay grade, retains current pay.
Sheriff	Slot 576 / Certf Peace Ofcr Sr / Grd 84 / $63,481.39	**Sheriff**	Slot 1879 / Certf Peace Ofcr Sr / Grd 84 / $63,481.39	POPS lateral transfer. Employee transferred to different slot, same position, same department, same pay grade, retains current pay.
Sheriff	Slot 648 / Public Information Ofcr TCSO* / Grd 18 / $63,573.04	**Sheriff**	Slot 648 / Public Information Ofcr Sr PS / Grd 20 / $66,751.70	Promotion. Pay is between midpoint and max of pay grade.
Sheriff	Slot 1429 / Corrections Ofcr Sr / Grd 83 / $43,159.58	**Sheriff**	Slot 576 / Corrections Ofcr Sr* / Grd 83 / $43,159.58	POPS lateral transfer. Employee transferred to different slot, same position, same department, same pay grade, retains current pay.
*** Actual vs Authorized**				

AD HOC CLASSIFICATION CHANGE							
		Current			HRMD Recommends		
Dept.	Slot #	Auth Position Title / Position #	FLSA	Pay Grade	Position Title Position #	FLSA	Pay Grade
Medical Examiner	37	Office Spec / 10795	NE	10	Records Analyst Asst / 13488	NE	13
Department requests in order to meet departmental needs. PBO has confirmed funding available.							

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SECTION B. NON-ROUTINE PERSONNEL ACTION

NON-ROUTINE ACTION				
Dept. (From)	**Slot – Position Title – Grade – Salary**	**Dept. (To)**	**Slot – Position Title – Grade – Salary**	**Comments**
Juvenile Probation	Slot 154 / Juvenile Probation Div Dir / Grd 25 / $78,308.36	**Juvenile Probation**	Slot 630 / Attorney IV / Grd 26 / $78,308.36	Request to record an action as a voluntary job change - Travis County Code § 10.03009 in lieu of a promotion - Travis County Code § 10.03008. Retains current pay.

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

Samuel T. Biscoe, County Judge

Ron Davis, Commissioner, Pct. 1

Sarah Eckhardt, Commissioner, Pct. 2

Karen L. Huber, Commissioner, Pct. 3

Margaret Gomez, Commissioner, Pct. 4

Human Resources Management Department

700 Lavaca Street, 4th Floor • P.O. Box 1748 • Austin, Texas 78767 • (512) 854-9165 / FAX(512) 854-4203

DATE: November 23, 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: Leroy Nellis, Acting County Executive, Planning & Budget

FROM: Diane Blankenship, Director of Human Resources

SUBJECT: Juvenile Probation Department, Non-Routine Voluntary Reassignment (Slot 154)

JUVENILE PROBATION DEPARTMENT'S REQUEST

Juvenile Probation is requesting that an employee move:

•	From:	Slot 154	Juv Probation Div Dir	PG 25	$78,308.36
•	To:	Slot 630	Attorney IV	PG 26	$78,308.36

REASON FOR NON-ROUTINE ACTION

The Juvenile Probation Department would like to move a Division Director to a vacant Attorney IV position. The incumbent meets the qualifications of the Attorney IV position and was not meeting the Department's needs as a Division Director. The Department wants to reassign this employee and categorize the action as a voluntary job change with no effect on salary. However, due to the fact that the Attorney IV job classification is currently in a higher pay grade (26) than the job classification of Juvenile Probation Div Dir (25), the requested action cannot be routinely processed as a voluntary job change. According to Travis County Code § 10.03008, a promotion occurs "when an employee accepts the offer of a job assigned to a higher pay grade". By the letter of the code, this personnel action would ordinarily be considered a promotion, and not a voluntary job change. The Department does not want this action recorded as a promotion, since under the Department's structure, Division Director is considered a job with more responsibility.

Analysis

Juvenile Probation's request indicates that the Department does not view the proposed action as a promotion despite the fact that the employee will be moving to a higher pay grade. HRMD views this situation as an anomaly situation brought about primarily by the fact that the market sometimes places higher value on advanced professional jobs (such as Attorneys) than it does on managerial jobs. In this case, the Department's perspective is reasonable, and there is little question that this action does not represent a promotion in any way other than pay grade. It would be routinely processed as a voluntary job change except for the fact that the current policy defines promotions solely by the pay grade occupied by the incumbent.

The Department is not requesting a salary change in conjunction with this personnel action. This is consistent with the County's policy §10.03009(b)(2) regarding Voluntary Job Change since the proposed salary is between the minimum and midpoint of the new pay grade. Since the proposed salary is the same

as the current salary, the proposed action has no budgetary impact. Under these conditions, HRMD agrees with Juvenile Probation's proposed course of action as a reasonable proposal under the current constraints of the County Code.

HRMD Recommendation

HRMD supports the request made by Juvenile Probation. Thank you for your consideration in this matter. Should you have any questions, please call either Diane Blankenship at 854-9170 or Todd Osburn at 854-2744.

8

TRAVIS COUNTY JUVENILE PROBATION DEPARTMENT

ESTELA P. MEDINA
Chief Juvenile Probation Officer

COPY

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

November 16, 2011

Diane Blankenship
Director
Travis County Human Resource Management Department
700 Lavaca
Austin, TX 78701

Dear Ms. Blankenship,

Please review the attached Personnel Action Form, Slot 154 was hired as a Juvenile Probation Division Director on July 1, 2010, and served in that capacity until October 17, 2011 when accepted a reassignment to our Domestic Relations Division. This change was made due to performance in role as Division Director.

new position is Attorney IV, pay grade 26. was previously in pay grade 25. There will be no change in actual salary, but it is my understanding that because moved from a lower to a higher pay grade, it is considered a promotion pursuant to HRMD policy. We are requesting a non-routine personnel amendment to record this action as a **voluntary reassignment, with no demotion in salary or pay grade,** instead.

If the Commissioners Court requests additional information on this matter, we are respectfully requesting discussion during Executive Session. Please contact me or Judith Howard, HR Manager, if you need more information before submitting this request to the Commissioners Court.

Sincerely,

Estela P. Medina

Estela Perez Medina
Chief Probation Officer

Cc: Todd Osburn
Judith Howard

9

2515 South Congress Avenue ✱ Austin, Texas 78704 ✱ (512) 854-7000 Fax: (512) 854-7097

Travis County Commissioners Court Agenda Request

Meeting Date: ~~November 29~~ December 6, 2011
Prepared By/Phone Number: Kimberly Pierce, (512) 854-4764
Elected/Appointed Official/Dept. Head: Roger Jefferies, County Executive
Commissioners Court Sponsor: Margaret Gomez, Precinct 4 Commissioner

AGENDA LANGUAGE: Consider and take appropriate action on the approval of the Travis County Criminal Justice Community Plan due to the Capital Area Council of Governments (CAPCOG) December 2012.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:
The Texas Administrative Code (TAC) requires that each community submit a community plan for criminal justice related activities to their local Council of Governments. This is done as a condition to participate in the local Criminal Justice Advisory Committee (CJAC) application process for specific state and federal funding solicitations. These grant solicitations pass through the Governor's Office, Criminal Justice Division.

STAFF RECOMMENDATIONS: Criminal Justice Planning Staff recommend that the Commissioners Court approve the community plan.

ISSUES AND OPPORTUNITIES: None

FISCAL IMPACT AND SOURCE OF FUNDING: No fiscal impact. No source of funding exists for the Criminal Justice Community Plan. However, the Criminal Justice Community Plan must be submitted as mandated by the Texas Administrative Code by December 2011, for interested community grantees to apply for state and federal criminal justice funding solicitations through the Governor's Criminal Justice Division.

REQUIRED AUTHORIZATIONS: Requires Travis County Commissioners' signature prior to submission to the CAPCOG.

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us **by Tuesdays at 5:00 p.m.** for the next week's meeting.

CRIMINAL JUSTICE PLANNING

Roger W. Jefferies, County Executive, Justice & Public Safety
P.O. Box 1748 Austin, Texas 78767 Phone (512) 854-4415 Fax (512) 854-4417

MEMORANDUM

To: Travis County Commissioners Court

Through: Roger Jefferies, County Executive, Justice and Public Safety

From: Kimberly Pierce, Planning Manager, Criminal Justice Planning

Date: November 17, 2011

Subject: Request Commissioners Court to approve FY2012 to FY2015 - Community Plan for Coordination of Criminal Justice Activities

The Criminal Justice Planning Department requests the Travis County Commissioners Court approval of the Community Plan for Coordination of Criminal Justice and Related Activities. The community plan is required to be revised and submitted to the Capital Area Council of Governments every three years per the Texas Administrative Code.

Attached is the Criminal Justice Plan for FY 2012 to FY 2015. If any further information is required, please contact me at (512) 854-4764.

FY 2012 to FY 2015

TRAVIS COUNTY

COMMUNITY PLAN FOR COORDINATION OF CRIMINAL JUSTICE AND RELATED ACTIVITIES

FY 2012 to FY 2015 COMMUNITY PLAN FOR THE COORDINATION OF CRIMINAL JUSTICE AND RELATED ACTIVITIES SUBMISSION FORM

Submitting County: *Travis County*

Areas Represented:

Incorporated Communities: Austin and Pflugerville

Unincorporated Communities: Bee Cave, Briarcliff, Creedmoor, Del Valle, Jonestown, Lago Vista, Lakeway, Manor, Mustang Ridge, Rollingwood, San Leanna, Sunset Valley, the Hills, West Lake

School Districts: Austin ISD, Del Valle ISD, Eanes ISD, Lago Vista ISD, Lake Travis ISD, Manor ISD, Pflugerville ISD and multiple private and parochial schools

Dates of Community Planning Meetings: March 17, April 22, and May 28, 2011

Date Community Plan was presented to Commissioners Court: Presented to Travis County Commissioners on Tuesday, November 29, 2011

Authoring Entity: *Travis County*

Signatures of County and Judge and County Commissioners:

Judge Sam Biscoe _____

Precinct 1 Ron Davis _____

Precinct 2 Sarah Eckhardt _____

Precinct 3 Karen Huber _____

Precinct 4 Margaret Gomez _____

Date Received by Capital Area Council of Governments_____.

TRAVIS COUNTY FY 2012 COMMUNITY PLAN FOR THE COORDINATION OF CRIMINAL JUSTICE AND RELATED ACTIVITIES

INTRODUCTION AND PLAN SUMMARY

Travis County is located in Texas and is one of the oldest counties in the state. Established in 1840, it was named for William Barrett Travis, a hero of the Alamo and the Texas Revolution. Carved out of Bastrop County during the years Texas was a Republic (1836-1845), Travis County initially encompassed over 40,000 square miles. Bastrop was one of the original counties created in 1836 after Texas gained independence from Mexico. Subsequently, Travis County was subdivided as well, creating the counties of Brown (1856), Burnett (1852), Callahan (1858), Coleman (1858), Comal (1846), Eastland (1858), Gillespie (1848), Hays (1848), Lampasas (1856), Runnels (1858) and Taylor (1858).

Travis County currently comprises 989 square miles on the eastern edge of the Edwards Plateau, and is divided by the Balcones Escarpment. It is 150 miles inland from the Gulf of Mexico, approximately 100 miles southwest of Waco and approximately 75 miles northeast of San Antonio. The county's five major traffic corridors include Interstate Highway 35, Mopac (Loop 1), and U.S. Highways 183 and 290, as well as State Highway 71. Travis County is home to the City of Austin. Named for Stephen F. Austin, the Father of Texas, Austin is the largest city in the county and serves as both the state capital and the county seat. The geographical center of Travis County lies two miles northwest of downtown Austin.

The geographic areas covered under the Travis County Community Plan include the incorporated communities of Austin and Pflugerville; the unincorporated communities of Bee Cave, Briarcliff, Creedmoor, Del Valle, Jonestown, Lago Vista, Lakeway, Manor, Mustang Ridge, Rollingwood, San Leana, Sunset Valley, the Hills, and West Lake; and, the Austin, Del Valle, Eanes, Lago Vista, Lake Travis, Manor, and Pflugerville Independent School Districts, as well as multiple private and parochial schools.

To gain comprehensive insight into community needs and gaps in service, Travis County Criminal Justice Planning established a broad-based Community Plan Steering Committee and held four local community forums to elicit information and observations on current trends and issues. Community forums represented the following agencies and organizations:

- Austin, Pflugerville, and Manor Independent School Districts and Pflugerville ISD Police Department
- Austin-Travis County Integral Care
- American Youthworks
- Center for Child Protection
- Campfire USA Balcones Council
- City of Austin (Police Department and Downtown Criminal Courts)
- Council on At-Risk Youth
- GENAustin
- Girl Scouts of Central Texas
- SafePlace
- SAHELI
- Southwest Key
- Theatre Action Project
- Travis County (Community Corrections and Supervision, Constable Precinct 5, Criminal Courts Administration, Counseling and Education, District Attorney's Office, Health and Human Services, Juvenile Probation, Sheriff's Office, Veterans Court and Criminal Justice Planning)

The plan prioritizes needs within four focus areas: law enforcement, prosecution, and courts; juvenile justice; victim services; and education. It will assist the Travis County community with mobilizing available assets, sustaining successful programs, and achieving each of the plan goals. The intent of this plan is to begin accomplishing community goals within a 12 month period, which will ultimately enhance the quality of life and improve public safety in Travis County.

In forming this plan, participants identified community problems and resource needs; developed realistic goals, strategies, tasks and performance measures; collected relevant supporting data; described potential implementation plans; and identified existing efforts and resources.

TABLE OF CONTENTS

Law Enforcement, Prosecution and Courts **Pages 4 – 16**

The law enforcement, prosecution and courts forum was held on May 28, 2011. Priority areas selected will enhance initiatives within each; prevent crime and empower the community to address crime; promote and support innovation in adjudication; promote and support innovation in justice information sharing; use advanced technology to prevent and solve crime; enhance the ability of local law enforcement prosecution, and the courts to county terrorism and domestic emergencies; effectively manage adult and juvenile offenders to reduce recidivism and promote successful reentry; and work towards ending the cycle of mental illness and substance abuse.

Victim Services **Pages 16 – 23**

The victim services forum was held on April 22, 2011. Priority areas selected will provide effective interventions that address violence, victimization, and victim rights, and will work toward ending the cycle of mental illness, substance abuse, and crime.

Juvenile Justice **Pages 23 – 32**

The juvenile justice forum was held on March 17, 2011. Priority areas selected will prevent crime and empower the community to address crime; break the cycle of mental illness, substance abuse, and crime; prevent and intervene in juvenile offending and victimization; and effectively manage and provide for juvenile offenders to reduce recidivism and promote successful reentry into the community.

Education **Pages 32 – 40**

The education forum was held on April 22, 2011. Priority areas selected will address bullying, school safety, delinquency, truancy, dropout and expulsion.

Addendum A **Pages 41 – 45**

Plan participants provide a list of existing and/or planned initiatives that fall under each priority area as Addendum A.

Addendum B **Pages 45 – 66**

Plan participants compiled a significant amount of data to support the many goals described throughout this document. While portions of key data are included within each of the four category sections, the majority may be reviewed in the addendum.

LAW ENFORCEMENT, PROSECUTION AND THE COURTS

Problem Statement

To improve local law enforcement, prosecution, and court services and systems, Travis County is in need of personnel and a wide variety of resources to enhance local and regional initiatives that prevent crime and empower the community to address crime; to promote and support innovation in adjudication; to promote and support innovation in justice information sharing; to use advanced technology to prevent and solve crime; to enhance the ability of local law enforcement prosecution, and the courts to counter terrorism and domestic emergencies; to effectively manage adult and juvenile offenders to reduce recidivism and promote successful reentry; and, to end the cycle of mental illness and substance abuse.

Supporting Data

The City of Austin Police Department (APD) serves 796,310 persons residing within 261 square miles, with an authorized sworn strength of 1,718. Travis County Sheriff's Office (TCSO) serves approximately 175,000 individuals residing within 619 square miles. The 270 deputies of the Travis County Sheriff's Office (TCSO) are the primary law enforcement agency for this jurisdiction. Austin is surrounded by smaller jurisdictions that are primarily located in the rural, western portions of the county. Several of these cities have small police forces. According to the Austin Convention and Visitors Bureau, an estimated 17 million people travel to the metropolitan area annually. Austin's crime rate of 6,231 offenses per 100,000 was 16% higher than the average rate of 5,358 for all large U.S. cities.

APD Uniform Crime Reporting Information – Violent Crime and Property Crime

	Offenses			Rate per 100,000		
Part I Index Crimes	**2009**	**2010**	**% change**	**2009**	**2010**	**% change**
Murder	22	38	72.7%	2.9	4.8	66.8%
Rape	265	265	0%	34.5	33.3	-3.4%
Robbery	1,415	1,231	-13%	184	154.6	-16%
Aggravated Assault	2,322	2,256	-2.8%	302	283.3	-6.2%
Total Violent Crime	4,024	3,790	-5.8%	523.3	475.9	-9%
Burglary	8,753	8,749	0%	1,138.3	1,098.7	-3.5%
Theft	37,054	34,827	-6%	4,818.7	4,373.5	-9.2%
Auto Theft	2,219	2,250	1.4%	288.6	282.6	-2.1
Total Property Crime	48,026	45,826	-4.6%	6,245.5	5,754.8	-7.9%
Total Index Crime	52,050	49,616	-4.7%	6,769	6,231	-7.9
			Population	768,970	796,310	3.6%

Information Sharing

The Austin Regional Intelligence Center (ARIC) is a collaborative effort of criminal justice agencies operating within a three-county area of Central Texas. The mission of ARIC is to maximize the ability of personnel to detect, prevent, apprehend, and respond to criminal and terrorist activity. ARIC is currently comprised of five municipal government agencies, three county government agencies, the University of Texas at Austin Police Department, and the Austin Independent School District Police Department. The ten founding ARIC partners were chosen based on their proximity to the Interstate 35 corridor, an area that recently received a High Intensity Drug Trafficking Area designation by the Justice Department. A key element of their information strategy is the creation of a regional crime database so that patterns of criminal activity can be tracked across jurisdictions.

Crime-Specific Information

In calendar year 2010, there were a total of 2,416 gang-related incidents involving 2,528 documented gang members. Offenses involving narcotics have consistently accounted for 18-20% of gang member involved offenses over the last five years, with remaining offenses ranging from aggravated robbery, burglary and criminal trespass to theft, family violence and over 75 emergency protective orders.

Human trafficking in Central Texas is a critical issue. Texas is a border state and the Western District of Texas has the longest common border with Mexico, approximately 660 miles, making it likely that victims brought across the US/Mexican border (legally or illegally) will be residing for some period of time in Texas. Austin, Texas, is situated on a primary interstate highway system, and, as such, is a major trans-shipment point and staging area for controlled substance and for smuggled individuals. Austin is home to the largest university in the country, is known for its live music and entertainment scene, and is in close vicinity to a major military base (Ft. Hood). The combination of a youthful population and Austin's urban location make it a destination city for human trafficking. Because Austin is located on the IH-35 corridor, it is an ideal place for traffickers who want to frequently and quickly move victims from city to city, as in cases of national sex trafficking rings. This includes both domestic and foreign born victims. Since 2007, the Austin Travis County Human Trafficking Task Force has investigated over 80 cases of potential human trafficking in the Central Texas area involving over 140 victims.

APD and TCSO Crisis Intervention Teams (CITs) share office space at the Austin State Hospital and provide on-scene intervention for individuals with mental health and co-occurring disorders. Between 2000 and 2009, calls for service within Austin city limits requiring personnel with mental health training increased 51% – from 4,786 to 7,203. Between 2003 and 2008, calls for service requiring a knowledgeable TCSO mental health officer response rose 70%, from 1,956 to 3,323.

In calendar year 2009, the Austin Police Department documented 12,836 cases of family violence, while in calendar year 2007, just over 7,500 cases were documented. Of the cases documented by the Austin Travis County Family Violence Protection Team, an inordinate number – over 50% – are attributed to Hispanic or Latino females between the ages of 25 and 59.

Theft of intellectual property is a burgeoning crime in the Austin area as counterfeiting technology and techniques become increasingly available to criminal elements. These crimes are

investigated by the Austin Police Department's Property Interdiction Unit. Over the past two years, the sale of pirated CDs and DVDs has become a persistent problem, particularly at local flea market venues. Directed patrols and undercover operations have generated more than a dozen cases resulting in seizures in excess of 40,000 pirated CDs or DVDs.

There is growing anxiety about how to house the large number of ex-offenders being released from state and federal prison each year, over 600,000 annually. Many offenders experience rejection from families and friends, refusal by private landlords and intensive screening (and eviction) from public housing. As a result, the burden of housing ex-offenders increasingly falls upon the shoulders of communities, nonprofit organizations, community corrections, law enforcement and the courts. Inmates released from Travis County Jail and those discharged from the institutional division of TDCJ typically lack necessary skills and/or resources for successful reintegration.

- 5,177 TDCJ Inmates are Travis County residents
- Total inmates received by TDCJ from Travis County in 2010 – 2,805
- Total inmates released by TDCJ from Travis County in 2010 – 2,666

Local issues confronting offenders with alcohol or substance abuse issues include

- Lack of inpatient and outpatient treatment options and low availability of community-based treatment
- Treatment facilities continue to close and those that provide services do not have child care options
- Substance abuse treatment is not offered in the jail

Austin Travis County Integral Care – established in 2007 to increase local access to mental health and other treatment services for individuals with mental illness (with or without co-occurring disorders) – works to maintain open cases for clients if placed in jail for short stays (one month or less). State contractual requirements prevent billing for services provided during jail stays and require that clients be reassessed after 90 days, risking the possibility that they may be placed on a waiting list rather than resuming services. ATCIC currently has a waiting list of 1,155 individuals who need access to services.

Priority A:

Travis County needs additional personnel and resources for law enforcement, prosecutors and the court to solve violent crime and improve public safety.

Priority Level: High

Goals

- To provide resources and support for violent crime and organized crime investigations
- To provide resources and support for the effective prosecution and adjudication of violent crime and organized crime cases

- To develop new and sustain current initiatives, programs, and undercover operations that combat violent crimes and organized crimes
- To establish or enhance local repeat offender (top offender) programs
- To support law enforcement, prosecution, and the courts by improving emergency communication services
- To provide ongoing training for personnel assigned to violent crime and organized crime cases
- To address business and citizen concerns of violent crime and its impact

Strategies/Tasks

- Identify funding for personnel (including overtime and temporary staff), resources (equipment, supplies and contractual), and training to support violent crime and organized crime investigations, including homicide, cold case homicide, child abuse, rape, robbery, domestic violence, sex crimes, domestic violence, sex offender apprehension and registration, transnational gang and cartel activity, human trafficking, narcotics trafficking, and other major crimes
- Establish new or enhance existing collaborations between criminal justice agencies and partners
    - To maximize all locally available funds and in-kind resources
    - To improve the flow of case-related information
    - To share general subject matter information
- Increase formal and informal contact between local law enforcement jurisdictions, city/county government agencies, businesses, non-profit organizations, neighborhood associations, civic groups, community leaders and residents
    - To facilitate and promote long-term cooperation
    - To provide platforms for information sharing and continuing education
    - To provide seamless services and prevent overlapping services and programming
- Repeat offender (top offender) programs should be considered by all local law enforcement agencies, prosecutors, and the courts. Repeat offenders are responsible for a significant number of violent crimes and these programs are beginning to show positive results.

Annual Output and Outcome Measures

- Percent change in reported violent crime incidents
- Percent change in reported organized crime incidents
- The number of
    - violent crime cases resolved
    - repeat offenders
    - active violent crime undercover operations
    - active violent crime initiatives
    - cases processed by the APD Crime Laboratory
    - cases prosecuted
    - cases adjudicated

- active violent crime task forces and collaborations
- new sworn personnel hired
- new non-sworn personnel hired
- personnel trained

Implementation

- Response to violent crime requires the immediate response of law enforcement and the mobilization of multiple government and community-based services. To meet the above listed goals, law enforcement, prosecution and the courts will work internally to:
- Build organizational capacity (staffing, governance, and financial stability) and secure alternate sources of funding and in-kind donations to support violent crime and organized crime investigations
- Increase information sharing to enhance prosecution efforts, provide more successful outcomes for victims, and identify serial offenders and trends
- Publish online (and regularly update) designated points of contact for local task force and collaborative efforts to facilitate information sharing
- Provide training for personnel (investigative, crime specific, and coalition building) and ensure that when budgeting locally-hosted training is considered prior to sending minimal staff to in or out-of-state courses. Travel expenses (travel, hotel, per diem, and incidentals) are not cost effective. Locally-hosted trainings have the ability to benefit multiple agencies as well as partner non-profits and community members at reduced cost. When locally-hosted training is not an option, train-the-trainer sessions should follow.
- Establish or enhance repeat offender (top offender) programs with cooperation from all levels of the criminal justice systems. Repeat offenders will be tracked by program, will be offered available social services and when reoffending occurs, will be moved to the top of court dockets, will not receive deferral options, and will be subject to stronger sentencing options.
- Develop, print (in English and Spanish), and distribute materials that will increase public awareness of violent crime and organized crime and ways to prevent it. Use online and local media to reach a greater number Travis County residents and business owners.

Priority B:

Travis County needs additional personnel and resources for law enforcement, prosecutors and the court to combat property crime and improve public safety.

Priority Level: High

Goals

- To provide resources and support for property crime investigations
- To provide resources and support for the effective prosecution and adjudication of property crime cases

- To promote more effective communication between law enforcement, prosecutors, court personnel, corrections, and the community
- To establish or enhance local repeat offender (top offender) programs
- To provide ongoing training for personnel assigned to property crime cases
- To improve upon crime prevention efforts and address business and citizen concerns of property crime and its impact

Strategies/Tasks

- To secure funding and in-kind donations for personnel and resources to support property crime investigations
- To establish new or enhance existing collaborations between criminal justice agencies and partners
    - To maximize all locally available funds and in-kind resources
    - To improve the flow of case-related information
    - To share non-case specific information
    - To provide continuing education
- To increase formal and informal contact between local jurisdictions, city/county government agencies, businesses, non-profit organizations, neighborhood associations, civic groups, community leaders and residents
- Repeat offender (top offender) programs should be considered by all local law enforcement agencies, prosecutors, and the courts. Repeat offenders are responsible for a significant number of violent crimes and these programs are beginning to show positive results.

Annual Output and Outcome Measures

- Percent change in the property crime rate
- Percent change in successful property crime case resolutions
- Percent change in victimization
- The number of
    - repeat offenders
    - active collaborations and task forces
    - citizen surveys
        - increase/decrease in communication and trust between law enforcement, corrections, and the community
        - increase/decrease in community pro-activeness in addressing issues and concerns
    - community forums and meetings held per year
        - increase/decrease community input regarding crime prevention and local agency policies in handling neighborhood-specific crime issues
        - increase/decrease community participation in community policing efforts and crime prevention efforts

Implementation

Property crimes are most often crimes of opportunity; therefore, a strong collaboration between law enforcement and the community is required. The delivery of crime prevention services initially lies within the law enforcement community (police agencies, prosecution and the courts). Law enforcement has well-established crime prevention goals, objectives, and evaluation measures, and maintains close working relationships with non-profits, businesses, community leaders, and residents. This plan enhances current efforts by focusing on improving public safety and the quality of life within Travis County and reducing victimization (emotional, physical, psychological, and financial) due to property loss.

To meet the above listed goals, law enforcement, prosecution, and the courts will work internally to

- Build organizational capacity (staffing, governance, and financial stability).
- Increase information sharing to enhance prosecution efforts, provide more successful outcomes for victims, and identify serial offenders and trends.
- Initiate a crime prevention planning process which focuses on the identification of historical and emerging crime problems and the development of community-wide strategies to address them. The planning process needs to be formalized and include members of the law enforcement agency, relevant government agencies, and selected representatives of the affected community. The crime prevention planning process may be initiated on a jurisdiction-wide basis or for a specific neighborhood which has been identified to be at risk to crime.
- Establish or enhance repeat offender (top offender) programs with cooperation from all levels of the criminal justice systems. Repeat offenders will be tracked by program, will be offered available social services and when reoffending occurs, will be moved to the top of court dockets, will not receive deferral options, and will be subject to stronger sentencing options.
- Define a central point of contact within agencies for requests for crime prevention services; develop and distribute online and print materials (in English and Spanish) that increase public awareness of crime and ways to prevent it.
- Provide training for personnel (investigative, crime specific, and coalition building) and ensure that when budgeting locally-hosted training is considered prior to sending minimal staff to in or out-of-state courses. Travel expenses (travel, hotel, per diem, and incidentals) are not cost effective. Locally-hosted trainings have the ability to benefit multiple agencies as well as partner non-profits and community members at reduced cost. When locally-hosted training is not an option, train-the-trainer sessions should follow.

In addition, law enforcement will work closely with community partners to

- Increase crime prevention activities and utilize evidence-based or best practice models (with demonstrated measureable outcomes and sustainability plans) when determining which programs should be offered locally.
- Facilitate citizen participation, buy-in and stewardship to crime prevention, law enforcement and corrections programs.
- Focus on ex-offender reintegration and re-entry, youth engagement/education, safe neighborhoods, and/or health and wellness

- Improve trust and understanding between law enforcement, corrections and the community through regular meetings, forum, and online communication/updates
- Continue the production of Public Service Announcements (PSAs) that are intended to raise awareness in the community about ways that citizens can keep from being victims of crime, and expand the availability of these PSA's for use at public meetings
- Provide safety surveys upon request by property owners

Priority C:

Travis County needs to resolve data sharing and confidentiality issues between agencies.

Priority Level: High

Goals

- To fully explore the integration of business intelligence options, including predictive modeling, predictive policing, and data mining
- To streamline inter-agency communication
- To enhance officer safety
- To more effectively and logistically utilize locally available resources

Strategies/Tasks

Criminal and terrorist activity is transient by nature and necessitates the real-time exchange of information between all levels of government.

- Enhance existing fusion center collaborations to
    - Cost effectively allocate locally available funds and in-kind resources
    - Maximize the use of crime information and regional data
    - Provide continuing education
- Upgrade current fusion center systems and integrate new software systems to data mine and anticipate crime trends

Annual Output and Outcome Measures

- Percent change in rate of all crime types
- Percent change in turnaround time for requests for information
- The number of
    - officer involved incidents
    - in-custody incidents
    - active inter-agency collaborations, task forces, standing meetings
    - new partnerships
    - partner agencies that received trained
    - professionals trained

Implementation

To meet the above listed goals, law enforcement, prosecution, and the courts will work internally to

- Reconcile and coordinate existing and planned information sharing initiatives and data sources
- Purchase and integrate new systems and train personnel to use the new technology
- Foster, develop, and join regional and statewide data sharing initiatives
- Enhance current and develop new technology architecture/data standards
- Explore national data sharing options and begin to develop strategies for potential national initiatives

Priority D:

Travis County needs additional resources to address mental health and substance abuse issues within the criminal justice system.

Priority Level: High

Goals

- To provide early intervention, treatment, and services for system-involved individuals with mental illness and co-occurring disorders
- To promote early intervention, treatment, and services for system-involved individuals with substance abuse issues
- To provide training and continuing education for criminal justice system personnel in the areas of mental illness (and co-occurring disorders) and substance abuse, and to ensure that officials are aware of all available local options for system-involved persons
- To divert from prosecution and use alternatives to jail/prison sentences, when appropriate, in cases involving non-violent offenders with mental illness (and co-occurring disorders) and substance abuse
- To promote communication, collaboration, and partnerships with respect to offenders with mental illness and substance abuse issues

Strategies/Tasks

- Three elements which are critical to establishing effective programs and systems are missing in many treatment systems across the country: adequate duration of care; adequate variety of treatment intensities or "modalities"; and appropriate, science-based care strategies. Ensuring that these are addressed would dramatically improve treatment outcomes. Travis County will work to provide programs and services to meet specific needs of offenders.
    - Provide early assessment and evaluation to ensure that offenders receive the appropriate care and the courts have reliable information on which to base their decisions.

    - Continuity of care will be essential for offenders re-entering the community and will require coordination and cooperation with all vested players (to include law enforcement, community corrections, treatment providers, community agencies, faith-based and non-profit agencies, municipal and county agencies).
- Promote communication between law enforcement, prosecutors, court personnel, mental health and substance abuse providers and other local organizations and individuals.
    - Provide education for professionals, community members, and offenders on mental health (and co-occurring disorders), alcohol/substance abuse, and the effects of each on the community as a whole.
    - Make client transition from one program to another as seamless as possible.

Annual Output and Outcome Measures

- The number of
    - arrests for alcohol/drug related crimes
    - offenders sentenced to jail or prison for probation/parole violations
    - evidence-based treatment programs for offenders
- Percent change in client
    - recidivism*
    - drug/alcohol use
        - including decreased use of substances of abuse, nonuser stability, increasing perceived risk, increasing disapproval, increasing age of first use; for mental health - decreased mental illness symptomatology
    - law enforcement contact/criminal activity
    - costs related to arrest, prosecution, and incarceration
    - stabilization
        - offender taking medications appropriately, safe detoxification or sobering up, plus safe stabilization of substance-induced or substance-exacerbated psychiatric symptoms or disorders, plus referral to continuing interventions for motivational enhancement and/or prolonged stabilization of each disorder
    - active treatment for substance abuse
        - incremental small step changes in substance use patterns in order to achieve reduction in harm with minimum change. The pattern of use that is non-harmful is defined by successive trials in relation to the severity of psychiatric disability and symptoms.
    - relapse prevention
        - maintenance of abstinence or non-harmful use patterns through appropriate use of recovery supports and specific relapse prevention skills
    - confinement in jail/prison
    - social connectedness
    - employment and employee compliance
    - reciprocity (capacity of mentally ill to give back to the community)
    - self-sufficiency

  - number of treatment assets and options
  - access to service systems
- Percent change in court dockets

*Recidivism is a commonly used yet inadequate quality assurance indicator for either in- or out-patient substance abuse treatment. Focusing strictly on recidivism without commensurate attention on access to care, relapse, and program efficacy can lead to incentives to avoid readmission (or even in redefining recidivism) and thereby prevent patients from receiving needed treatment and continued funding of programs not meeting community or court-imposed needs. Outcomes must be both measured by process and impact efficacy and effectiveness to be valid.

Note: Program participants will explore community survey options to collect data on coordination and cooperation among law enforcement, corrections, and treatment agencies, and in general, the community's understanding and perception of treatment issues and efforts in Travis County.

Implementation

Without treatment options in the jail, offenders are often left to decompensate further. Treatment is necessary to reduce recidivism and the location of choice is the community where persons with mental illness must learn to function. Community treatment avoids the additional stigma and penalties towards eligibility for housing, employment, and public benefits that result from a criminal record. Jail diversion is the main strategy used to prevent the criminalization of people with mental illness. Individuals with mental illness coming into contact with the criminal justice system have other options to prevent incarceration and ensure appropriate mental health treatment is received. The target population requires a continuum of care provided by a variety of service professionals in jail and in the community that is coordinated at both the state and local levels:

- Case management services that include crisis intervention, screening, counseling, discharge planning, and community follow-up
- Pre and post-booking diversion for qualifying mentally ill defendants
- Transitional case management services
- Long-term housing support

Programs and services will be provided by multiple government and non-government agencies and may require interagency agreements. During the first quarter of implementation, participating agencies will ensure that they reach a consensus on defined goals, appropriately delineate responsibilities, and update communication procedures. Locally selected programs and services will include cross training and ongoing evaluation, with the following key priorities in mind

- Offenders with co-occurring drug abuse and mental health problems will require an integrated treatment approach.
- Treatment must last long enough to produce stable behavioral change.
- Drug use during treatment will be monitored carefully.

- Treatment planning for drug abusing offenders who are living in or re-entering the community should include strategies to prevent and treat serious, chronic medical conditions, such as HIV/AIDS, hepatitis B and C and tuberculosis.
- Aftercare and relapse prevention programs must be part of the offender's treatment plan, and a balance of rewards and sanctions may be maintained to encourage pro-social behavior.
- During recovery, addicted individuals should be connected with other social services as needed (employment, housing, and mental health services).

Priority F:

Travis County needs to explore means of removing systemic barriers to housing for persons with criminal backgrounds.

Priority Level: High

Goals

- To offer programs and services for adult male and female offenders transitioning to local communities following release from jail/prison
- To explore and potentially provide alternatives to incarceration for qualified non-violent offenders
- To meet offender supervision and control needs in a community-based assistive or therapeutic setting
- To provide a seamless continuum of programming through connections with human service and correctional agencies
- To provide ongoing education for community supervisions (probation and parole) with regard to reentry

Strategies/Tasks

- Conduct comparative analyses of Austin/Travis County with similar cities focusing on the perception of Austin as a converging point for the homeless and mental health populations: delve into root causes and better define local issues and the community's desired response, including a willingness and ability to support recommended actions
- Partner with public and private organizations to ease the reentry of ex-offenders. Collaboration must exist between law enforcement, community corrections/parole, Texas Department of Corrections – Institutional Division, municipalities, counties, local nonprofits, faith-based organizations, neighborhood-based organizations, regional nonprofits, and national nonprofits.
- Target special populations for reentry into the community following incarceration. Special populations will include young offenders, substance abusers, persons with mental health problems, women, sex offenders, and persons with HIV/AIDS.

Annual Output and Outcome Measures

- The number of homeless persons
- The number of formerly incarcerated individuals who:
  - locate housing within 30 days of release
  - are stably housed 1 year post release
  - successfully complete community corrections or parole programs
- Percent change in recidivism
- Percent change in cases set for court docket
- The number of active programs assisting offender reentry
  - Pre-release
  - Post-release

Implementation

To meet the above listed goals, law enforcement, prosecution, and the courts will work internally to

- Educate the community about the issues, needs and concerns of returning prisoners; demonstrate that services are available and successful in supporting ex-offenders; and demonstrate the benefit of action as well as the result of inaction.
- Engage the community from the initial stages of programming and provide regular updates on the progress, successes, and challenges in an effort to build trust and buy-in
- Examine and utilize successful, evidence-based practices to provide housing services to returning offenders and special population offenders.

VICTIM SERVICES

Problem Statement

To improve local victim services, Travis County is in need of personnel and a wide variety of resources to provide effective interventions that address violence, victimization, and victim rights, and to end the cycle of mental illness, substance abuse, and crime.

Supporting Data

There is a tremendous need for counseling, support, mental health services and safety/shelter for victims and their families in the Travis County community. Local law enforcement data shows that in 2010, there were 49,616 crimes committed, including 265 cases of rape and 2,256 cases of aggravated assault.

In 2010, Austin Police Department and Travis County Sheriff's Office Victim Services Division counselors served over 19,000 victims of rape, domestic violence, sexual assault, dating violence, stalking, and human trafficking. Investigators, counselors, and local victim advocacy groups made approximately 33,700 primary, secondary, and collateral contacts to prove victim assistance. There were ten domestic violence-related murders in the Austin area in 2010 – the

highest number of such homicides in 13 years (1). There were 1,735 confirmed victims of child abuse/neglect in Travis County from September of 2009 to August of 2010 (*Texas Department of Family and Protective Services, 2010 Annual Report and Data Book).* Unfortunately, this data only reflects a fraction of those actually victimized by sexual and domestic violence, which are among the most under-reported crimes. It is estimated that 25% of physical assaults and 20% of rapes of females by intimate partners are reported to law enforcement. (U.S. Department of Justice, Bureau of Justice Statistics, "Criminal Victimization," 2003. Quoted in http://www.ncadv.org/files/DomesticViolenceFactSheet(National).pdf)

The Texas Legislature recently passed a bill, which is now in effect, that enhances the penalties for assaulting a family member by strangulation or suffocation. The Travis County District Attorney's Office has one part-time grant funded prosecutor to handle the influx of new cases. As this grant ends in 2012, the need for additional assistant district attorneys for family justice cases is critical.

Research indicates that people with disabilities are at risk of experiencing victimization at rates higher than people without disabilities. In a sample of people with disabilities who received counseling services at SafePlace during 1998-2008, 64% reported multiple perpetrators and 76% experienced multiple incidences of sexual abuse or assault at various times in their lives (Cameron, L.A., (2008) SafePlace: Austin, TX).

Travis County is experiencing a high volume of cases in the criminal justice system, where victims require mental health services to address either a pre-existing mental condition/illness, or the onset of a condition caused by the violent crime. In addition to serving the Travis County population, local services are overburdened from treating residents of neighboring counties resulting from a dearth of mental health services in those counties. The wait lists for mental health services are often lengthy. At one point in time in 2011, SafePlace's Counseling Services program averaged 120 calls a month requesting services, and 15 people walked-in weekly for counseling intakes. In 2010, SafePlace received 12,868 calls on its 24-hour crisis hotline for domestic/sexual violence victims and their loved ones. In August 2011, SafePlace received 1,669 calls – the highest number of calls received in a month by this agency. Due to a lack of adequate resources, limited outreach and specialization, many victims are left untreated and are unable to participate in the criminal justice process that seeks to obtain justice and protection for them.

The 2010 Point-in-Time Homeless Count found there were 443 homeless victims of domestic violence in Austin/Travis County. SafePlace is the primary service provider for victims of domestic and sexual violence in Travis County. The agency provides 105 beds of emergency shelter and 48 transitional housing units in incorporated areas of the County. In 2010, SafePlace served 804 adults and their children in their shelter. The agency continues to see high, growing waiting lists for its shelter, counseling and other services in 2011.

Please also see violent crime data from the Law Enforcement, Prosecution, and Courts supporting data section above and additional supporting data in Addendum B.

1 "Estranged husband charged in woman's murder." Grisales, C. Austin American-Statesman, 1/5/2011.

Priority A:

Travis County needs to increase local capacity to respond to victims of crime.

Priority Level: High

Goals

- To provide state mandated services to victims
- To improve staffing levels and organizational capacity to effectively serve the growing county population
- To improve the coordinated community response to victims
- To improve the response time to victims of crime
- To offer interpretation/translation services
- To triage and re-evaluate the types of crimes that require an immediate response and may require long-term support
- To maintain 24-hour crisis hotline services for victims
- To educate the community on strategies for creating safe and respectful communities
- To create evidence-based initiatives that foster community involvement (such as volunteerism) in supporting victims of crime
- To provide case management and supportive services for victims of crime

Strategies/Tasks

- Offer state mandated services to victims in coordination with a strong community response to their specific needs.
- Identify and secure funding for personnel (including overtime and temporary staff), resources (equipment, supplies and contractual), and training to support local victim services professionals.
- Establish new or enhance existing collaborations between criminal justice agencies and partners to
    - Maximize all locally available funds and in-kind resources,
    - Support case management,
    - Improve the flow of case-related information and continuing education,
    - Share general subject matter information, and
    - Most efficiently triage and conduct ongoing evaluation of client cases that require multiple services.
- Increase formal and informal contact between local law enforcement jurisdictions, city/county government agencies, businesses, non-profit organizations, neighborhood associations, civic groups, community leaders and residents to
    - Facilitate and promote long-term involvement and support local initiatives,
    - Provide platforms for information sharing and continuing education,
    - Provide seamless services and prevent overlapping services and programming,
    - Secure all necessary translation and interpretation services, and

- Develop a list of physicians and psychiatrists who will participate in a continuum of care and a protocol for providing needed services for victims, especially in crisis/emergency scenarios.

Annual Output and Outcome Measures

- The number of
  - new positions created
  - positions continued with grant funding
  - public awareness campaigns, in general
    - and specifically, those that emphasize community accountability for non-violent and anti-criminal behavior
  - education programs, in general
    - and specifically, those that emphasize community accountability for non-violent and anti-criminal behavior
- The number of victims
  - receiving state mandated services
  - receiving government victim services
  - receiving non-government victim services
  - needing interpretation/translation services
  - who utilize 24-hour crisis hotline services for domestic violence, sexual violence, and human trafficking
  - who receive medication
  - who receive psychiatric services
  - who receive trauma-informed services

Note: Plan participants are considering a community or victim survey to gauge satisfaction with victim services offered locally and to solicit input on how to best involve victims throughout the criminal justice process.

Implementation

- Victims of crime require the immediate response of law enforcement and the mobilization of multiple government and community-based services. To meet the above listed goals, law enforcement, prosecution and the courts will work internally to
- Build organizational capacity (staffing, governance, and financial stability) and secure alternate sources of funding and in-kind donations
- Improve information sharing and consider technology options to enhance prosecution efforts, provide more successful outcomes for victims, and identify trends
- Provide case management for all levels of crime
- Provide culturally-competent and interpretation/translation protocols to reduce the delay in response time and outreach
- Publish online (and regularly update) designated points of contact for local collaborative efforts to facilitate information sharing

- In addition, law enforcement, prosecution, the courts and community partners will work closely to
- Facilitate community involvement (such as volunteerism) to reduce the burden of understaffed victim-serving entities.
    - Maintain the provision of 24-hour crisis hotline services for victims of domestic/sexual violence and/or trafficking.
    - Develop and implement an outreach initiative on the traumatic impact of domestic and sexual violence and proactive prevention messages that focus on creating a safe, respectful and non-violent community.
    - Maintain existing programs that provide financial planning, build employment skills and provide other economic empowerment services to victims of crime.
    - Educate victims on employment opportunities and assist them in developing work skills to build self-sufficiency and encourage independent living.
    - Create a database of service providers willing to participate in strengthening needed services for crime victims such as interim hotel shelter, extended counseling services, temporary transportation programs, and alternative therapeutic services such as peer support groups for non-domestic/sexual violence crime victims.
    - Provide training for personnel (crime specific, and coalition building) and ensure that when budgeting locally-hosted training is considered prior to sending minimal staff to in or out-of-state courses. Travel expenses (travel, hotel, per diem, and incidentals) are not cost effective. Locally-hosted trainings have the ability to benefit multiple agencies as well as partner non-profits and community members at reduced cost. When locally-hosted training is not an option, train-the-trainer sessions should follow.

Priority B:

Travis County needs specialized mental health services for victims of crime.

Priority Level: High

Goals

- To achieve a greater understanding of crime-related psychological trauma to discern the difference and continuum of care necessary for (1) acute trauma; (2) chronic trauma; and (3) complex trauma vs. mental illness by victim-serving agencies and professionals
- To develop specialized mental health treatment programs for adult and child victims and/or witnesses of crime
- To provide easily accessible mental health services for underserved victims of crime (meeting cultural, disability, and language needs)
- To increase accessibility to mental health, legal, case management, shelter and other services for victims with disabilities
- To provide immediate and long-term psychological and psychiatric treatment programs for crime victims and their families

- To encourage the legal community, private therapists, and public mental health agencies to collaborate when legal issues and mental health issues intersect

Strategies/Tasks

- Identify and secure funding for personnel (including overtime and temporary staff), resources (equipment, supplies and contractual), and training to support local victim services professionals.
- Form an alliance to enable the legal community, private therapists, public mental health agencies and victim service agencies to collaborate when legal issues and mental health issues intersect.
- Establish new or enhance existing collaborations between criminal justice agencies, public mental health agencies, private therapists, the legal community and other plan partners to
    - Maximize all locally available funds and in-kind resources,
    - Provide early assessment and diagnosis for crime-related trauma and mental illness to ensure victims receive appropriate, trauma-informed care,
    - Provide tailored programs and services to fit the needs of underserved victims of crime that are culturally competent and disability and language accessible,
    - Develop and implement long-term psychological and psychiatric treatment programs for crime victims and their families,
    - Develop alternatives to mental health professionals for victims, e.g. peer support groups, religious based groups,
    - Improve the flow of case-related information and continuing education,
    - Share general subject matter information,
    - Facilitate and promote long-term involvement and support local initiatives,
    - Provide platforms for information sharing and continuing education,
    - Provide seamless services and prevent overlapping services and programming,
    - Secure all necessary translation and interpretation services,
    - Develop a list of private mental health professionals who will provide a continuum of care for victims and witnesses of crime, including treatment programs, and
    - Educate providers in the community about Crime Victim's Compensation.

Annual Output and Outcome Measures

- The number of victims who receive
    - Immediate psychiatric care
    - Immediate psychological care
    - Long-term psychiatric care
    - Long-term psychological care
- The number of underserved victims
    - who seek services from mainstream service providers
    - who seek services from specialized, culturally-competent agencies
- The number of new collaborations formed between legal and mental health providers

Implementation

- Victims of crime require the timely response of criminal justice agencies, public mental health agencies, private therapists, the legal community and other plan partners. To meet the above listed goals, providers will
- Build organizational capacity (staffing, governance, and financial stability) and secure alternate sources of funding and in-kind donations,
- Improve information sharing and consider technology options to enhance prosecution efforts, provide more successful outcomes for victims, and identify trends,
- Implement/increase case management and crisis hotline services, to include use of trauma-informed approaches necessary to link and/or provide crisis intervention, screening, counseling, safety planning and financial assistance services,
- Define local underserved communities and the barriers to services that they face, and, subsequently, develop strategies to provide sensitive and welcoming services, and
- Provide training associated with crime victim trauma and ensure that when budgeting locally-hosted training is considered prior to sending minimal staff to in or out-of-state courses. Travel expenses (travel, hotel, per diem, and incidentals) are not cost effective. Locally-hosted trainings have the ability to benefit multiple agencies as well as partner non-profits and community members at reduced cost. When locally-hosted training is not an option, train-the-trainer sessions should follow.

Priority C:

Travis County is in need of additional housing options for victims of crime.

Priority Level: High

Goals

- To provide affordable, safe, alternative housing options for victims of crime, including persons who are homeless and other underserved populations
- To offer emergency shelter services to individuals leaving domestic violence situations
- To educate the housing and financial communities and other key stakeholders about the need for additional housing options for crime victims
- To reduce the number of evictions of victims based on their involvement with the criminal justice system or their status as a crime victim

Strategies/Tasks

- Identify and secure funding to maintain organizational capacity and to sustain existing shelter units, particularly for domestic violence victims.
- Develop a database of rental and housing properties, financial institutions, and other key stakeholders that are willing to provide housing options and other needed resources for victims and their families, including but not limited to homeless persons and other underserved populations.
- Work with the local real estate community to

  - Provide education on the complexities and realities of criminal victimization for rental and housing property personnel who provide assistance to victims and
  - Create safe and affordable transitional and permanent housing options for victims.
- Partner with legal service providers to secure in-kind assistance for individuals who are wrongly evicted on the basis of their status as a victim.

Annual Output and Outcome Measures

- Percentage change in evictions due to crime victim status
- The number of rental and housing property personnel who receive training
- The number of victims of domestic violence and sexual violence with access to emergency shelter services

Implementation

- Criminal justice agencies, public mental health agencies, private therapists, the legal community and other plan partners will
- Work with the Ending Community Homelessness Coalition (ECHO, Inc.) and other homeless service providers to increase community awareness/education about the intersections of crime and homelessness,
- Create an outreach strategy for housing entities to support the needs of and barriers faced by victims who are seeking safe and affordable housing,
- Educate the housing community and financial institutions on the dynamics of crime victims and barriers to financial independence faced by survivors,
- Act as liaisons to the legal community on in-kind services, to include housing discrimination of victims, and
- Explore options for partnering with local moving companies for free or greatly-discounted moving services for crime victims.

JUVENILE JUSTICE

Problem Statement

To improve local juvenile justice services and systems, Travis County is in need of personnel and a wide variety of resources to prevent crime and empower the community to address juvenile crime; break the cycle of mental illness, substance abuse, and crime; prevent and intervene in juvenile offending and victimization; and, effectively manage and provide for juvenile offenders to reduce recidivism and promote successful reentry into the community.

Supporting Data

The Austin Independent School district reports disciplinary actions were taken in 19,220 cases representing 10,710 individual children and youth. Dispositions by school authorities were for in school and out of school suspension and removal to disciplinary alternative education program during the 2010-2011 school year. Among this group of AISD students there were documented incident reports and disciplinary actions taken for 8,447 cases for aggression, assaultive and abusive conduct, 197 cases of weapons possession, 1,873 cases of drug and alcohol abuse and 645 cases of property offenses. (AISD, PEIMS Student Discipline Aggregate Report with Redacted Data, 2011)

According to the Austin Independent School District reporting system, youth gang membership is increasing. In 2010, there were 658 documented juvenile gang members and 137 associate gang members attending middle and high schools locally. Updated statistics for 2011 show documented youth gang membership at 748 and associate gang membership at 163. The majority of documented juvenile gang members are male. Young females are more likely to be associate gang members. In 2010, AISD recorded 144 gang-involved criminal incidents on middle school campuses. Gang-involved offenses on high school campuses rose at an alarming rate, from 166 incidents during the 2008-2009 school year to 292 incidents during the 2009-2010 school year. Federal funding for an Austin-area regional database will provide a more accurate picture of juvenile gang issues over the next few years.

Research shows that the pervasiveness of co-occurring mental health and substance use disorders in youth is very high, with disruptive behavior disorders most common, followed by anxiety and mood disorders. These disorders worsen the substance use/abuse and impede their treatment, resulting in poorer outcome of the substance use treatment. Research also indicates that the reverse is true - substance use disorders worsen adolescent mental health disorders and complicate their treatment. (NYS OMH/OASAS Task Force on Co-occurring Disorders Subcommittee on Youth and Adolescents Final Report, March 2009).

Travis County Juvenile Probation Statistics:

Fiscal Year	No or Unknown Diagnosis		Diagnoses with Only One Disorder		Diagnoses with Co-occurring Disorders		Total Evaluations
	#	%	#	%	#	%	
2007	4	0.9%	30	6.8 %	406	92.3 %	440
2008	105	16.4 %	36	5.6 %	500	78.0 %	641
2009	90	15.8 %	39	6.8 %	442	77.4 %	571
2010	100	18.5 %	46	8.5 %	394	73.0 %	540

Based on youth who were given Mental Health Assessments by juvenile probation staff

Priority A:

Travis County is in need of intervention services for juvenile offenders, gang-involved youth, and their families.

Priority Level: High

Goals

- To provide intervention programming for juvenile offenders and gang-involved youth
- To provide ongoing education for families of juvenile offenders and gang-involved youth
- To provide court-mandated intervention and education
- To provide translation and interpretation services

Strategies/Tasks

- Identify and secure funding for personnel (including overtime and temporary staff), resources (equipment, supplies and contractual), and training to support the implementation of established and new evidence-based intervention services for juvenile offenders, gang-involved youth, and their families.
- Establish new or enhance existing collaborations between criminal justice agencies, school districts, public mental health agencies, private therapists, the legal community and other plan partners to
    - Maximize all locally available funds and in-kind resources,
    - Improve the flow of juvenile case-related information,
    - Share general subject matter information, and
    - Alleviate program waiting lists.
- Increase formal and informal contact between local law enforcement jurisdictions, city/county government agencies, businesses, non-profit organizations, neighborhood associations, civic groups, community leaders and residents to
    - Enhance current and establish new intervention programming,
    - Facilitate and promote long-term cooperation and involvement,
    - Provide platforms for information sharing and continuing education/training,
    - Provide seamless services and prevent overlapping services and programming, and
    - Provide/solicit for translation and interpretation services.

Annual Output and Outcome Measures

- Percent change in
    - juvenile criminal incidents
    - documented juvenile gang activity/involvement
    - youth referrals to the juvenile justice system
    - utilization of child behavior plans
    - attendance rates
    - graduation rates

- The number of students with reported
    - Arrests
    - Detention admissions
    - Prosecutions
    - Juvenile court adjudications
    - Behavioral incidents
        - Aggressive or abusive action
        - Possession of weapon
        - Property related offenses
        - Drug related offense
- The number of collaborative meetings per year
    - with notable increase in the use of community and/or school resources
- The number of training sessions held per year
- The number of parents with an increase in knowledge of their child's needs and how they can contribute to the child's progress.

Implementation

Response to crimes involving juvenile offenders requires the immediate response of law enforcement and the mobilization of multiple government and community-based services. Early identification and intervention are vital to promoting positive outcomes. Children must have access to a comprehensive array of individualized formal and informal services that address their physical, emotional, social and educational needs. Families, schools, community justice programs and caregivers should be full participants in all aspects of policy development, and the planning and delivery of services, which should be integrated with linkages between child and family serving agencies and programs. Case coordination should be provided to ensure that multiple services are linked and complimentary. They should also address a family's strengths and needs, and be reviewed on a regular basis for applicability to the family's current level of functioning. The service delivery system should include providers who help enable smooth transitions to community and adult services, if necessary.

To meet the above listed goals, law enforcement, prosecution and the courts will work internally to

- Build organizational capacity (staffing, governance, and financial stability) and secure alternate sources of funding and in-kind donations to support local intervention efforts,
- Increase information sharing to enhance prosecution efforts and provide more successful outcomes for juvenile offenders, and
- Publish online (and regularly update) designated points of contact for local collaborative efforts to facilitate information sharing.

Law enforcement, prosecution, and the courts will also work with community partners to

- Provide training for juvenile justice professionals and school personnel and ensure that when budgeting locally-hosted training is considered prior to sending minimal staff to in or out-of-state courses. Travel expenses (travel, hotel, per diem, and incidentals) are not cost effective. Locally-hosted trainings have the ability to benefit multiple agencies as

well as partner non-profits and community members at reduced cost. When locally-hosted training is not an option, train-the-trainer sessions should follow.

- Provide job training and apprenticeship opportunities to expose youth to legal career opportunities.
- Host regular collaborative meetings at school districts to share information and to discuss issues of concern including criminal activity, delinquent behavior, truancy, bullying, attendance, school safety, and drop out and expulsion rates.
- Explore methods of alleviating program wait lists and provide additional wrap-around services.
- Develop a therapeutic family component for children identified by the school district and juvenile justice that have high risk behaviors.
- Develop behavioral monitoring and reinforcement programs that use a psychosocial model in which parents and youth learn skills on communication, decision making, child development, mental health education and substance abuse.
- Develop programs with therapists who can address developmental stages with parents and youth and assess each child that has limitations.

Priority B:

Travis County is in need of prevention and early intervention services for low income and at-risk youth, including after-school and summer programming.

Priority Level: High

Goals

- To provide year-round prevention and early intervention services and programming
- To provide ongoing education for community members and families of identified youth
- To provide translation and interpretation services

Strategies/Tasks

- Identify and secure funding for personnel (including overtime and temporary staff), resources (equipment, supplies and contractual), and training to support the implementation of established and new evidence-based prevention and early intervention services for identified youth.
- Establish new or enhance existing collaborations between criminal justice agencies, including school district police departments to
    - Maximize all locally available funds and in-kind resources,
    - Share general subject matter information, and
    - Alleviate program waiting lists.
- Increase formal and informal contact between local law enforcement jurisdictions, city/county government agencies, businesses, non-profit organizations, neighborhood associations, civic groups, community leaders and residents to

- Enhance current and establish new prevention and early intervention services and programming (spring and fall semesters, after school, and over the summer vacation),
- Facilitate and promote long-term cooperation and involvement,
- Provide platforms for information sharing and continuing education/training for professionals and parents,
- Provide seamless services and prevent overlapping services and programming, and
- Provide/solicit for translation and interpretation services.

Annual Output and Outcome Measures

- The number of students with reported
  - Arrests
  - Detention admissions
  - Prosecutions
  - Juvenile court adjudications
  - Behavioral incidents
    - Aggressive or abusive action
    - Possession of weapon
    - Property related offenses
    - Drug related offense
- The number of youth participating in
  - Prevention related activities
  - Early intervention activities
  - After-school programs
  - Summer programs
- Percent change in student
  - attendance rates
  - graduation rates
- The number of collaborative meetings per year
  - with notable increase in the use of community and/or school resources
- The number of training sessions held per year
- The number of parents with an increase in knowledge of their child's needs and how they can contribute to the child's progress

Implementation

Youth and families need access to a comprehensive array of individualized formal and informal services that address their physical, emotional, social and educational needs. Families, schools, community programs, and caregivers should be full participants in all aspects of planning and the

delivery of services. To meet the above listed goals, law enforcement, prosecution and the courts will work internally to

- Build organizational capacity (staffing, governance, and financial stability) and secure alternate sources of funding and in-kind donations to support local prevention and early intervention needs.
    - When possible, fund current programs in the community that target students in the discipline system and utilize evidence based programs that have proven outcomes.
- Publish online (and regularly update) designated points of contact for local collaborative efforts to facilitate information sharing.

Law enforcement, prosecution, and the courts will also work with community partners to

- Provide training for government personnel, social service professionals and school district personnel, and ensure that when budgeting locally-hosted training is considered prior to sending minimal staff to in or out-of-state courses. Travel expenses (travel, hotel, per diem, and incidentals) are not cost effective. Locally-hosted trainings have the ability to benefit multiple agencies as well as partner non-profits and community members at reduced cost. When locally-hosted training is not an option, train-the-trainer sessions should follow.
    - Training for administrators and/or school principals of middle school and high school students should cover delinquency prevention, including youth violence prevention and drug abuse prevention along with mental health and trauma informed care to better address the schools at-risk population.
- Host regular collaborative meetings at school districts to share information and to discuss issues of concern including criminal activity, delinquent behavior, truancy, bullying, attendance, school safety, and drop out and expulsion rates.
- Enhance current and establish new prevention and early intervention services and programming (spring and fall semesters, after school, and over the summer vacation).
    - Develop training for elementary school children and parents to address peer relationships, understanding another person's viewpoint, learning the difference between right and wrong actions, and establishing a positive personal identity.
    - Seek out additional community services to provide activities to enhance family relationships and promote family leisure time to strengthen the child/family.
    - Explore methods of alleviating program wait lists and provide additional wrap-around services.

Priority C:

Travis County is in need of services and programming for youth with mental health/co-occurring disorders and substance abuse problems.

Priority Level: High

Goals

- To develop fully integrated partnerships with local school districts

- To provide services and evidence-based programming for youth with mental health/co-occurring disorders and substance abuse problems
- To develop comprehensive trauma and mental health training
- To complete comprehensive assessments for identified youth
- To develop long-term plans for youth who are aging out of the system
- To provide innovative, alternative evidence-based therapies with bi-lingual components
- To provide wrap around services to youth and families to address significant behaviors and provide support

Strategies/Tasks

Early identification of this population via family and school referrals is vital to youth avoiding involvement in the juvenile justice system. Juveniles have different physical, psychological, social, emotional and developmental needs than adults. Services for youth and families should be designed specifically for them and not merely adapted to adult services.

- Community supports and family interventions are essential in working with juveniles.
- Children and families should be partners in formulating treatment plans as well as services that will impact their lives.
- A well-functioning system of care is needed for juveniles involved with numerous agencies and providers to achieve optimal outcomes.
- Improved coordination between the various child-serving institutions (juvenile justice system, school system, CPS, Mental Health Authority and other youth and social service agencies). Developing a way to blend funding of these different agencies to jointly address the needs of youth involved with multiple systems would create a more efficient and seamless system of care.
- Enhance county-wide collaboration between service providers and public entities to maximize resources, improve quality of services and improve treatment outcomes.

Annual Output and Outcome Measures

- The number of youth with reported substance abuse, mental health or trauma issues
- The number of youth assessments completed
- The number of youth who require services
    - Stabilization: safe detoxification or sobering up, plus safe stabilization of substance-induced or substance-exacerbated psychiatric symptoms or disorders, plus referral to continuing interventions for motivational enhancement and/or prolonged stabilization of each disorder
    - Active treatment for substance abuse: incremental small step changes in substance use patterns in order to achieve reduction in harm with minimum change. The pattern of use that is non-harmful is defined by successive trials in relation to the severity of psychiatric disability and symptoms
    - Relapse prevention: maintenance of abstinence or non-harmful use patterns through appropriate use of recovery supports and specific relapse prevention skills
    - Substance Abuse and Use: abstinence from drug/alcohol use, including decreased use of substances of abuse, nonuser stability, increasing perceived risk,

    - increasing age of first use; for mental health - decreased mental illness symptomatology
    - Social connectedness
    - Employment/Education
- Percent change in reported youth
    - Reciprocity: increased capacity of the youth to give back to the community
    - Self-sufficiency
    - Developmentally appropriate assets
    - Support for family and sibling recovery
    - Ease of access to service system with multiple entry points
- The number of youth who complete job/vocational training
    - The number of businesses who hire youth reported to have completed job/vocational training
- The number of families that successfully complete training

Implementation

Early identification and intervention are vital to promoting positive outcomes for youth with mental health (and co-occurring) disorders and with substance abuse issues. These children need immediate access to a comprehensive array of individualized formal and informal services that address their physical, emotional, social and educational needs. Families, schools, community justice programs and caregivers should be full participants in all aspects of policy development, and the planning and delivery of services, which should be integrated with linkages between child and family serving agencies and programs. Case coordination should be provided to ensure that multiple services are linked and complimentary. They should also address a family's strengths and needs, and be reviewed on a regular basis for applicability to the family's current level of functioning. The service delivery system should include providers who help enable smooth transitions to community and adult services, if necessary. To meet the above listed goals, law enforcement, prosecution and the courts will work internally to

- Build organizational capacity (staffing, governance, and financial stability) and secure alternate sources of funding and in-kind donations to support local services and programming and
- Publish online (and regularly update) designated points of contact for local collaborative efforts to facilitate information sharing.

Law enforcement, prosecution, and the courts will work with public mental health agencies, private therapists, the legal community and other plan partners to

- Provide services and programming for youth with mental health/co-occurring disorders and substance abuse problems prior (to involvement in the juvenile justice system when possible).
    - Create alternative vocational and educational learning modalities to better fit each child’s need. Ensure that comprehensive assessments are completed and shared with the agencies working with the children
    - Provide bilingual innovative and alternative therapies that are evidence-based and address significant issues in the family.
    - Provide wrap-around services to youth and families that will address significant behaviors and provide support to the parent.

- Priority components for local treatment programs include
  - Focus on the person's natural environment, shifting away from rigidly-delivered clinically-based care,
  - Focus on building a strong relationship and motivating clients to attend treatment,
  - Create a treatment plan that centers on client-generated goals,
  - Emphasize on applying empirically supported treatments, focused on interventions specific to the client's diagnostic presentation. A broad perspective in which life habits are modified, rather than limited focus on substance abuse alone.,
  - Utilize culturally and developmentally sensitive content,
  - Focus on client strengths, with an emphasis on impulse control, communication, problem solving, and regulation of affect,
  - Focus on change that is sustainable over the long term,
  - Understand and utilize relapse prevention strategies,
  - Foster peer group influences, and
  - Increase availability of appropriate comprehensive special education services for youth with multiple disabilities, such as behavioral and emotional disturbance, as well as learning disabilities.
- Develop long-term vocational, educational and job training after-care plans for youth who are aging out of the system.
- Enhance existing and foster new relationships with businesses and institutions that would support training efforts and provide employment for youth that are aging out or are significantly behind in school.

- Establish a specialized re-entry strategy with wrap-around services, hands on vocational skills training, on-site job/career coaching and supports determined by individual needs.
- Identify speakers who can present on Trauma Informed Care and provide long-term strategies for teachers, staff and counselors. Work collaboratively to develop comprehensive trauma and mental health training for teachers and school staff, agencies who work with juveniles and other community agencies that work with families.
- Provide training for government personnel, social service professionals and school district personnel, and ensure that when budgeting locally-hosted training is considered prior to sending minimal staff to in or out-of-state courses. Travel expenses (travel, hotel, per diem, and incidentals) are not cost effective. Locally-hosted trainings have the ability to benefit multiple agencies as well as partner non-profits and community members at reduced cost. When locally-hosted training is not an option, train-the-trainer sessions should follow.
  - Training for administrators and/or school principals of middle school and high school students should cover delinquency prevention, including youth violence prevention and drug abuse prevention along with mental health and trauma informed care to better address the schools at-risk population.
- Host regular collaborative meetings at school districts to share information and to discuss issues of concern including criminal activity, delinquent behavior, truancy, bullying, attendance, school safety, and drop out and expulsion rates.
- Research local early warning systems for juvenile justice collaboration.

EDUCATION

To improve local education services and systems, Travis County is in need of personnel and a wide variety of resources to address bullying, school safety, delinquency, truancy, and dropout and expulsion rates.

Supporting Data

According to Austin Independent School District and Texas Education Agency data, the local graduation rate is steadily declining (from 80.7% in 2005 to 74.3% in 2008). The Austin Independent School district reports disciplinary actions were taken 19,220 cases representing 10,710 individual children and youth. Dispositions by school authorities were for in school and out of school suspension and removal to disciplinary alternative education program during the 2010-2011 school year. Among this group of AISD students there were documented incident reports and disciplinary actions taken for 8,447 cases for aggression, assaultive and abusive conduct, 197 cases of weapons possession, 1,873 cases of drug and alcohol abuse and 645 cases of property offenses (AISD, PEIMS Student Discipline Aggregate Report with Redacted Data, 2011).

According to the Austin Independent School District reporting system, youth gang membership is increasing. In 2010, there were 658 documented juvenile gang members and 137 associate gang members attending middle and high schools locally. Updated statistics for 2011 show documented youth gang membership at 748 and associate gang membership at 163. The majority of documented juvenile gang members are male. Young females are more likely to be associate gang members. In 2010, AISD recorded 144 gang-involved criminal incidents on middle school campuses. Gang-involved offenses on high school campuses rose at an alarming rate, from 166 incidents during the 2008-2009 school year to 292 incidents during the 2009-2010 school year. Federal funding for an Austin-area regional database will provide a more accurate picture of juvenile gang issues over the next few years.

Research shows that the pervasiveness of co-occurring mental health and substance use disorders in youth is very high, with disruptive behavior disorders most common, followed by anxiety and mood disorders. These disorders worsen the substance use/abuse and impede their treatment, resulting in poorer outcome of the substance use treatment. Research also indicates that the reverse is true; substance use disorders worsen adolescent mental health disorders and complicate their treatment. (NYS OMH/OASAS Task Force on Co-occurring Disorders Subcommittee on Youth and Adolescents Final Report, March 2009)

Priority A:

Travis County is in need of resources and services to ensure school safety.

Priority Level: High

Goals

- To improve the safety of students, faculty and staff
- To improve public safety
- To foster a local academic climate that promotes learning

Strategies/Tasks

- Identify funding for personnel (including overtime and temporary staff), resources (equipment, supplies and contractual), and training to improve the safety of students, faculty and staff at local schools
- Establish new or enhance existing collaborations between criminal justice agencies and school personnel to
    - Participate in a local initiative called Connecting the Dots to address chronic absenteeism, truancy, and dropout in the Austin area,
    - Maximize all locally available funds and in-kind resources,
    - Improve the flow of relevant crime information, and
    - Ensure public safety on school campuses, in the areas surrounding schools, and in student neighborhoods.
- Increase formal and informal contact between criminal and juvenile justice agencies, school personnel, parents, students groups, public mental health agencies, private therapists, and the community to
    - Facilitate and promote long-term cooperation and continuing education/training,
    - Provide platforms for information sharing, and
    - Create an academic climate that promotes learning.

Annual Output and Outcome Measures

- The number of violent offenses committed on or around school campuses
- The number of non-violent offenses committed on or around school campuses
- The number of individuals who receive training
- The number of active collaborations and work groups

Implementation

Criminal activity that endangers student and public safety on and around school campuses requires the immediate response of law enforcement and the mobilization of multiple government and community-based services. To meet the above-listed goals, criminal and juvenile justice personnel will work with schools to

- Increase organizational capacity (staffing, governance, and financial stability) and secure alternate sources of funding and in-kind donations to meet the needs of each campus.
- Improve information sharing to provide successful outcomes for victims by scheduling regular public meetings and providing online updates.
- Foster a school climate that promotes learning by reducing discipline problems and addressing students' social and emotional development.
- Provide training for personnel (public safety and coalition building) and ensure that when budgeting locally-hosted training is considered prior to sending minimal staff to in or out-of-state courses. Travel expenses (travel, hotel, per diem, and incidentals) are not cost effective. Locally-hosted trainings have the ability to benefit multiple agencies as well as partner non-profits and community members at reduced cost. When locally-hosted training is not an option, train-the-trainer sessions should follow.

Priority B:

Travis County is in need of resources and services to assist students with mental illness (and co-occurring disorders) and/or substance abuse problems.

Priority Level: High

Goals

- To improve the access to mental health services for adolescents, youth, and their families
- To provide behavioral training and consultation
- To provide evidence-based treatment and programming (systems)
- To combine education and mental health treatment in the natural environment of the child's or adolescent's school and community
- To prepare students for post graduate life and independent living
- To provide aftercare and follow-up services
- To provide training on early identification, assessment, and referral
- To develop a database of stakeholders

Strategies/Tasks

Schools are a natural place to provide mental health services. Virtually every community has a school and most children spend at least six hours a day there. Schools offer an ideal context for prevention, intervention, positive development, and regular communication between school and families. Parents and children are also familiar with the environment and staff. The needs of students with mental health (and co-occurring) disorders and substanstance abuse issues will be met by providing comprehensive evidence-based prevention, early intervention, intervention and support services, and aftercare/follow up. There is a need to implement local programs using evidence-based models to deliver services, including

- School-supported mental health models - social workers, guidance counselors, and school psychologists are employed directly by the school system, providing assessment and

treatment services on-site. In many cases, school nurses may serve as a major portal of entry for students with mental health concerns.

- Community connections models - a mental health agency or individual delivers direct services in the school part-time or full-time under contract. Mental health professionals are available within the school or are invited into after-school programs. There is a formal linkage to an off-site mental health professional and/or to a managed care organization.
- Comprehensive, integrated model - a comprehensive and integrated mental health program addresses prevention strategies, school environment, screening, referral, special education, and family and community issues and delivers direct mental health services. Schools work with outside agencies to provide comprehensive and integrated health and mental health services within the school environment.

Substance abuse programs will be school-based, off-site or a hybrid where an off-site agency or program may conduct parts of their program both on-campus and off-campus. An advantage to programs offering a school-based component is that it provides a forum to work with students within the school system where they can be most effectively reached and not face the stigma of requiring "professional" help.

Annual Output and Outcome Measures

- The number of students identified as having behavioral needs
- The number of students reached through early identification
- The number of students receiving services for
    - mental health (and co-occurring) disorders
    - substance abuse
- Percent change in identified behavior
- Percent change in on-campus criminal incidents
- Percent change in academic measure
- Percent change in costs incurred by school districts (reduction in violence, disruptions)
- Percent change in costs incurred by law enforcement and community corrections (reduction in call-outs and referrals)
- The number of students and family members with improved access to mental health services

Implementation

Mental health is directly related to a child's learning and development as it encompasses or intersects with interpersonal relationships, social-emotional skills, behavior, learning, academic motivation, mental illness, crisis prevention and response, school safety and substance abuse. Each issue affects the success and well-being of the individual student as well as school climate and outcomes for all students. To meet the above listed goals, criminal and juvenile justice personnel will work with schools to

- Improve access to mental health services for adolescents, youths, and their families.

- Provide behavioral training and consultation to enable teachers and counselors to recognize mental health problems and help them accommodate students with challenging behavior.
- Encourage early identification, which can lead to marrying students with specific needs to programs addressing those needs, ultimately assisting the student to meet the goal of graduation.
- Better prepare students for life after secondary school, assisting in developing the following skills in students
    - Education (current)
    - Post-secondary preparation (college, technical school) or adult learning (GED)
    - Vocation preparation
    - Independent living preparation

When selecting local services, treatment, and programming, priority components will include

- Programs that enhance protective factors and reverse or reduce risk factors which include resistance-skills training to teach students about social influences to engage in substance use and specific skills for effectively resisting these pressures,
- Treatments available in individual and group settings, with both on-school and off school (referral) components,
- Programs tailored to address risks specific to population or audience characteristics, such as age, gender, and ethnicity, in order to improve program effectiveness,
- Family-based prevention and treatment programs to provide and enhance drug and alcohol abuse education as well as enhance family bonding and relationships,
- In-service training,
- Communication networks for all stakeholders,
- Aftercare and follow-up services, and
- Emphasis on early identification, assessment, evaluation and intervention.

Other factors include

- School mental health services must be integrated with community services on a continuum of care. Not all services, clinical psychiatric care, for example, can or should be provided in schools. School-employed professionals must coordinate with community service providers to ensure that children receive needed support through a seamless and timely process.
- Students and their families must be placed at the center of service decisions
- Culturally competent services must be available.
- There must be a focus on promoting school attendance and academic success.
- Services and supports must be validated by research and evidence-based practices.
- Partnerships must be fully integrated, with the mental health provider included as part of the school team.
- Cognitive individual and group interventions must be established to modify adolescents' depressive and destructive thinking styles.
- Familial participation/inclusion must be implemented.

Programs specific to substance abuse will include one or more of the following components.

- Prevention Services that address such topics as drug use/abuse, assertiveness techniques, self-esteem, evaluating and dealing with feelings, anger control, positive alternatives to drug use, relaxation exercises and values clarification.
- Intervention/Treatment Services consisting of individual and group counseling.
- Family Therapy - assisting families in working through substance abuse problems in a supportive and productive manner.
- Parent education and support groups to discuss various drug-related and parenting issues
- Staff in-service training program addresses topics such as current street drugs and their effects, children of addiction, treatment issues, AIDS, and dual diagnosis issues, as needed.

Priority C:

Travis County is in need of resources and services to address bullying, delinquency, truancy, and drop out and expulsion rates.

Priority Level: High

Goals

- To improve academic achievement
- To provide counseling and appropriate social services for students identified as victims of bullying
- To provide services and programming for youth identified as having delinquent behaviors, truant, and at risk for dropping out, aging out, and/or expulsion

Strategies/Tasks

- Identify and secure funding for personnel (including overtime and temporary staff), resources (equipment, supplies and contractual), and training to support academic achievement and the implementation of evidence-based services and programming for identified youth.
- Establish new and enhance existing collaborations between criminal justice agencies and school district personnel to
    - Maximize all locally available funds and in-kind resources and
    - Alleviate program waiting lists.
- Increase formal and informal contact between local law enforcement jurisdictions, city/county government agencies, school districts, businesses, non-profit organizations, neighborhood associations, civic groups, community leaders, residents to
    - Improve academic achievement, including the need to meet the requirements of the No Child Left Behind Act,
    - Provide services and programming to address bullying,
    - Facilitate and promote long-term cooperation and involvement,
    - Provide platforms for information sharing and continuing education/training for professionals and parents,

    - Build a united approach with all involved adults to help the child or adolescent reach social, emotional and behavioral goals, and
    - Provide/solicit for translation and interpretation services.
- Increase early identification of students at risk for aging out.
- Share diploma options/ criteria with students and their parents/guardians.
- Create Individualized Academic Plan
    - Plan course schedule for available years
    - Build in additional resources, credit recovery
- Share plan with students, staff, and parents/guardians.
- Monitor and re-visit, if necessary.
- Provide bridge from high school to community college to pursue educational alternatives – GED.
- Include Staff Development for High School, GED and ESL teachers, counselors, and other stakeholders.

Annual Output and Outcome Measures

- Percent change in academic achievement
- The number of youth identified as victims of bullying
- The number of youth victims who receive counseling services
- The number of youth identified as needing services or program involvement to address negative behaviors
    - General delinquency
    - Truancy
    - Attendance problems
    - Drop out / expulsion / aging out

Implementation

To meet the above listed goals, law enforcement, prosecution and the courts will work internally to Build organizational capacity (staffing, governance, and financial stability) and secure alternate sources of funding and in-kind donations to support academic achievement and the implementation of evidence-based services and programming for identified youth.

Law enforcement, prosecution, and the courts will work with school district, family and community partners to

- Provide training for professionals and school personnel and ensure that when budgeting locally-hosted training is considered prior to sending minimal staff to in or out-of-state courses. Travel expenses (travel, hotel, per diem, and incidentals) are not cost effective. Locally-hosted trainings have the ability to benefit multiple agencies as well as partner non-profits and community members at reduced cost. When locally-hosted training is not an option, train-the-trainer sessions should follow.
- Host regular collaborative meetings at school districts to share information and to discuss issues of concern including criminal activity, delinquent behavior, truancy, bullying, attendance, school safety, and drop out and expulsion rates.

- Services and programming considered a priority will include
    - Students and families at the center of service decisions,
    - Services that are culturally competent,
    - Promotion of school attendance and academic success, and
    - Evidence-based practices.

Far too many students in Travis County will not have obtained high school graduation requirements by the time they turn 21, or will have "aged out" of school before graduating. Without appropriate academic advisement and preparation, these students may find themselves lost and/or misinformed regarding their educational alternatives when they leave school. There is a need to create targeted intervention plans and programs for students that

- Identify students at risk for aging out
- Meet students at their skill level by
    - Recognizing the reality of the situation (not graduating)
    - Assisting the student move positively towards graduation or GED by implementing needs-based assistance programs
- Include an individual student plan (2 year, 3 year) that
    - Consists of mentoring, tutoring assistance, social work services, life skills programs,
    - Encourages students to make the best use of their time through purposeful selection of courses (take academic courses which will assist in their GED attainment and/or will be of benefit to their desired goal (ESL, English, Math, Social Studies, Science), and
    - Creates and utilizes credit recovery options (summer school, evening / twilight school, etc.).
- Develop a series of program offering "transition services" - a coordinated set of activities for a student who will "age out", designed with outcome-oriented processes which will promote movement from school to post-school activities, including postsecondary education, vocational training, employment, independent living, and community participation.
- Training for all shareholders to include identification and assessment; services, planning, and coordination.

ADDENDUM A

Existing and Planned Activities for the Law Enforcement, Prosecution, and Courts Section

The City of Austin has a wide range of services, programs, collaborative efforts, and community partnerships that address identified priority areas. The majority of City services are described on the city's website: www.austintexas.gov. For information regarding specific APD programming, please contact the APD Research & Planning Division at (512) 974-5033.

The City of Austin adopted a Permanent Supportive Housing Strategy in September 2010, committed to the construction and operation of 350 permanent supportive housing units over the next four years. Included in the target population are households that met the HUD definition but have been in an institution for over 90 days, including jail, prison, substance abuse facility, mental health treatment facility hospital or other similar facility. Information can be found at **http://www.ci.austin.tx.ushousing/downloads/csh_final_austin_psh_strategy_092810.pdf**

Travis County also offers a wide range of programs and services, described on their website www.co.travis.tx.us. Travis County specialty courts that address target populations include

- Travis County Drug Court (started in FY2007),
- Travis County Adult Probation DWI Court (started in FY2008),
- Travis County Mental Health Dockets in both misdemeanor and felony courts (started in FY2008),
- Travis County Mental Health Public Defenders Office (started in 2007), and
- Travis County Veterans Court (started in FY2010).

In October 2011, Travis County received notice of award for the Justice Reinvestment Initiative (JRI) grant through the Bureau of Justice Assistance. Travis County Criminal Justice Planning submitted an application to become a JRI Phase II site and receive technical assistance and grant funding. This application requested seed money to pay for support services for one year for up to 50 chronically homeless, mentally ill, frequent users of the jail targeted for permanent supportive housing in Travis County. Travis County and community stakeholders will be working with the Center for Effective Public Policy to develop and implement the JRI Phase II strategy.

Existing and Planned Activities for the Victim Section

- Three Travis County agencies, LifeWorks (as the lead agency), SafePlace and Communities In Schools – Central Texas have partnered to provide increased access to psychiatric care for youth and their families. The Shared Psychiatric Services project is designed to remove barriers to engage families in psychiatric services. It provides short-term (up to five months) services, including sessions with a psychiatrist, medication and linkages to health care benefits and providers that clients can utilize long-term.
- There is collaboration between the Seton Topfer Community Clinic and LifeWorks, which provides counseling services for crime victims. Crime victims seen at the clinic for medical services are directly referred to LifeWorks counseling staff located in the same

building. There is a common waiting area, which helps to facilitate these transitions. Victims can be seen for mental health problems the same day as their medical appointment.

- The Center for Child Protection provides forensic interviews for child abuse victims, which also qualifies them and protective family members to receive numerous other services as needed, such as case management, therapy, psychiatric services and help navigating the criminal justice system.
- The Counseling Services program at SafePlace provides free therapeutic counseling services specifically designed and designated for adult and youth domestic and sexual violence victims. Services provided include: individual, group, phone and family counseling; play therapy; talk therapy; parental education; trauma symptom management; assessment and referral for psychiatric services; safety planning; and crisis intervention. In addition to the support groups offered at SafePlace, groups are also provided at entities such as Austin Recovery (for trauma survivors with chemical dependency issues) and the Travis County Correctional Complex (for incarcerated survivors of domestic/sexual violence).
- The Christi Center helps victims of crime who have lost loved ones by providing referrals and connection with other organizations, helping them understand the criminal justice system and process, providing support throughout the process, court accompaniment and crime victim's rights training.
- Austin Child Guidance Center treats children up to the age of 17 for a variety of mental health issues, including trauma, violence and family issues. Services are customized to the needs of the family. Some of the services provided are individual, family and group therapy, psychological assessments and psychiatric services.
- Austin/Travis County Integral Care (ATCIC), the main provider in Travis County of mental health services, provides community-based behavioral health and developmental disabilities services. Clients include victims and witnesses of crimes such as sexual, physical and emotional abuse, and family violence. Individuals receiving services at ATCIC are often in dire need of care and have a single or combined diagnosis of developmental disabilities, persistent mental illnesses, and chemical dependency. ATCIC programs include
    - The Outpatient Therapy Program, which provides professional therapy to children at the earliest age possible in order to break the cycle of abusive family dynamics and provide support for children and families who have experienced trauma.
    - Psychiatric Emergency Services (PES) is a walk-in psychiatric emergency service clinic that is open 24/7 and staffed by licensed clinicians, psychiatrists, nurses, and qualified mental health professionals. PES provides psychiatric assessment, crisis intervention, linkage with resources, and physician services to children/youth and adults experiencing psychiatric distress. PES staff works closely with other ATCIC programs, local emergency rooms, and the Crisis Intervention Teams (CIT) of the Austin Police Department and Travis County Sheriff's Department.
    - Austin State Hospital (ASH) provides psychiatric care with three main services – Adult Psychiatric Services, Specialty Adult Services, and Child and Adolescent Psychiatric Services. Clinical specialties provide assessment, evaluation, and

treatment, including psychiatry, nursing, social work, psychology, education/rehabilitation services, nutrition, and spiritual care.

- Seton Shoal Creek Hospital's Adult Mental Health Inpatient Program provides diagnostic and treatment services for individuals who are in acute crisis due to mental illness, emotional distress, or destructive behavior patterns, or for those experiencing problems coping with daily life. The program is designed to stabilize patients who require a more controlled environment for healing and growth, and facilitates a return to daily routines.
- The Austin Police Department (APD) and Travis County Sheriff's Department (TCSO) Victims Services units both provide services to individuals affected by crime and crisis circumstances. They work to reduce the impact of trauma and enhance the ability of individuals to rebuild their lives. Individuals receive services including assistance with their constitutional and/or statutory rights, establishing and/or maintaining personal safety, assistance with Crime Victim's Compensation applications, referrals to agencies, educational and emotional support throughout the criminal justice process, and ensuring continuity of services between agencies. Both agencies also have a Community or Crisis Response Team that provides therapeutic response to the needs of the community after a critical incident or a crime that involves multiple victims or survivors.
- SafePlace is the primary non-profit service provider in Austin/Travis County that provides emergency shelter, 24-hour crisis hotline, transitional housing and other supportive services specifically designed and designated for youth and adult victims of domestic/sexual violence. The agency provided direct and prevention services to more than 40,000 people in 2010.
- LifeWorks provides an emergency shelter for youth victims of crime ages 10-17, for up to 30 days.
- Transition for youth to longer-term shelter is provided through LifeWorks' Transitional Living and Supportive Housing programs.
- Austin Academy provides services and referrals to victims of crime including child care, housing and emergency financial needs. They also provide job readiness training, computer literacy and career development specialist services for crime victims.
- Through a partnership with Goodwill Industries of Central Texas, a full-time Employment Placement Specialist provides job readiness, placement and retention services for clients of SafePlace's transitional housing program. Goodwill recently received funding that will enable it to expand these services to other SafePlace clients.
- Ending Community Homelessness Coalition (ECHO, Inc.) and other homeless service providers work to increase community awareness/education about the intersections of crime and homelessness.
- There are several hotlines for victims providing counseling, legal and/or referral services, including SafePlace's 24-hour crisis hotline for domestic/sexual violence victims (note that this hotline also provides services to victims of trafficking).
- Texas Rio Grande Legal Aid (TRLA) has a Legal Empowerment for Survivors of Abuse (LESA) program. It offers access to the protections of the civil legal system for low-income victims of domestic violence and sexual assault who reside in Travis County and the 67 other counties served by TRLA. They also partner with SafePlace to provide legal services to victims arriving at SafePlace's shelter.

- For victims of property crimes by juveniles, there is a victim/offender mediation program, The Pot of Gold, operated by Travis County Juvenile Probation. It is based on the Balanced and Restorative Justice Model, which addresses the issues of the victim, offender and the community. The juvenile offender performs community service restitution and is compensated at $5 an hour. The money earned (up to $250) goes toward paying the victim.

Existing and Planned Activities for the Juvenile Justice Section

The Austin Police Department/Austin Independent School District Police Department Joint Juvenile Gang Intervention Unit implements a significant number of prevention, early intervention, and intervention programs within the school district. Anti-gang strategies and programs include case management services, apprenticeships for gang-involved adjudicated youth, Gang Resistance Education and Training (for youth and families), and a wide range of social services aimed at reducing juvenile crime, improving school campus and public safety, and increasing opportunities for success for youth at high risk for entering the criminal justice system. Additional information on these programs is included on the City of Austin website at www.austintexas.gov.

Travis County Juvenile Probation Department's residential program has collaborated with several community agencies to increase opportunities for youth to learn skills that can improve their socio-economic status and provide them with options utilizing their natural aptitudes.

- Skillpoint Alliance Gateway Programs developed a vocational skill training program that combines current curriculums offered on ACC campuses and a school credit recovery program.
- GED Program with local ACC campuses – preparatory services for youth aged 16 years and older.
- Jog Readiness Workshops – provides students with vocational planning; 21st Century Skills and Workplace readiness that creates a portfolio with documents for employment, resume writing, and experiences in the world of work.
- Food Handler Certification – training for workers who serve food in restaurants.
- Photography – teaches youth how to use digital cameras and how to view the world's simplest elements.
- Austin Classical Guitar Association - provides musical education, instruction and performance opportunities.
- Mobile Film School – host filmmaking workshops
- Save Our Youth – writing workshops for students who like to write stories.
- Theater Action Project – Develops social support, interpersonal communication and self efficacy skills.
- Youth Empowerment Seminars – brings Motivational Speakers to the community to visit youth at schools.
- Art of Living Foundation – Learning to live and develop a students highest potential for themselves.
- Rhythm and Poetry – students learn practical skills in how to make good decisions while learning to play music.
- Youth Resilience Workshop – Helps students identify their strengths and how to make better decisions for their future.

Existing and Planned Activities for the Education Section

The Austin Independent School District offers programming to address each of the priority areas. Please visit the AISD website for additional information: www.austinisd.org.

ADDENDUM B

Additional Supporting Data for the Law Enforcement, Prosecution, and Courts Section

Individuals with mental illnesses become involved in the criminal justice system due to the fact that they are disproportionately likely to come into contact with law enforcement officers. Individuals with mental illnesses often behave publicly in ways that are symptomatic of an untreated mental illness or substance use disorder (for example, public disturbance, public intoxication, or other "nuisance" offenses). Individuals with mental illnesses are at an increased risk of developing a substance use disorder over the course of their lifetimes (Regier et al., Comorbidity of mental disorders with alcohol and other drug abuse, 1990; Narrow et al., Revised prevalence estimates of mental disorders in the United States, 2002) and arrests for drug offenses have skyrocketed since the early 1980's. Finally, nearly a third of people who experience homelessness have serious mental illnesses, and their homelessness makes them highly visible to law enforcement officers. (New Freedom Commission on Mental Health, Subcommittee on Housing and Homelessness, 2004)

- A national study from 2002 through 2004 estimated that 56% of state prisoners, 45% of federal prisoners, and 64% of jail inmates suffer from a mental illness (James & Glaze. (2006). Mental Health Problems of Prison and Jail Inmates. US Department of Justice's Bureau of Justice Statistics Special Report)
- Of these individuals incarcerated with mental illness, 70% are serving time for nonviolent offenses (People with Serious Mental Illnesses in the Criminal Justice System. (2002). Fact Sheets for Advocates. Bazelon Center for Mental Health Law)
- A 2004 national study showed that only 1 in 3 state prisoners, 1 in 4 federal prisoners, and 1 in 6 jail inmates who had a mental health problem had received treatment since admission (James & Glaze. (2006). Mental Health Problems of Prison and Jail Inmates. US Department of Justice's Bureau of Justice Statistics Special Report)

Due in a large part to legislative policy shifts and budget cuts, our jails and prisons and the juvenile justice system have become the primary mental health care facilities in the United States today. This is a function these facilities are neither designed nor equipped to handle. "There are three times as many mentally ill individuals are in U.S. prisons than are in U.S. mental wards." ("Prisons No Place for the Mentally Ill," *San Diego Union-Tribune*, Feb. 13, 2004)

According to data presented in "Improving Outcomes for People with Mental Illnesses Under Community Corrections Supervision: A Guide to research-Informed Policy and Practice (Seth

Jacob Prins and Laura Draper, Council of State Governments Justice Center, 2009), the following is shown to be issues facing community corrections and law enforcement in the United States

- People with mental illnesses (most having co-occurring substance use disorders and face significant clinical, legal, and socioeconomic challenges) are overrepresented among probation and parole populations.
- These individuals are twice as likely as people without mental illnesses to have their community supervision or parole revoked.
- The best predictors of probation or parole revocation for people with mental illnesses are similar to predictors of revocation for people without mental illnesses (for example, criminal history, substance use, problematic circumstances at home), but people with mental illnesses have more of these risk factors. In addition, people with mental illnesses face unique risk factors related to their clinical conditions (for example, some may have functional impairments).
- Traditional community corrections agencies have limited resources to effectively respond to people with mental illnesses as a result of large caseload size and the time-consuming needs of this population. Certain traditional officer strategies, such as threats of incarceration and other negative pressures to enforce compliance, may be related to higher rates of probation and parole revocation for this population.

Two thirds of prisoners nationwide with a mental illness were off treatment at the time of their arrest, according to a new study by Harvard researchers that suggests under-treatment of mental illness contributes to crime and incarceration **(**American Journal of Public Health, January, 2009). The study went on to say that only one in three were taking medications for their illness at the time of their arrest. That number jumped to nearly two-thirds during incarceration. It should also be noted that in a 1999 Bureau of Justice Statistics (BJS) report, researchers found that an estimated 16% of people under probation supervision were “mentally ill” based on self-report from a national survey and an estimated 16% of jail inmates reported either a “mental condition” or an overnight stay in a mental hospital during their lifetime. It should also be noted that

- In 2006, BJS reported that 64% of jail inmates had a recent mental health problem.
- Prevalence estimates of serious mental illnesses in jails range from 7% to 16%, or rates four times higher for men and eight times higher for women than rates found in the general population (Mentally Ill Offender Treatment and Crime Reduction Act Fact Sheet).
- The Justice Center, in partnership with Policy Research Associates, conducted a five-site study, with initial funding from the National Institute of Justice, to develop a screening instrument for mental illness and with additional support from the National Institute of Corrections to generate the study findings. Key findings include
    - Fourteen percent of men and 31% of women entering the jails studied were found to have serious mental illnesses. These rates are three to six times higher than those found in the general population.
    - The gender difference is particularly important given the rising number of women in U.S. jails.

  - If applied to the 13 million jail admissions reported in 2007, the findings suggest that more than 2 million bookings of a person with a serious mental illness may occur annually.
  - This study represents the most reliable estimates in the last 20 years of the rates of serious mental illnesses among adults entering jails.
- Victims with multiple or very complex issues (serious mental illness, substance abuse) during the 2011 Homeless Count in January 2,357 people were identified as homeless. Of those 21% were identified with severe mental illness, and 33% were identified with chronic substance abuse issues.
- Lengthy waiting lists exist for non-residential services (case management).
- Least amount of resources is made available to specialty courts serving mentally ill.
- Clients in specialty courts have multiple and serious needs.
  - 62.8% of defendants on the Mental Health Docket are identified with co-occurring disorders (and this number is likely lower than reality due to reporting challenges).
  - 25.2 % of the active drug court participants are also diagnosed with mental health issues.
  - In a recent study of the Downtown Austin Community Court, 245 offenders were identified as "frequent offenders" with 25 plus cases during the life of the court. Of those, 77% screened have been identified with serious mental illness.
  - Clients receiving court-appointed attorneys reflect the following: 10% of the total court appointments are for indigent mental health cases in Travis County misdemeanor courts and 16% in the felony courts.
- Veterans with PTSD turn to alcohol and drugs when services for PTSD are not available.
  - Clients are reluctant to seek help (veterans)
  - Clients have lack of knowledge about available services (veterans)
- Lack of mental health services for drug court clients.
- Lack of in and outpatient treatment options locally.
- TDCJ –TCOOMMI no longer provides mental health planning services for persons leaving the State Jail (effective 2009).

In a study published in 2003, researchers interviewed 627 adults under probation supervision in Illinois, and using diagnostic criteria for substance use and dependence disorders from the Diagnostic and Statistical Manual of Mental Disorders-III-R, found that 55% of individuals with one or more current "psychiatric disorders" were dependent on one or more substances, compared with 37% of people without any "psychiatric disorders. (Lurigio et al., Standardized assessment of substance-related, other psychiatric, and comorbid disorders among probationers, 2003)

There is growing anxiety about how to house the large number of ex-offenders being released from state and federal prison each year, over 600,000 annually. Many offenders experience rejection from families and friends, refusal by private landlords and intensive screening (and eviction) from public housing. As a result, the burden of housing ex-offenders increasingly falls upon the shoulders of communities, nonprofit organizations, community corrections, law enforcement and the courts.

- The number of people released from prison has increased 350% over the last 20 years. (James P. Lynch and William J. Sabol, *Prisoner Reentry in Perspective*, Washington, DC: The Urban Institute, September 2001)
- During the same time period, the number of people who are homeless has swelled dramatically, to the current level of up to 850,000 people on any given day. (Martha R. Burt et al., *Homelessness: Programs and the People They Serve: Findings From the National Survey of Homeless Assistance Providers and Clients*, U.S. Department of Housing and Urban Development (Washington, DC: 1999), cited in Stephen Métraux and Dennis P. Culhane, "Homeless Shelter Use and Reincarceration Following Prison Release: Assessing the Risk," *Criminology & Public Policy* 3, no. 2 (2004): 201–222)
- Most released individuals return to major metropolitan areas in Texas, as well as across the country, often to a few neighborhoods within central cities.

Inmates released from Travis County Jail and those discharged from the institutional division of TDCJ typically lack necessary skills and/or resources for successful reintegration. Training, specialized programs, staff, and equipment are necessary to supplement Travis County‘s existing resources to address the growing recidivism rate. A reentry program specific to individuals released into Travis County should assist with the following needs: Personal records (Social Security cards, birth certificates, driver license, credit reports, and citizenship records), GED certification, employment, housing, medical, social development, community responsibility, and counseling programs (anger management, drug and alcohol education, mental health assessments, substance abuse disorders).

- TDCJ total prisoners incarcerated (TDCJ website, data dated 8/31/2010) – 154,795
    - Male - 142,770, Female – 12,025
    - African American – 56,058, White – 48,026, Hispanic – 49,936, Other – 775
    - Average age - 37.4
    - Average IQ – 90.58
    - Average educational achievement – 8.05
    - Violent offense – 79,251, Drug offense – 27,602, Property Crime – 25,671
    - TDCJ Inmates claiming Travis County residence – 5,177
    - Total inmates received by TDCJ from Travis County in 2010 – 2,805
    - Total inmates released by TDCJ from Travis County in 2010 – 2,666
- TDCJ 2010 releases – 71,063
- TDCJ 2010 Placed on parole supervision from prison – 32,721
    - Difficult for persons with a criminal history to get free market housing due to restriction for lease qualification
    - Lack of housing options and resources (funding) is a barrier for specialty courts reducing their ability to divert mentally ill offenders from jail or criminal justice outcomes
    - Need for housing that will serve persons with severe persistent mental illness that includes on-site services
    - Homelessness frequent user as a driver of the jail population from the Urban Institute study in 2009
    - Need for permanent supportive housing to serve frequent users of the jail (From the CSH TX Reentry initiative findings)
    - Sex offender housing in particular extremely difficult issue

- Housing authority restrictions
- Lack of affordable housing to begin within our community

There are numerous barriers to offenders finding housing upon release from jail/prison. Reported barriers include

- Many private landlords do not rent to ex-offenders,
- The nature of the offense (either sex offense or possession/sale offense) can be a barrier,
- Substance abuse issues, to include recidivism, will limit ability to sustain housing,
- Mental health issues can impair housing retention,
- Transportation is not available in many parts of the county, and
- The stigma of being an ex-offender keeps many from housing.

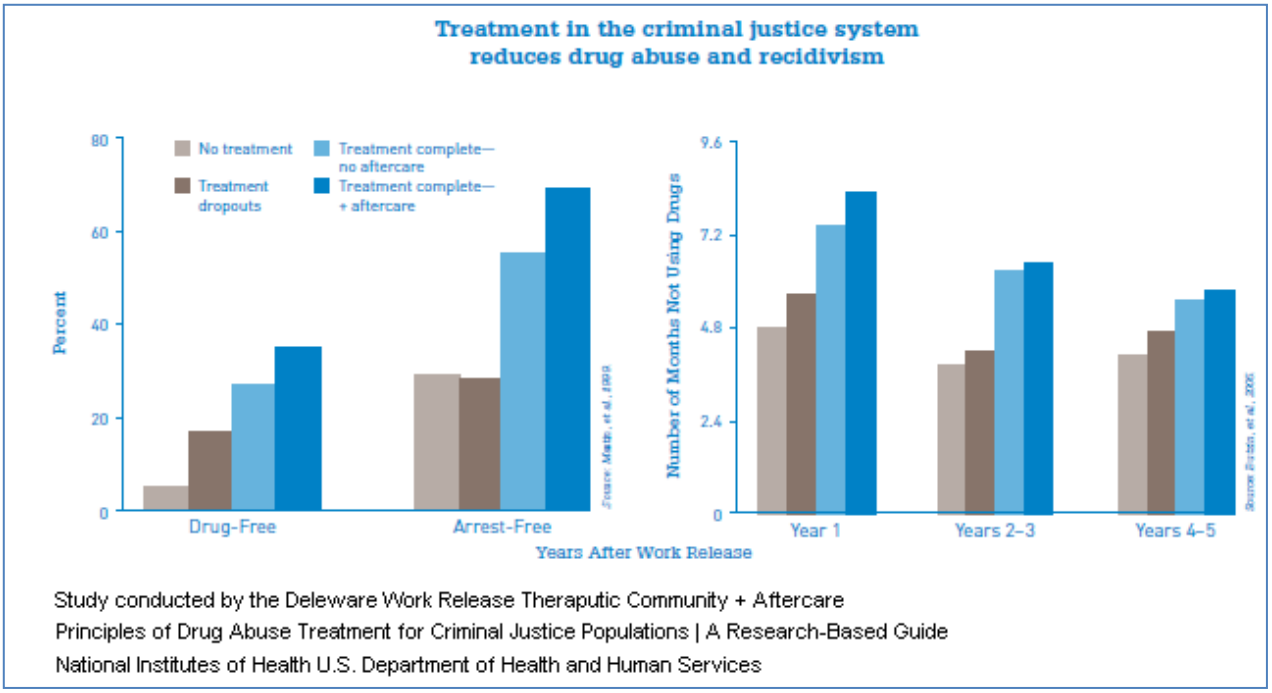
Women face unique barriers in securing safe and affordable housing when they return home from prison or jails (Austin, Bloom, and Donahue 1992; Dodge and Pogrebin 2001; Mumola 2000; Ritchie 2000). Women may have special service needs and often must find a home not only for themselves, but also for their children.

A Bureau of Justice Statistics study found that incarcerated women are in worse economic circumstances than either incarcerated men or other economically disadvantaged women. The study showed that few women are employed in the month before arrest; few have high school diplomas; most women in state prisons report a drug or alcohol addiction; and one in five were homeless during the year prior to their arrest. (Mumola, C. (2000). *Incarcerated Parents and their Children.* Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics)

The 2009 Annual Report of the Office of Substance Abuse Treatment Services (OSATS), formerly the Division of Addiction and Recovery Services, stated

- The return to custody rate after one year for offenders completing both in-prison and community-based treatment in FY 2005-06 was 21.9%, compared to 39.9% for all offenders.
- The return to custody rate after two years for offenders completing both in-prison and community-based treatment in FY 2005-06 was 35.3%, compared to 54.2% for all offenders.
- For male offenders, the return-to-custody rate after one year for those who completed both in-prison and community-based substance abuse treatment in FY 2005-06 was 25.4%, compared to 41.2% of all male offenders.
- The return-to-prison rate after two years for male offenders who completed both in-prison and community-based substance abuse treatment in FY 2005-06 was 40.4%, compared to 55.6% of all male offenders.
- After one year, only 8.8% of female offenders who completed both in-prison and community-based substance abuse treatment in FY 2005-06 were returned to custody, compared to 30.1% of all female offenders.
- The return-to-prison rate after two years for female offenders who completed both in-prison and community-based substance abuse treatment in FY 2005-06 was 16.5%, compared to 43.7% of all female offenders.

A study conducted by the State of Delaware produced the following data on treatment and recidivism



In a Florida Department of Corrections study (*Analysis of the Impact of Inmate Programs upon Recidivism*, January 2001, Michael W. Moore, Secretary), the following was found

- Inmates who complete substance abuse programs are 6.2% less likely to recidivate than those who do not complete a program.
- Inmates with precursor offenses (those which indicate a history of criminal behavior related to substance abuse/dependence) who complete a substance abuse program are 13.2% less likely to recidivate than those with precursor offenses who do not complete a substance abuse program.
- Substance abuse impacts are found even among offender groups that normally have higher recidivism.

National studies have shown that estimates of lifetime drug users among the nation's incarcerated population range from 80 to 87% (Lisa Riechers, Criminal Justice Policy Council, “An Overview of Drug Treatment Programs in Prison”, Austin, Texas, February 1991, p. 1). Drug-related crimes have led to Texas becoming one of the most dangerous states in which to live. In fact, Fort Worth, Dallas, San Antonio, Austin, Houston, and El Paso are among the 14 most crime-ridden cities in the United States (Senator Ted Lyon, Representative Jim Parker, et.al., “Texas Task Force on State and Local Drug Control”, Austin, Texas, January 1991, p. 14). During the last decade, the number of inmates in the nation's prisons has doubled. Over 80% of the inmates were recidivists and about 75% previously used drugs (Wexler, "Drug Treatment in the Criminal Justice System, " p. 6).

Treatment works to reduce crime, drug abuse, and recidivism. Sustained reductions in recidivism can be achieved up to six years after treatment. With appropriate drug abuse treatment more than

75% of offenders with chronic substance abuse histories can reenter the community and lead socially acceptable life styles (Wexler, "Drug Treatment in the Criminal Justice System, " p. 1). The Treatment Outcome Prospective Study (TOPS), a longitudinal study of 10,000 individuals admitted to drug treatment in ten cities across the country, was published in 1989. TOPS findings showed that the costs of drug treatment (outpatient and residential) are substantially recovered during the time a client is in treatment. The TOPS study concludes that every $1 invested in residential treatment for TOPS subjects saved an additional $2.10 in reduced law enforcement, incarceration and social welfare costs within the first year after treatment. (Hubbard RL, Rachal JV, Craddock SG, Cavanaugh ER., Treatment Outcome Prospective Study (TOPS): client characteristics and behaviors before, during, and after treatment, NIDA Res Monogram, 1984;51:42-68)

The need for information sharing between government agencies continues to be a high priority in post-9/11 society in the United States. Historically information sharing between law enforcement agencies has occurred in a very limited manner: ordinarily, only by person to person or case by case basis. In our current age of high mobility and increasing availability of technology, criminals are able to take advantage of the fact that limited information sharing between law enforcement jurisdictions reduces the likelihood of getting caught.

The area of community corrections, information between corrections agencies, treatment providers and social service agencies has suffered that same lack of trust and coordination. Agencies working with offenders have come to realize that treatment effectiveness is enhanced when all players are on the same page, in other words, their efforts are coordinated towards a common goal rather than working independently of one another - in unity there is strength.

Success in managing threat, risk, need and treatment improves as we move from a “need to know” mentality to a “responsibility to provide” mentality.

Working collaboratively with all stakeholders in the planning and implementation of systemic change in community corrections can result in a more coherent continuum of care; one that uses evidence-based principles to reduce recidivism. By collaborating with each other, governmental agencies and community-based providers can jointly provide a comprehensive and integrated array of services that could not be provided by a single agency.

Additional Supporting Data for the Victims Section

In FY 2010, the Texas Department of Family and Protective Services’ (DFPS) Adult Protective Service program validated 56,053 in-home cases of abuse, neglect or exploitation against adults with disabilities or older adults in Texas. This information can be found at http://www.dfps.state.tx.us/About/Data_Books_and_Annual_Reports/default.asp

Studies show that domestic/sexual violence in adulthood and childhood has long-term harmful effects on the mental health of victims, even after they escape the abuse. Abused women experience 50% -70% more health problems as compared to non-abused women. Among the conditions experienced by abuse victims are depression, anxiety disorders and post-traumatic stress disorder. (*Intimate Partner Violence and Physical Health consequences. Campbell, et.al. Internal Medicine, 2002:162:1157-1163.)* Research indicates that counseling is beneficial for domestic and sexual violence victims. (*Westbury, E. & Tutty, L.M. (1999) The efficacy of group treatment for survivors of childhood abuse. Child Abuse and Neglect, 23, 1, 31-44.)* Research

indicates that therapeutic interventions help children recover from trauma and avoid victimization and/or perpetration of violence. Professional therapy to children at the earliest age possible facilitates improvement in healthy family functioning and breaks the cycle of abusive family dynamics. (*ATCICF Child and Family Services.)*

Victims of domestic and sexual violence require a specialized form of mental health and support services because these victims often present symptoms of mental illness, but in fact may be acute trauma. These victims are often discounted and their experiences minimized because of their inability to function in a system that requires optimal awareness and critical thinking skills while they are in crisis. When the effects of abuse are not addressed, harmful consequences can include but are not limited to continued mental health issues, future victimization and/or perpetration of violence. (*Schechter, S. "Expanding Solutions for Domestic Violence and Poverty: What Battered Women with Abused Children need from Their Advocates. December, 2000".)*

National research shows the link between domestic/sexual violence and homelessness. Studies indicate that 92% of homeless women have experienced severe physical or sexual abuse, 60% of homeless women and children have been abused by age 12, and 63% have been victims of intimate partner violence as adults (2).

Domestic violence is a leading cause of homelessness for women and children in the United States. Many victims leave their homes to escape violence and do not have the resources to support housing or other basic needs alone. Others are evicted from housing due to their batterer's disruptive and often criminal behavior, or have substandard credit and rental histories due to tactics of financial abuse by the batterers. Victims are often also barred from housing due to the risk their abusers pose. (*The National Network to End Domestic Violence, Housing Project*).

In 2005, 50% of U.S. cities surveyed reported that domestic violence is a primary cause of homelessness. (United States Conference of Mayors, (*Hunger and Homelessness Survey 64* December 2005) Victim services units of law enforcement reports there is a continuous lack of safe shelter space for victims. There is a particular need for more alternative housing options for male and sexually assaulted victims. SafePlace provides shelter services to female and male victims of domestic and sexual violence.

Crisis response time is key for victims of a violent crime to have their immediate emotional, medical and safety needs met, and interrupt the cycle of violence. Crisis response and short-term services help to stabilize a victim and provide critical support. When victimized children and their protective caregivers receive the support they need, the entire community benefits from the increased health and well-being of its members. (*Center for Child Protection TCCVF 2012 Application.)* If victims of domestic violence have children with their abuser, it is highly likely that there will be future contact between them. In order to prevent future violence it is essential

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2 Browne, A. & Bassuk, S., "Intimate Violence in the Lives of Homeless and Poor Housed Women: Prevalence and Patterns in an Ethnically Diverse Sample," American Journal of Orthopsychiatry, 67(2) 261-278, April 1997; Browne, A., "Responding to the Needs of Low Income and Homeless Women Who are Survivors of Family Violence," Journal of the American Medical Association, 53(2), 57-64. Spring 1998.

that the contact include supervised visitation of children, drug and alcohol treatment, battering intervention programs and counseling. (*Texas RioGrande Legal Aid, TCCVF 2012 Application.)*

For victims of non-violent, property crimes, short-term services provide an outlet for addressing the crime committed. They also provide an opportunity to define the harm done to them, which greatly increases their chances for recovery from the trauma of the crime. *(Travis County Juvenile Probation Department TCCVF 2012 Application.)*

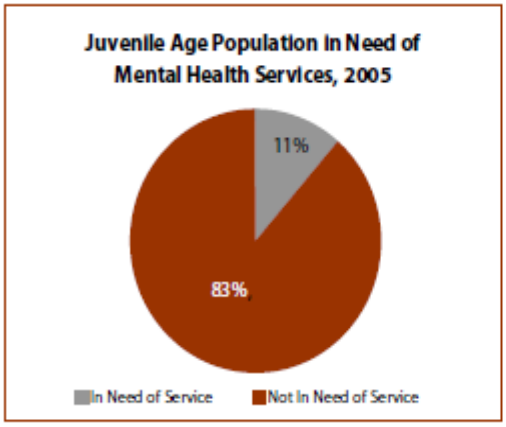
Additional Supporting Data for the Juvenile Justice Section

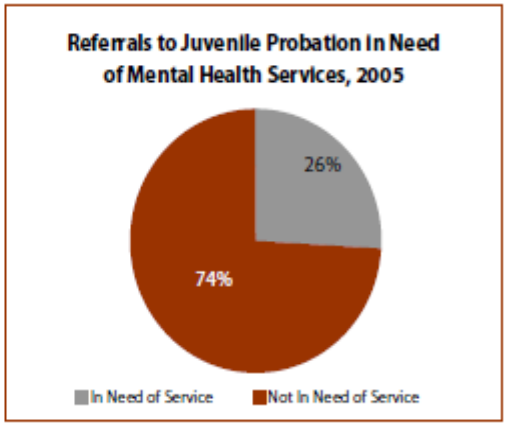
There are increasing numbers of juveniles with mental health and substance abuse problems entering the justice system. These mental health problems and substance abuse issues often play an active role in the initial delinquent behavior and, if left untreated, increase the risk of recidivism. This growing group of juveniles with involvement in the justice system and mental health problems are a specialized population with different contributing factors to justice system involvement when compared to youth without mental health issues. Because of this, traditional justice system interventions are often less effective in reducing recidivism. This group often requires more specialized mental health services. The stress of incarceration and moving through the legal system is likely to exacerbate their psychiatric symptoms. Once these juveniles enter the institutional stage of the justice system, they have a constitutional right to treatment, placing a significant obligation on the justice system.

State Statistics

- Texas ranks 49th in the nation in per client spending on services for mental health care, spending only $38.46 per client. This is 44% of the national average. (Mental Health Association in Texas, 2005)
- Texas ranks 34th in overall child well-being. (2010 KIDS COUNT Data Book)
- Texas has the highest rate of children without health insurance in the nation (21%), and the rate is even higher for older children and teens (23%) (2010 KIDS COUNT Data Book)
- 41% of felony offender youth committed to TYC in 2006 were identified to have mental health needs; 42% of misdemeanor offenders committed to TYC in 2006 were identified to have mental health needs. (Texas Juvenile Probation: Today and Tomorrow. TJPC July 2008)
- Juvenile arrests for violent offenses increased 9%, from 21,100 in 2000 to 22,921 in 2007
- Drug arrests increased 12%, from 8,996 in 2000 to 10,087 in 2007
- Violent offenses, as a proportion of total offenses increased between 2000 and 2007. In 2000, violent offenses accounted for 15% of total juvenile arrests compared to 17% in 2007.
- Drug offenses as a proportion of total offenses also increased accounting for 6% of total arrests in 2000 compared to 7% in 2007.
- The percentage of mental illness increases as juveniles penetrate the system, resulting in over 50% of youth committed to TYC having a diagnosable mental illness.
- Seventeen percent of juveniles referred and/or supervised by a juvenile probation department in 2005 received a service from child protective services in that same year.

- Seven percent of juveniles referred and/or supervised in 2005 received a state funded behavioral health service in that same year.





(
A Report by the Texas Juvenile Probation Commission and Juvenile Justice Practitioners, July 2008)

A state of Texas report entitled Profile of Youth Offenders in Texas – Texas Youth Commission (FY2008) indicated that of youthful offenders in TYC were 36% more likely to be chemically dependent; 32% had serious mental issues; and 10% had family members with mental impairments.

National Statistics

- According to the Northwestern Juvenile Project, the most methodologically sound study of its kind, 60.9% of males and 70% of females detained in a juvenile detention facility met criteria for at least one psychiatric disorder (with Conduct Disorder excluded). Comorbidity (either the presence of one or more diagnosis/disorders/diseases in addition to a primary disease or disorder, or the effect of such additional disorders or diseases) was extremely common, with 45.9% of males and 56.5% of females meeting criteria for two or more psychiatric disorders, (Teplin, et al., 2006).
- Over one in five children has a diagnosable mental health disorder, with some major mental illnesses having an onset as early as 7-11 years of age. (New Freedom Commission on Mental Health (2003). Achieving the Promise: *Transforming Mental Health Care in America: Final report.* DHHS Publication No. SMA-03-3832)
- Almost 21% of U.S. children ages 9 to 17 had a diagnosable mental or addictive disorder associated with at least minimum impairment. (Ibid.)
- Mental health disorders can be found disproportionately in children/adolescents involved with child welfare or the juvenile justice system. Putnam reports that "approximately 30% - 40% of the children in out-of-home care have a serious emotional disorder and as many as 75% - 80% of the population in out-of-home care need mental health services." (Skowyra, K & Cocozza, J. (2006). Blueprint for change: A comprehensive model for the identification and treatment of youth with mental health needs in contact with the

juvenile justice system. Delmanr, NY: The National Center for Mental Health and Juvenile Justice (NCMHJJ) and Policy Research Associates, Inc.)

- Access to the appropriate mental health care is a significant issue. Most of the children and youth with mental health disorders (75-80%) do not receive services. Whether insured or not, over 75% of children who could benefit are considered to have unmet mental health needs (Kataoka, S., Zhang, L, & Wells, K. (2002). Unmet need for mental health care among U.S. children: Variation by ethnicity and insurance status. American Journal of Psychiatry, 159:1548-1555).
- Almost 90% of those with a lifetime co-occurring disorder had at least one mental disorder prior to the onset of a substance abuse disorder (Kessler, R., Beglund, P., Demler, O., Jin, R., & Walters, E. (2005). Lifetime prevalence and the age-of-onset distribution of DSM-IV disorders in the National Comorbidity Survey Replication. *Archives of General Psychiatry, 62,* 593-602)
- Generally, the mental disorder occurred in early adolescence (median age 11), followed by the substance abuse disorder 5 to 10 years later (median age 21). (Ibid.)
- The time between the onset of a mental disorder and a subsequent substance abuse disorder represents an important *"window of opportunity"* in which a co-occurring disorder may be prevented (Ibid.)

Early identification of this population via family and school referrals is essential to avoid involvement in the juvenile justice system. Youth who are involved with the juvenile justice system have substantially higher rates of mental health disorders than children in the general population, and they may have rates of disorder comparable to those among youth being treated in the mental health system. The prevalence of mental disorders among youth in the general population is estimated to be about 22%; the prevalence rate for youth in the juvenile justice system is as high as 60% (Otto, R., Greenstein, J., Johnson, M., & Friedman, R. (1992), *Prevalence of mental disorders among youth in the juvenile justice system*. In J. Cocozza (Ed.), Responding to the mental health needs of youth in the juvenile justice system. The National Coalition for the Mentally Ill in the Criminal Justice System: Seattle, WA. (pp. 7-48)).

Adolescents with emotional and behavioral problems are nearly four times more likely to be dependent on alcohol or illicit substances than are other adolescents, and the severity of a youth's problems increases the likelihood of drug use and dependence. Among adolescents with co-occurring disorders, conduct disorder and depression are the two most frequently reported disorders that co-occur with substance abuse. (U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration. (1999). *The Relationship Between Mental Health and Substance Abuse Among Adolescent, Office of Applied Studies*)

According to the Northwestern Juvenile Project, the most methodologically sound study of its kind, 60.9% of males and 70% of females detained in a juvenile detention facility met criteria for at least one psychiatric disorder (with Conduct Disorder excluded). Comorbidity (either the presence of one or more diagnosis/disorders/diseases in addition to a primary disease or disorder, or the effect of such additional disorders or diseases) was extremely common, with 45.9% of males and 56.5% of females meeting criteria for two or more psychiatric disorders. (Teplin, et al., 2006)

Research has shown that long-term incarceration is not effective and causes more trauma to youth. The need for comprehensive assessments for mental health, substance abuse, cognitive deficits, trauma history and other identifying risks is imperative to address the underlying issues of juveniles and meet the needs of the child and family by providing quality evidenced based services. Ongoing communication is important to address the specific needs of bilingual youth and families through therapeutic bilingual services for mental health/substance abuse. In addition, kids aging out of the system and those youth who have failed to meet their educational goals need more comprehensive vocational training to prepare them for a successful future without criminal involvement. The "zero tolerance" policies have created an environment in which youth with mental health and trauma issues are impeded by their inability to succeed in meeting the schools expectations and often are referred to juvenile probation for behavior problems. Repeated suspensions and expulsions predict poor academic outcomes and a greater chance of the child not graduating, repeating a grade or dropping out of school. Fostering the creation of "protective factors" would help the family to increase parental resiliency, increase their social connections and increase the parent's knowledge of parenting and child development.

During the last decade we have experienced an average of 18,000 school age children and youth being arrested each year in Austin and Travis County. During calendar 2010, DPS reports a total of 20,400 school age youth being taken into custody by city and county law enforcement (Council on At-Risk Youth, Arrests for School Age Youth for Index and Non-Index Crimes in Travis County-2001-2010, 2011). Most importantly, the 20,400 arrests for school age youth represented 30% of all arrests for Travis County for 2010. It should be noted that the definition of "school age" youth includes individuals older than 17 years old, the maximum age to be considered a juvenile for crime purposes in Texas.

The majority of all society's public offenders exhibit their aggressive, abusive and anti-social behaviors long before their first arrest and involvement with juvenile and/or criminal justice authorities. These characteristics and behaviors become readily evident in public school in the elementary, middle school and high school years.

Involvement in the criminal justice system is described as a continuum that leads from school based youthful misbehavior to involvement in the juvenile justice system and ultimately the adult penal system. (Deborah Lightsey, Texas Appleseed, Texas School-to-Prison Pipeline: Dropout to Incarceration, 2007) A recent study by Council of State Governments found in a 6-year review of school disciplinary and juvenile justice data for nearly 1,000,000 students, that involvement in the school disciplinary system was a very strong predictor for involvement in the juvenile justice system. (Council of State Governments, Breaking Schools' Rules, 2011.) Another study of predictive variables for future law violations found that a single school disciplinary referral emerged as the single strongest predictor. "The greater the number of school disciplinary incidents, the higher the probability of subsequent referral." (Dottie Carmichael, Texas A&M University, Public Policy Research Institute, Study of Minority Over-Representation in the Texas Juvenile Justice System, 2006) Additional research shows that early school behavioral actions by are strong predictors for later criminal justice involvement. Criminologists James Allen Fox and Delbert Elliot stated in a 2003 report on bully prevention that "60% of middle school youth who are bullies can be expected to have at least one criminal court adjudication by age 24; 40% of that same group can be expected to have three criminal court convictions by age 24". Clearly, Students who are aggressive, abusive and intimidating toward others in the school hallways and

playgrounds will have future involvement with juvenile and criminal justice. (James Allen Fox and Delbert Elliot, Fight Crime: Invest in Kids, Bully prevention is Crime Prevention, 2003)

In the absence of a well-established delinquency prevention and intervention infrastructure, the Travis County juvenile justice system has become the fall back referral agency for delinquent and criminal activity. We know that it is essential to begin funding prevention and intervention as juvenile and criminal justice system recidivism rates are high. Recent research conducted by the John Jay College of Criminal Justice and funded by the Annie Casey Foundation finds that "involvement with the juvenile system was the single greatest predictor of criminality"(Jeffery Butts, John J. College of Criminal Justice, In Juvenile Justice Care, Boys Get Worse, 2010.) The majority of children and youth who are involved in the school disciplinary system can be better served at that location by community service agencies well in advance of criminal involvement and referral to juvenile and criminal justice. However, funding is needed to underwrite costs for evidence based delinquency prevention, youth violence prevention and drug abuse prevention programs.

Failing to invest in children and youth triggers substantial economic, social and political costs resulting from negative outcomes including school dropout, poor labor market entry, risky sexual behaviors, substance abuse and crime and violence. (United Nations, Social.un.org/Youth Year/docs., 2011) Early Intervention is critical to children and youth's behaviors escalating beyond the parent's control and the public school disciplinary system's control and subsequently ends up with the police being notified and the youth is taken to the Juvenile Justice agency. The Texas A&M Public Policy Research Institute recommends that "resources should be invested in prevention or early intervention programs to reduce involvement of minorities in school delinquency, enhance academic performance, support economically disadvantaged families, and develop effective interventions for juveniles with emotional or learning disabilities". (Dottie Carmichael, Texas A&M University, Public Policy Research Institute, Study of Minority Over-Representation in the Texas Juvenile Justice System, 2006) United Nations International Year for Youth notes that preventable risky behaviors induce losses to society that reaches into the billions of dollars annually.

The school environment and particularly the school disciplinary system can have considerable impact on early intervention with funding support and with utilization of evidence based violence prevention and drug abuse prevention programs. The Austin ISD and others in Travis County are receptive to support. The Connecting the Dots Workshop sponsored by AISD and attended by numerous private service providers, juvenile justice representatives and AISD personnel resulted in the Alternative Education/Placement Group recommending delinquency prevention report with recommendations for 1) youth violence prevention and intervention services, 2) drug abuse prevention and intervention services, and 3) mental health prevention and treatment services. (Alternative Education/Placement Group, AISD Connecting the Dots Workshop, Sept. 2011) There are several community-based and school-sanctioned programs that are helpful, but public support for these programs is limited. Public funding should include policy that gives highest priority to school disciplinary youth along with requirements for utilization of evidence based prevention and intervention programs.

Numerous "evidence based" programs are enumerated by the Office of Juvenile Justice and Delinquency Prevention, the Center for Study and Prevention of Violence and the Center for

Substance Abuse Programs of the Substance Abuse and Mental Health Administration. At least one of these evidence based programs, the Aggression Replacement Training Program has been evaluated by independent researchers showing that students completing the program have lower aggression incident reports, lower school disciplinary actions and higher school attendance rates. (Forrest Novy and Laura McFarland, The Council on At-Risk Youth's Aggression Replacement Training Program: Principles, Practices and Outcomes 2009-2010 School Year, 2011)

There is need to build an infrastructure for effectively preventing delinquent offenses. The prevention infrastructure should include involvement in a local prevention board with participation by the City of Austin, Travis County, Austin ISD school board and Austin/Travis County Health Department. Attention is needed to provide more funding to underwrite costs for expansion of evidence based prevention and intervention programs at each of our middle and high school campuses.

Local Data

- Analysis of school age (10-20) youth arrest rates for the last decade show an average of 18,000 arrests annually, with 20,400 arrests occurring during 2010. (Council on At-Risk Youth, Arrests for School Age Youth for Index and Non-Index Crimes in Travis County-2001-2010, 2011)
- Disciplinary actions were taken 19,220 cases representing 10,710 individual children and youth with dispositions in school, out of school and removal to disciplinary alternative education program during the 2010-2011 school year in the Austin Independent School District. (AISD, PEIMS Student Discipline Aggregate Report with Redacted Data, 2011)
- An AISD evaluation demonstrates that one evidence-based violence prevention program Responding in Peaceful and Positive Ways shows promise as an effective strategy for reducing student aggressive behavior. (AISD ACCESS Initiative 2009-2010 Summary: Conflict Resolution and Violence Prevention at Garcia Middle School, 2010)
- Delinquency prevention and youth violence prevention should be extended to more students; Drug education and character education should be extended through classroom health education classes as considerable numbers of disciplinary students have drug involvement. (Alternative Education/Placement Group, AISD Connecting the Dots Workshop, Sept. 2011)
- The evidence based Aggression Replacement Training Program used by Council on At-Risk Youth demonstrates that students completing the program show statistically significant decreases in overall numbers of disciplinary reports, overall numbers of serious abusive, aggressive and assaultive disciplinary reports, overall numbers of disciplinary actions by school authorities along with improvements in school attendance rates. (Forrest Novy and Laura McFarland, The Council on At-Risk Youth's Aggression Replacement Training Program: Principles, Practices and Outcomes 2009-2010 School Year, 2011)

State Data

- Analysis of school age (10-20) youth arrest rates for the last decade in Texas show an average of 343,000 arrests annually, with 340,454 arrests occurring during 2008.

(Council on At-Risk Youth, Arrests for School Age Youth for Index and Non-Index Crimes From 1999 through 2008 in the State of Texas, 2009)

- A continuum exists leading from school based youthful misbehavior to involvement in the juvenile justice system and ultimately the adult penal system. (Deborah Lightsey, Texas Appleseed, Texas School-to-Prison Pipeline: Dropout to Incarceration, 2007)
- A study of nearly 1 million students for six years from 7th through 12th grade found that "nearly half of those students who were disciplined 11 or more times were in contact with the juvenile justice system. In contrast, 2% of the students who had no school disciplinary actions were in contact with the juvenile justice system." (Justice Center of the Council of State Governments, Breaking Schools' Rules, 2011)
- Contact with the justice system predominantly occurs because youth have a discipline history at school, are male, are not excelling academically, are economically disadvantaged, or have an emotional or learning disability. (TA&M University Public Policy Research Institute, The Study of Minority Over-Representation in the Texas Juvenile Justice System, 2006)

National Data

- More than one in seven of the students in the school disciplinary system can be expected to be in the juvenile justice system the next school year. (Council of State Governments and Public Policy Research Institute. Breaking Schools Rules', July 2011)
- Sixty percent of middle school youth who are bullies can be expected to have at least one criminal court adjudication by age 24; 40% of that same group can be expected to have three criminal court convictions by age 24". (James Allen Fox and Delbert Elliot, Fight Crime: Invest in Kids, Bully prevention is Crime Prevention, 2003).
- Failing to invest in children and youth triggers substantial economic, social and political costs resulting from negative outcomes including school dropout, poor labor market entry, risky sexual behaviors, substance abuse and crime and violence. Losses are figured into the billions each year. (United Nations, Social. Year of Youth, 2011)
- Juvenile justice systems are more likely to exacerbate delinquency than cure it, especially when young people are incarcerated or placed into group treatment programs-the more deeply involved a boy got with the juvenile justice system, the more likely he was to get arrested as an adult. (Jeffery Butts, John J. College of Criminal Justice, In Juvenile Justice Care, Boys Get Worse, 2010.)

Additional Supporting Data for the Education Section

School-based mental health services are provided by a myriad of professionals to include counselors, psychologists, social workers, marriage, therapists and psychiatrists. Their services include prevention-focused activities to create a safe, healthy school environment; selective interventions with individual students or groups whose circumstances place them at higher risk for emotional or behavioral health problems; and diagnosis and treatment of individual students with specific health (medical/mental) needs.

Research has shown that school mental health programs greatly improve educational outcomes by decreasing absences, decreasing discipline referrals, and improving test scores. Citing this evidence, the President's New Freedom Commission on Mental Health

(http://govinfo.library.unt.edu/mentalhealthcommission/reports/reports.htm) recommends that schools work collaboratively with families and mental health providers to develop, evaluate, and disseminate effective approaches for providing mental health services and supports to children and youth in schools along a critical continuum of care in America (Hogan MF, et al. (2003). New Freedom Commission on Mental Health Achieving the Promise: Transforming Mental Health Care).

National Data

- One-quarter to one-third of young children are perceived as not being ready to succeed in school, with many affected by social and emotional issues (U.S. Department of Health and Human Services. Mental Health: A Report of the Surgeon General, 1999)
- Nationally, over 20%t of youth experience a diagnosable mental health problem (Ibid.)
- One in five children has a diagnosable mental disorder (New Freedom Commission on Mental Health. (2003). *Achieving the promise: Transforming mental health care in America. Final report* (DHHS Pub. No. SMA-03-3832). Rockville, MD: U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration)
    - One in 10 youth has serious mental health problems that are severe enough to impair how they function at home, school, or in the community. (Ibid.)
    - The onset of major mental illness may occur as early as 7 to 11 years old (Kessler, R. C.; Beglund, P.; Demler, O.; Jin, R.; & Walters, E. E. (2005). Lifetime prevalence and the age-of-onset distributions of DSM-IV disorders in the National Comorbidity Survey Replication. *Archives of General Psychiatry, 62*(6), pp. 593-602)
- Twenty-one percent of low-income children and youth ages 6-17 have mental health problems have mental problems. (Howell, E. (2004). *Access to children's mental health services under Medicaid and SCHIP*. Washington, D.C.: Urban Institute.)
- In 2000, there were 70.4 million children 17 or under in the US (26 percent of the population). Sixty-four percent were White, non-Hispanic; 16% Hispanic; 15% African-American; 4% Asian-Pacific; and 1% American Indian/Alaskan Native. (US DHHS. Federal Interagency Forum on Child and Family Statistics. America's Children: Key National Indicators of Well- Being, 2001; www.childstats.gov/ac2001)
- Of the population ages 9-17, an estimated 21% experienced the signs and symptoms of a DSM-IV disorder during the course of a year, 11% experienced significant impairment, and 5% experienced extreme functional impairment. (US DHHS. Mental Health: A Report of the Surgeon General, Executive Summary. Rockville, MD: U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, Center for Mental Health Services, NIH, NIMH, 1999)
- Seventy-five to 80% of children and youth in need of mental health services do not receive them. (Kataoka, S.; Zhang, L.; & Wells, K. (2002). Unmet need for mental health care among U.S. children: Variation by ethnicity and insurance status. *American Journal of Psychiatry, 159*(9), pp. 1548-1555). This reinforces the finds of RAND Health Research Highlights: Mental Health Care for Youth, 2001.
- Use of psychotropic medication for children and youth has increased sharply with more than $1 billion spent in 1998 for these medications. Stimulants and antidepressants account for about two thirds of the bill. (Ibid.)

- Nearly 60 percent of the 2.2 million adolescents who reported a major depressive episode in the past year did not receive treatment. (Substance Abuse and Mental Health Services. "Depression Among Adolescents." The HSDUH Report. Accessed from *http://oas.samhsa.gov/2k5/youthDepression/youthDepression.htm* May 29, 2005)
- Untreated mental illness can result in a lack of vocational success, substance abuse, violence and even suicide. (The National Institute for Healthcare Management Research and Education Foundation. "Children's Mental Health: An Overview and Key Considerations for Health System Stakeholders." NIHCM Foundation Issue Paper, February 2005)
- The dropout rate for students with severe emotional and behavioral problems is nearly two times higher than it is for other students, (Lehr, C.A.; Johnson, D.R., et. al. "Essential Tools: Increasing Rates of School Completion: Moving From Policy and Research to Practice." Institute on Community Integration, National Center on Secondary Education. 2004)
- Without proper identification and preparation, students may
    - Age out and leave school without knowing how to seek and obtain educational alternatives such as the GED or EDP,
    - Become frustrated at their situation and drop out of school before aging out, and
    - Lack critical knowledge, motivation, and skills needed to be productive members of society.

National Statistics

- In October 2008, approximately 3.0 million 16- through 24-year-olds were not enrolled in high school and had not earned a high school diploma or alternative credential. These status dropouts accounted for 8% of the 38 million non-institutionalized, civilian 16- through 24-year-olds living in the United States. (Chris Chapman, Jennifer Laird, Angeline KewalRamani, "Trends in High School Dropout and Completion Rates in the United States: 1972–2008: Compendium Report, December 2010; U.S. Department of Education; 2010)
- Males ages 16–24 had higher status dropout rates than females in 2008 (8.5% vs. 7.5%) (Ibid.)
- In 2008, the Northeast had the lowest status dropout rates (5.6%) and the South and the West had the highest (8.8% and 9.1%, respectively) (Ibid.)
- In 2008, some 35.9% of 16- through 24-year-olds lived in the South, while 39.6% of all status dropouts lived there (Ibid.)
- Daily marijuana use increased among 8th, 10th, and 12th graders from 2009 to 2010. Among 12th graders ,it was at its highest point since the early 1980s at 6.1%,
- Most measures of marijuana use increased among 8th graders between 2009 and 2010 (past year, past month, and daily), paralleling softening attitudes for the last 2 years about the risk of using marijuana.
- In 2010, 21.4% of high school seniors used marijuana in the past 30 days, while 19.2%t smoked cigarettes.
- Marijuana use is now ahead of cigarette smoking on some measures.
- Among 12th graders, past year nonmedical use of Vicodin decreased from 9.7% to 8%.

- The use of OxyContin remains unchanged across the three grades and has increased in 10th graders over the past 5 years.
- Nonmedical use of Adderall and over-the-counter cough and cold medicines among 12th graders remains high at 6.5% and 6.6%, respectively.
- From 2009 to 2010, lifetime use of ecstasy among 8th graders increased from 2.2% to 3.3%, past year use from 1.3% to 2.4%, and current use 0.6% to 1.1%.
- In 2009, an estimated 30.2 million people (12%) aged 12 or older reported driving under the influence of alcohol at least once in the past year.
- The Drug Abuse Warning Network (DAWN) estimates that of the 2.1 million drug abuse visits (Substance Abuse and Mental Health Services Administration, Center for Behavioral Health Statistics and Quality (formerly the Office of Applied Studies). The DAWN Report: Highlights of the 2009 Drug Abuse Warning Network (DAWN) Findings on Drug-Related Emergency Department Visits. Rockville, MD, December 28, 2010. Available at: http://www.oas.samhsa.gov/2k10/DAWN034/EDHighlights.htm)
    - 27.1% involved nonmedical use of pharmaceuticals (i.e., prescription or OTC medications, dietary supplements) (Ibid.),
    - 21.2% involved illicit drugs (Ibid.),
    - 14.3% involved alcohol, in combination with other drugs (Ibid.), and
    - For patients aged 20 or younger, ED visits resulting from nonmedical use of pharmaceuticals increased 45.4% between 2004 and 2009 (116,644 and 169,589 visits, respectively). Among patients aged 21 or older, there was an increase of 111%. (Ibid.)

Key findings from the Travis County 2011-13 Consolidated Plan, written by the Travis County Health and Human Services, indicate that Travis County has experienced rapid population growth since 1990. Between 1990 and 2010, the Travis County net population growth was 78%. In addition, this plan demonstrates that

- Eighty-three percent of the County's population lives in incorporated towns, or cities. An estimated 178,895 people, or 17% of the County population, live in unincorporated areas of the county.
- The population of Travis County, as a whole, is projected to increase over the next thirty years.
- The majority of Travis County residents identify as non-Hispanic White. An increasing share of the population identifies as Hispanic.
- The most commonly spoken languages in Travis County are English and Spanish.
- More than half of Travis County's population is composed of working age individuals ages 18 to 64.
- The top five industries are responsible for employing most of Travis County's residents: 1. Retail Trade; 2. Educational Services; 3. Professional, Scientific and Technical Services; 4. Health Care and Social Assistance and 5. Construction.
- The median household income in Travis County has consistently exceeded that of the U.S. and Texas. However, the reported median income in Travis County has fallen by nearly 4% from the 2008 income level.
- Approximately, fifteen percent of Travis County residents, or 144,055 people are living in poverty. Hispanic/Latino and Black/African American children under five years of age have some of the highest poverty rates in Travis County, at 37% and 44% respectively.

Poverty statistics (2009 Statistics from the U.S. Census Bureau website)

Subject	**Total**	**Below poverty level**	**Percent below poverty level**
Population for whom poverty status is determined	949,167	144,055	15.2%
AGE			
Under 18 years	228,499	47,159	20.6%
Related children under 18 years	227,546	46,503	20.4%
18 to 64 years	658,764	91,684	13.9%
65 years and over	61,904	5,212	8.4%
SEX			
Male	489,987	67,512	13.8%
Female	459,180	76,543	16.7%

Subject	Total	Below poverty level	Percent below poverty level
RACE AND HISPANIC OR LATINO ORIGIN			
One race	928,925	141,631	15.2%
White	640,107	77,191	12.1%
Black or African American	78,946	18,330	23.2%
American Indian and Alaska Native	3,936	995	25.3%
Asian	49,599	6,889	13.9%
Native Hawaiian and Other Pacific Islander	845	28	3.3%
Some other race	155,492	38,198	24.6%
Two or more races	20,242	2,424	12.0%
Hispanic or Latino origin (of any race)	309,090	71,880	23.3%
White alone, not Hispanic or Latino	495,722	45,736	9.2%

Employment statistics (2009 Statistics from the U.S. Census Bureau website)

Subject	Total	In labor force	Employed	Unemployment Rate
Population 16 years and over	757,653	73.5%	69.0%	6.0%
AGE				
16 to 19 years	48,283	39.0%	31.1%	20.1%
20 to 24 years	76,659	74.4%	67.5%	9.1%
25 to 44 years	366,009	85.8%	81.1%	5.3%
45 to 54 years	123,110	82.7%	78.6%	4.9%
55 to 64 years	78,041	67.7%	65.0%	3.8%
65 to 74 years	35,521	28.9%	27.3%	5.6%
75 years and over	30,030	6.1%	5.9%	3.1%
RACE AND HISPANIC OR LATINO ORIGIN				
One race	744,874	73.4%	69.0%	5.9%
White	527,828	73.2%	69.4%	5.0%
Black or African American	61,650	70.9%	62.3%	11.7%

Subject	Total	In labor force	Employed	Unemployment Rate
American Indian and Alaska Native	3,197	71.0%	67.0%	5.6%
Asian	41,036	67.9%	64.1%	5.5%
Native Hawaiian and Other Pacific Islander	702	75.1%	68.2%	0.0%
Some other race	110,461	78.4%	72.6%	7.3%
Two or more races	12,779	75.5%	68.2%	9.5%
Hispanic or Latino origin (of any race)	219,467	75.9%	70.5%	7.0%
White alone, not Hispanic or Latino	424,179	73.1%	69.6%	4.6%
Population 20 to 64 years	643,819	81.7%	77.0%	5.5%
SEX				
Male	337,987	88.8%	84.1%	5.0%
Female	305,832	73.8%	69.3%	6.1%
With own children under 6 years	56,363	60.9%	54.5%	10.5%

EDUCATION STATISTICS AND DEMOGRAPHICS

Education statistics (2009 Statistics from the U.S. Census Bureau website)

Subject	Total	Male	Female
Population 18 to 24 years	102,795	53,575	49,220
Less than high school graduate	17.2%	20.7%	13.4%
High school graduate (includes equivalency)	24.6%	26.5%	22.4%
Some college or associate's degree	45.4%	43.3%	47.7%
Bachelor's degree or higher	12.8%	9.4%	16.4%
Population 25 years and over	632,711	325,942	306,769
Less than 9th grade	7.5%	8.3%	6.7%
9th to 12th grade, no diploma	6.7%	7.1%	6.3%
High school graduate (includes	17.7%	17.3%	18.2%

Subject	Total	Male	Female
equivalency)			
Some college, no degree	19.3%	18.4%	20.4%
Associate's degree	5.6%	5.6%	5.6%
Bachelor's degree	27.7%	27.2%	28.1%
Graduate or professional degree	15.4%	16.1%	14.7%
Percent high school graduate or higher	85.7%	84.6%	87.0%
Percent bachelor's degree or higher	43.1%	43.3%	42.8%
Population 25 to 34 years	218,162	116,625	101,537
High school graduate or higher	85.4%	83.0%	88.2%
Bachelor's degree or higher	43.7%	40.1%	47.8%
Population 35 to 44 years	147,847	79,393	68,454
High school graduate or higher	86.3%	85.0%	87.7%
Bachelor's degree or higher	45.7%	45.1%	46.4%
Population 45 to 64 years	201,151	101,816	99,335
High school graduate or higher	88.0%	87.2%	88.9%
Bachelor's degree or higher	43.9%	45.6%	42.1%
Population 65 years and over	65,551	28,108	37,443
High school graduate or higher	78.6%	80.8%	77.0%
Bachelor's degree or higher	32.9%	43.5%	24.9%

(2009 Statistics from the U.S. Census Bureau website)

Item 7

Travis County Commissioners Court Agenda Request

Meeting Date: December 6, 2011
Prepared By/Phone Number: Pete Baldwin, 974-0472
Elected/Appointed Official/Dept. Head: Danny Hobby, Emergency Services
Commissioners Court Sponsor: Judge Biscoe

AGENDA LANGUAGE: Consider and Take Appropriate Action on Approving the Office of Emergency Management's (OEM) Assistant Emergency Management Coordinator position serve as the Donation Coordinator during times of disaster.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:
OEM is a recipient of the Emergency Management Performance Grant (EMPG) administered by the State of Texas. To meet EMPG requirements, OEM must maintain the Emergency Operations Plan and all 22 functional Annexes for Travis County. Annex T, Donations Management, is one of the required Annexes to keep updated, and as part of this Annex, it requires that a Donations Coordinator be identified by letter and signed by the Travis County Judge. OEM has selected the Assistant Emergency Management Coordinator's position to serve in this capacity when disaster situations warrant the need.

STAFF RECOMMENDATIONS:
The Department of Emergency Services recommends approval of the Assistant Emergency Management Coordinator's position to serve as the Donation Coordinator during times of disaster.

ISSUES AND OPPORTUNITIES:
This will allow OEM the opportunity to have closer ties and better coordination in donation management operations with the Volunteer Organizations Active in Disaster (VOAD's) and other Non-Profit Agencies throughout Travis County during times of Disaster.

FISCAL IMPACT AND SOURCE OF FUNDING:
There are no fiscal impacts to Travis County.
REQUIRED AUTHORIZATIONS:
Pete Baldwin, 974-0472

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us **by Tuesdays at 5:00 p.m.** for the next week's meeting.

DONATIONS COORDINATOR

LETTER OF APPOINTMENT

Effective this date, I have appointed the Assistant Emergency Management Coordinator as the Donations Coordinator (DC) for Travis County. The above-designated individual will assist in the coordination of the donations management program for Travis County.

The DC will provide guidance and direction to the functions of Travis County's donations management program which are activated during and after a major emergency or disaster and fall under the jurisdiction of Travis County.

The DC will additionally work closely and collaborate with all recognized voluntary agencies in Travis County that will be helping victims during and after a disaster.

This appointment will remain in force until terminated by either party.

_____ _____

Samuel T. Biscoe **Date**
Travis County Judge

Item 8

Travis County Commissioners Court Agenda Request

Meeting Date: 12/6/2011, 9:00 AM, Voting Session
Prepared By: George Monnat, Purchasing, 854-9778
Elected/Appointed Official/Dept. Head: Cyd Grimes, Purchasing Agent
Sponsors: Judge Biscoe

AGENDA LANGUAGE:

A. APPROVE ORDER EXEMPTING THE PURCHASE OF BUILDING AUTOMATION SYSTEM FROM COMPUTROLS, INC. FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024 (a) (2) OF THE COUNTY PURCHASING ACT. B. APPROVE CONTRACT AWARD FOR THE PURCHASE OF A BUILDING AUTOMATION SYSTEM FROM COMPUTROLS, INC AND AUTHORIZE COUNTY PURCHASING AGENT TO SIGN.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

NOT APPLICABLE

REQUIRED AUTHORIZATIONS:

Purchasing	Bonnie Floyd	Completed	11/23/2011 9:01 AM
Purchasing	Cyd Grimes	Completed	11/30/2011 4:19 PM
Purchasing Admin Support Group		Pending	
Commissioners Court	Cheryl Aker	Pending	

Updated 12/1/11, 3:15 p.m.

PURCHASE REQUISITION NBR: 0000535834

STATUS: AUDITOR APPROVAL

REQUISITION BY: RON RIZZATO 512-854-5395 REASON: FY 11 CO FUNDS BLDG 130 HVAC MIKE HERMAN 44192 DATE: 7/20/11

SHIP TO LOCATION: CORRECTION COMPLEX SUGGESTED VENDOR: 72963 COMPUTROLS INC DELIVER BY DATE: 8/15/11

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	INSTALL COMPUTROLS BUILDING AUTOMATION SYSTEM IN BLDG 130 AT DEL VALLE. TO INCLUDE CONTROLS FOR THE MAIN EQUIPMENT ROOM, 49 HEAT PUMPS, 30 EXHAUST FANS, 52 SMOKE EXHAUST FANS, 4 WATER HEATERS AND 2 GOODMAN AC UNITS. COMMODITY: BUILDING IMPROVEMENT SVCS SUBCOMMOD: ELECTRICAL	121358.46	DOL	1.0000	121358.46	

REQUISITION TOTAL: 121358.46

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	52137358048102	CAPITAL OUTLAY PURCHSD SERV-BLDG IMPROVM	DDDA08 MAINTENANCE (BLDG. L)	100.00	121358.46
					121358.46

REQUISITION IS IN THE CURRENT FISCAL YEAR.

December 6, 2011

TO: Commissioners Court
Travis County, Texas

ACQUISITION OF A BUILDING AUTOMATION SYSTEM FOR SHERIFF'S OFFICE

I certify that the building automation system from the manufacturer and installer/servicer (Computrols) for the Sheriff's Office is necessary to preserve or protect the public health or safety of the residents of the county, purchase pursuant to V.T.C.A. Local Government Code 262.024(a)(2).

This statement is submitted pursuant to V.T.C.A. Local Government Code 262.024 and is to be entered into the Commissioners Court minutes.

CYD GRIMES, C.P.M.
COUNTY PURCHASING AGENT

APPROVED ( ) **DISAPPROVED ( )**

BY COMMISSIONERS COURT ON: _____
(DATE)

_____
(COUNTY JUDGE)

Travis County Commissioners Court Agenda Request

Meeting Date: 12/6/2011
Prepared By/Phone Number: George Monnat, 854-9778
Elected/Appointed Official/Dept. Head: Cyd Grimes
Commissioners Court Sponsor: Judge Biscoe

Agenda Language:

A. APPROVE ORDER EXEMPTING THE PURCHASE OF BUILDING AUTOMATION SYSTEM FROM COMPUTROLS, INC. FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024 (a) (2) OF THE COUNTY PURCHASING ACT.

B. APPROVE CONTRACT AWARD FOR THE PURCHASE OF A BUILDING AUTOMATION SYSTEM FROM COMPUTROLS, INC AND AUTHORIZE COUNTY PURCHASING AGENT TO SIGN.

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

The Travis County Sheriff's Office has requested this exemption for the purpose of standardizing on the Computrols Building Automation System product in the Travis County Correctional Complex and to further utilize this system by purchasing and installing it in Building 130 of the Complex. The Computrols product (consisting of both hardware and software items) is presently being utilized in seven buildings within the Complex, having been purchased in conjunction with earlier construction and build-outs, such as with the new Building 12. This system provides for a prompt notification of critical equipment status prior to being out of compliance with Jail Standards. Computrols, Inc. likewise is the provider of software maintenance and support.

Ø Contract-Related Information:

Award Amount: $126,858.46
Contract Type: Purchase Order
Contract Period: N/A

Ø 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:

Ø Funding Information:

☐ Purchase Requisition in H.T.E.: 535834 and 522045

☒ Funding Account(s): 521-3735-804-8102; 001-3735-583-5002

☐ Comments:

ORDER EXEMPTING
PURCHASE OF BUILDING AUTOMATION SYSTEM
FROM REQUIREMENTS OF THE COUNTY PURCHASING ACT

WHEREAS, the Commissioners Court of Travis County, Texas has received justification from the Travis County Sheriff's Office in accordance with TEXAS LOCAL GOVERNMENT CODE, 262.024 (a) (2), and

WHEREAS, the Travis County Sheriff's Office has need of additional Building Automation Control Capability in Building 130 at the Travis County Correctional Complex, and

WHERAS, the Travis County Sheriff's Office currently has the Computrols Building Automation System installed and operating in seven buildings within the Complex, and

WHERAS, the County desires to utilize the Computrols system as its standard, and

WHEREAS, the County desires to purchase the building automated system from the original producer of the system, Computrols, Inc., and

WHEREAS, the purchase of the building automation system Computrols is necessary to maintaining Jail Standards and to preserving or protecting the public health or safety of the residents of the county,

NOW, THEREFORE, the Commissioners Court of Travis County, Texas hereby orders that the purchase of an Building Automation System for Travis County from Computrols, Inc. is exempted from the requirements of County Purchasing Act section 262.023 pursuant to TEXAS LOCAL GOVERNMENT CODE ANN., section 262.024 (a) (2), as these items are needed to preserve or protect the public health or safety of the residents of the county.

Signed and entered this____day of_____, 2011.

_____
Samuel T. Biscoe, County Judge
Travis County, Texas

_____
Ron Davis
Commissioner, Precinct 1

_____
Sarah Eckhart
Commissioner, Precinct 2

_____
Karen Huber
Commissioner, Precinct 3

_____
Margaret Gomez
Commissioner, Precinct 4.

Item 9

Travis County Commissioners Court Agenda Request

Meeting Date: December 6, 2011
Prepared By/Phone Number: Loren Breland, 854-4854
Elected/Appointed Official/Dept. Head: Cyd Grimes
Commissioners Court Sponsor: Judge Biscoe

Agenda Language: Approve contract award for guardrail and bridgerail installation, removal and replacement, IFB No. B120020LD, to the low bidder, H and H Fence.

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

  This contract provides guardrail and bridgerail installation, removal and replacement for TNR.

  On October 24, 2010 IFB #B120020LD was issued to 28 vendors. Two bids were received on November 14, 2011. TNR has reviewed the bids and recommends award to the lowest bidder, H and H Fence.

- **Contract Expenditures:** Within the last 12 months $112,674.75 has been spent against this requirement.

- **Contract-Related Information:**
  Award Amount: Estimated quantity, as needed basis.
  Contract Type: Term
  Contract Period: December 21, 2011 – December 20, 2012

- **Solicitation-Related Information:**

Solicitations Sent: 28	Responses Received: 2
HUB Information:	% HUB Subcontractor:

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us **by Tuesdays at 5:00 p.m.** for the next week's meeting.

Ø 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:

Ø Funding Information:

☐ Purchase Requisition in H.T.E.:

☒ Funding Account(s): 099-4941-621-5010

☒ Comments: Estimated quantity, department enters requisitions on an as needed basis.

TRANSPORTATION AND NATURAL RESOURCES
STEVEN M. MANILLA, P.E., COUNTY EXECUTIVE

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

November 17, 2011

RECEIVED
TRAVIS COUNTY
2011 NOV 18 PM 3:52
PURCHASING
OFFICE

MEMORANDUM

TO: Cyd Grimes, County Purchasing Agent

FROM: Steven M. Manilla, County Executive

SUBJECT: **Contract Award**
Guardrail and Bridgerail Installation – Solicitation B120020LD

TNR recommends that the above referenced solicitation be awarded to the overall low bidder, H&H Fence Co.

The commodity/sub-commodity code for this contract is 988/073. The budget line item number is 099-4941-621-5010.

If you need additional information, please contact Christina Jensen at 854-7670.

CJ:SMM:cj
Contract File

Bid Tabulation Packet
for
Solicitation B120020-LD

GUARDRAIL AND BRIDGERAIL INSTALLATION, REMOVAL AND REPLACEMENT

Travis County

Bid #B120020-LD - GUARDRAIL AND BRIDGERAIL INSTALLATION, REMOVAL AND REPLACEMENT

Creation Date **Oct 5, 2011**
Start Date **Oct 24, 2011 9:13:42 AM CDT**
End Date **Nov 14, 2011 2:00:00 PM CST**
Awarded Date **Not Yet Awarded**

B120020-LD--01-01 1 - METAL BEAM GUARD FENCE, TIMBER POSTS, EAST OF IH-35, NEW

Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
H&H Fence Co.	First Offer - $20.98	1500 / linear foot	$31,470.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
ISI Contracting, Inc.	First Offer - $24.00	1500 / linear foot	$36,000.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-02 2 - METAL BEAM GUARD FENCE, TIMBER POSTS, WEST OF IH-35, NEW

Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
H&H Fence Co.	First Offer - $20.98	2000 / linear foot	$41,960.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
ISI Contracting, Inc.	First Offer - $29.00	2000 / linear foot	$58,000.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-03 3 - CURVED METAL BEAM GUARD FENCE, TIMBER POSTS, EAST OF IH-35, NEW

Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
H&H Fence Co.	First Offer - $32.00	15 / linear foot	$480.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
ISI Contracting, Inc.	First Offer - $38.00	15 / linear foot	$570.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-04 4 - CURVED METAL BEAM GUARD FENCE, TIMBER POSTS, WEST OF IH-35, NEW

Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
H&H Fence Co.	First Offer - $34.00	15 / linear foot	$510.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
ISI Contracting, Inc.	First Offer - $43.00	15 / linear foot	$645.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-05 5 - METAL BEAM GUARD FENCE, METAL POSTS, EAST OF IH-35, NEW

Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
H&H Fence Co.	First Offer - $23.98	50 / linear foot	$1,199.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
ISI Contracting, Inc.	First Offer - $40.00	50 / linear foot	$2,000.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-06 6 - METAL BEAM GUARD FENCE, METAL POSTS, WEST OF IH-35, NEW

Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
H&H Fence Co.	First Offer - $26.98	15 / linear foot	$404.70		Y
Product Code:		**Supplier Product Code:**			

Agency Notes:		Supplier Notes:			
ISI Contracting, Inc.	First Offer - $45.00	15 / linear foot	$675.00		Y
Product Code: Agency Notes:		Supplier Product Code: Supplier Notes:			

B120020-LD--01-07 7 - CURVED METAL BEAM GUARD FENCE, METAL POSTS, EAST OF IH-35, NEW					
Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
H&H Fence Co.	First Offer - $35.98	15 / linear foot	$539.70		Y
Product Code: Agency Notes:		Supplier Product Code: Supplier Notes:			
ISI Contracting, Inc.	First Offer - $48.00	15 / linear foot	$720.00		Y
Product Code: Agency Notes:		Supplier Product Code: Supplier Notes:			

B120020-LD--01-08 8 - CURVED METAL BEAM GUARD FENCE, METAL POSTS, WEST OF IH-35, NEW					
Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
H&H Fence Co.	First Offer - $37.98	15 / linear foot	$569.70		Y
Product Code: Agency Notes:		Supplier Product Code: Supplier Notes:			
ISI Contracting, Inc.	First Offer - $48.00	15 / linear foot	$720.00		Y
Product Code: Agency Notes:		Supplier Product Code: Supplier Notes:			

B120020-LD--01-09 9 - METAL BEAM GUARD FENCE TRANSITION, EAST OF IH-35, NEW					
Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
H&H Fence Co.	First Offer - $650.00	5 / each	$3,250.00		Y
Product Code: Agency Notes:		Supplier Product Code: Supplier Notes:			
ISI Contracting, Inc.	First Offer - $2,000.00	5 / each	$10,000.00		Y
Product Code: Agency Notes:		Supplier Product Code: Supplier Notes:			

B120020-LD--01-10 10 - METAL BEAM GUARD FENCE TRANSITION, WEST OF IH-35, NEW					
Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
H&H Fence Co.	First Offer - $790.00	5 / each	$3,950.00		Y
Product Code: Agency Notes:		Supplier Product Code: Supplier Notes:			
ISI Contracting, Inc.	First Offer - $2,300.00	5 / each	$11,500.00		Y
Product Code: Agency Notes:		Supplier Product Code: Supplier Notes:			

B120020-LD--01-11 11 - TERMINAL ANCHOR SECTION, TIMBER POSTS, EAST OF IH-35, NEW					
Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
ISI Contracting, Inc.	First Offer - $450.00	10 / each	$4,500.00		Y
Product Code: Agency Notes:		Supplier Product Code: Supplier Notes:			
H&H Fence Co.	First Offer - $748.00	10 / each	$7,480.00		Y
Product Code: Agency Notes:		Supplier Product Code: Supplier Notes:			

B120020-LD--01-12 12 - TERMINAL ANCHOR SECTION, TIMBER POSTS, WEST OF IH-35, NEW					
Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
ISI Contracting, Inc.	First Offer - $450.00	10 / each	$4,500.00		Y
Product Code: Agency Notes:		Supplier Product Code: Supplier Notes:			
H&H Fence Co.	First Offer - $748.00	10 / each	$7,480.00		Y

Product Code: **Agency Notes:**	**Supplier Product Code:** **Supplier Notes:**

B120020-LD--01-13 13 - SINGLE GUARDRAIL TERMINAL, TYPE I, EAST OF IH-35, NEW					
Supplier	**Unit Price**	**Qty/Unit**	**Total Price**	**Attch.**	**Docs**
ISI Contracting, Inc.	First Offer - $1,900.00	10 / each	$19,000.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
H&H Fence Co.	First Offer - $1,948.00	10 / each	$19,480.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-14 14 - SINGLE GUARDRAIL TERMINAL, TYPE I, WEST OF IH-35, NEW					
Supplier	**Unit Price**	**Qty/Unit**	**Total Price**	**Attch.**	**Docs**
H&H Fence Co.	First Offer - $1,948.00	10 / each	$19,480.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
ISI Contracting, Inc.	First Offer - $2,100.00	10 / each	$21,000.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-15 15 - TRAFFIC RAIL TYPE T101, NEW					
Supplier	**Unit Price**	**Qty/Unit**	**Total Price**	**Attch.**	**Docs**
H&H Fence Co.	First Offer - $75.00	50 / linear foot	$3,750.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
ISI Contracting, Inc.	First Offer - $80.00	50 / linear foot	$4,000.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-16 16 - LOW-FILL CULVERT POST OR TRAFFIC RAIL POST, NEW					
Supplier	**Unit Price**	**Qty/Unit**	**Total Price**	**Attch.**	**Docs**
ISI Contracting, Inc.	First Offer - $150.00	2 / each	$300.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
H&H Fence Co.	First Offer - $249.00	2 / each	$498.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-17 17 - CORING OF CONCRETE					
Supplier	**Unit Price**	**Qty/Unit**	**Total Price**	**Attch.**	**Docs**
H&H Fence Co.	First Offer - $100.00	10 / each	$1,000.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
ISI Contracting, Inc.	First Offer - $1,500.00	10 / each	$15,000.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-18 18 - REMOVING RAIL ELEMENTS					
Supplier	**Unit Price**	**Qty/Unit**	**Total Price**	**Attch.**	**Docs**
ISI Contracting, Inc.	First Offer - $2.00	150 / linear foot	$300.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
H&H Fence Co.	First Offer - $11.98	150 / linear foot	$1,797.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-19 19 - REMOVING POSTS (SOIL/RIPRAP)

Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
ISI Contracting, Inc.	First Offer - $8.00	20 / each	$160.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
H&H Fence Co.	First Offer - $10.00	20 / each	$200.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-20 20 - REMOVING POSTS (CONCRETE)

Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
H&H Fence Co.	First Offer - $12.00	10 / each	$120.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
ISI Contracting, Inc.	First Offer - $15.00	10 / each	$150.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-21 21A - REMOVING TERMINAL ANCHOR SECTIONS

Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
ISI Contracting, Inc.	First Offer - $100.00	8 / each	$800.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
H&H Fence Co.	First Offer - $310.00	8 / each	$2,480.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-22 22A - INSTALL RAIL ELEMENT, MATERIALS ONLY

Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
ISI Contracting, Inc.	First Offer - $7.00	150 / linear foot	$1,050.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
H&H Fence Co.	First Offer - $11.98	150 / linear foot	$1,797.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-23 22B - INSTALL RAIL ELEMENT, LABOR ONLY

Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
ISI Contracting, Inc.	First Offer - $7.00	150 / linear foot	$1,050.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
H&H Fence Co.	First Offer - $10.98	150 / linear foot	$1,647.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-24 23A - INSTALL TRAFFIC RAIL (T101) ELEMENT, MATERIALS ONLY

Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
H&H Fence Co.	First Offer - $35.00	150 / linear foot	$5,250.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
ISI Contracting, Inc.	First Offer - $75.00	150 / linear foot	$11,250.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-25 23B - INSTALL TRAFFIC RAIL (T101) ELEMENT, LABOR ONLY

Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs

H&H Fence Co.	First Offer - $15.00	150 / linear foot	$2,250.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
ISI Contracting, Inc.	First Offer - $18.00	150 / linear foot	$2,700.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-26 24A - INSTALL TIMBER POSTS, EAST OF IH-35, MATERIALS ONLY

Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
ISI Contracting, Inc.	First Offer - $22.00	10 / each	$220.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
H&H Fence Co.	First Offer - $23.98	10 / each	$239.80		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-27 24B - INSTALL TIMBER POSTS, EAST OF IH-35, LABOR ONLY

Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
ISI Contracting, Inc.	First Offer - $12.00	10 / each	$120.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
H&H Fence Co.	First Offer - $20.00	10 / each	$200.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-28 25A - INSTALL TIMBER POSTS, WEST OF IH-35, MATERIALS ONLY

Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
ISI Contracting, Inc.	First Offer - $22.00	10 / each	$220.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
H&H Fence Co.	First Offer - $23.98	10 / each	$239.80		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-29 25B - INSTALL TIMBER POSTS, WEST OF IH-35, LABOR ONLY

Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
ISI Contracting, Inc.	First Offer - $15.00	10 / each	$150.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
H&H Fence Co.	First Offer - $20.00	10 / each	$200.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-30 26A - INSTALL LOW-FILL CULVERT POST OR TRAFFIC RAIL POST, MATERIALS ONLY

Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
ISI Contracting, Inc.	First Offer - $100.00	2 / each	$200.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
H&H Fence Co.	First Offer - $120.00	2 / each	$240.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-31 26B - INSTALL LOW-FILL CULVERT POST OR TRAFFIC RAIL POST, LABOR ONLY

Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
ISI Contracting, Inc.	First Offer - $50.00	2 / each	$100.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

H&H Fence Co.	First Offer - $120.00	2 / each	$240.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-32 27A - INSTALL TRANSITION RAIL, MATERIALS ONLY					
Supplier	**Unit Price**	**Qty/Unit**	**Total Price**	**Attch.**	**Docs**
ISI Contracting, Inc.	First Offer - $65.00	5 / linear foot	$325.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
H&H Fence Co.	First Offer - $75.00	5 / linear foot	$375.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-33 27B - INSTALL TRANSITION RAIL , LABOR ONLY					
Supplier	**Unit Price**	**Qty/Unit**	**Total Price**	**Attch.**	**Docs**
H&H Fence Co.	First Offer - $40.00	5 / linear foot	$200.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
ISI Contracting, Inc.	First Offer - $48.00	5 / linear foot	$240.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-34 28A - INSTALL TERMINAL CONNECTOR, MATERIALS ONLY					
Supplier	**Unit Price**	**Qty/Unit**	**Total Price**	**Attch.**	**Docs**
ISI Contracting, Inc.	First Offer - $75.00	5 / each	$375.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
H&H Fence Co.	First Offer - $100.00	5 / each	$500.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-35 28B - INSTALL TERMINAL CONNECTOR, LABOR ONLY					
Supplier	**Unit Price**	**Qty/Unit**	**Total Price**	**Attch.**	**Docs**
ISI Contracting, Inc.	First Offer - $50.00	5 / each	$250.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
H&H Fence Co.	First Offer - $110.00	5 / each	$550.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-36 29A - INSTALL TIMBER SPACER BLOCK, MATERIALS ONLY					
Supplier	**Unit Price**	**Qty/Unit**	**Total Price**	**Attch.**	**Docs**
ISI Contracting, Inc.	First Offer - $10.00	25 / each	$250.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
H&H Fence Co.	First Offer - $11.98	25 / each	$299.50		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-37 29B - INSTALL TIMBER SPACER BLOCK, LABOR ONLY					
Supplier	**Unit Price**	**Qty/Unit**	**Total Price**	**Attch.**	**Docs**
ISI Contracting, Inc.	First Offer - $7.00	25 / each	$175.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
H&H Fence Co.	First Offer - $10.00	25 / each	$250.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-38 30A - INSTALL STEEL SPACER BLOCK, MATERIALS ONLY					
Supplier	**Unit Price**	**Qty/Unit**	**Total Price**	**Attch.**	**Docs**
H&H Fence Co.	First Offer - $15.00	10 / each	$150.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
ISI Contracting, Inc.	First Offer - $25.00	10 / each	$250.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-39 30B - INSTALL STEEL SPACER BLOCK, LABOR ONLY					
Supplier	**Unit Price**	**Qty/Unit**	**Total Price**	**Attch.**	**Docs**
ISI Contracting, Inc.	First Offer - $7.00	10 / each	$70.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
H&H Fence Co.	First Offer - $10.00	10 / each	$100.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-40 31A - REPAIR SINGLE GUARDRAIL TERMINAL, MATERIALS ONLY					
Supplier	**Unit Price**	**Qty/Unit**	**Total Price**	**Attch.**	**Docs**
ISI Contracting, Inc.	First Offer - $1,100.00	5 / each	$5,500.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
H&H Fence Co.	First Offer - $1,598.00	5 / each	$7,990.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-41 31B - REPAIR SINGLE GUARDRAIL TERMINAL, LABOR ONLY					
Supplier	**Unit Price**	**Qty/Unit**	**Total Price**	**Attch.**	**Docs**
H&H Fence Co.	First Offer - $500.00	5 / each	$2,500.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
ISI Contracting, Inc.	First Offer - $750.00	5 / each	$3,750.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-42 32A - REPAIR ENERGY ABSORPTION SYSTEMS CRASH CUSHIONS, MATERIALS ONLY					
Supplier	**Unit Price**	**Qty/Unit**	**Total Price**	**Attch.**	**Docs**
H&H Fence Co.	First Offer - 20.00%	1 / each	20.00%		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
ISI Contracting, Inc.	First Offer - 15.00%	1 / each	15.00%		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-43 32B - REPAIR ENERGY ABSORPTION SYSTEMS CRASH CUSHIONS, LABOR ONLY					
Supplier	**Unit Price**	**Qty/Unit**	**Total Price**	**Attch.**	**Docs**
H&H Fence Co.	First Offer - $21.00	10 / hour	$210.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
ISI Contracting, Inc.	First Offer - $250.00	10 / hour	$2,500.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

B120020-LD--01-44 21B - REMOVE SINGLE GUARDRAIL TERMINAL					

Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
H&H Fence Co.	First Offer - $300.00	2 / each	$600.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			
ISI Contracting, Inc.	First Offer - $500.00	2 / each	$1,000.00		Y
Product Code: **Agency Notes:**		**Supplier Product Code:** **Supplier Notes:**			

Supplier Totals

H&H Fence Co. **$174,126.20** **(44/44 items)**

Bid Contact **Randy Hamilton**
rhamilton2@austin.rr.com
Ph 512-280-0705

Address **PO Box 92802**
Austin, TX 78709

Qualifications **SB**

Agency Notes:

Supplier Notes:

ISI Contracting, Inc. **$222,285.00** **(44/44 items)**

Bid Contact **Mark Browne**
mbrowne@infrastructure-inc.com
Ph 281-233-8030

Address **711 Rankin rd**
Houston, TX 77073

Qualifications **CISV HUB TX**

Agency Notes:

Supplier Notes:

**

Updated 12/1/11, 3:15 p.m.

GM200I13 **TRAVIS COUNTY** 11/21/11
Fiscal Year 2012 **Account Balance Inquiry** 10:39:51

```
Account number . . . :  99-4941-621.50-10
Fund . . . . . . . . : 099  ROAD & BRIDGE FUND
Department . . . . . :  49  TNR (TRANS & NATRL RESRC)
Division . . . . . . :  41  ROAD & BRIDGE MAINTENANCE
Activity basic . . . :  62  INFRA-ENV SCVS (TRNS&RDS)
Sub activity . . . . :   1  TNR (TRANS & NATRL RESRC)
Element . . . . . . :  50  REPR & MTNC-SERVCS PURCHD
Object . . . . . . . :  10  REPAIRS - ROADS

Original budget . . . . . . . . :          66,938
Revised budget . . . . . . . . . :          69,487   10/01/2011
Actual expenditures - current . :              .00
Actual expenditures - ytd . . . :         9,335.00-
Unposted expenditures . . . . . :              .00
Encumbered amount . . . . . . . :         45,175.00
Unposted encumbrances . . . . . :              .00
Pre-encumbrance amount . . . . . :             .00
Total expenditures & encumbrances:        35,840.00    51.6%
Unencumbered balance . . . . . . :        33,647.00    48.4
```

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: December 6, 2011
Prepared By/Phone Number: Loren Breland, 854-4854
Elected/Appointed Official/Dept. Head: Cyd Grimes
Commissioners Court Sponsor: Judge Biscoe

Agenda Language: Approve assignment of contract no. 11C00180LD, Police Motorcycles, from Beaudry Motors to Big Sky BMW Kawasaki, Inc.

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

  Contract no. 11C00180LD was awarded to Beaudry Motors on June 21, 2011 for 3 police motorcycles for TCSO. Beaudry Motors is the outfitter of the police motorcycles and is contracted with Big Sky BMW Kawasaki as the Kawasaki dealer of the motorcycles. For warranty purposes Kawasaki requires the Kawasaki dealer to be named on the purchase order.

  This modification to contract no. 11C00180LD will transfer all rights, title and interest in contract no. 11C00180LD from Beaudry Motors to Big Sky BMW Kawasaki, Inc.

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

- **Contract-Related Information:**
  Award Amount: $67,196.13
  Contract Type: One time purchase
  Contract Period: June 21, 2011 – December 21, 2011

- **Contract Modification Information:**
  Modification Amount: N/A
  Modification Type: Assignment

Updated 12/1/11, 3:15 p.m.

MODIFICATION OF CONTRACT NUMBER: 11C00180LD, Police Motorcycles

ISSUED BY: PURCHASING OFFICE 314 W. 11TH ST., RM 400 AUSTIN, TX 78701	PURCHASING AGENT ASST: **Loren Breland** TEL. NO: (512) 854-9700 FAX NO: (512) 854-9185	DATE PREPARED: **November 17, 2011**
ISSUED TO: **Beaudry Motors, Inc.** **11549 N. Reed Road** **Hayden, ID 83835** **Attn: Steve Beaudry**	MODIFICATION NO.: **1**	EXECUTED DATE OF ORIGINAL CONTRACT: **June 21, 2011**

ORIGINAL CONTRACT TERM DATES: **June 21, 2011 – December 21, 2011** CURRENT CONTRACT TERM DATES: **June 21, 2011 – December 21, 2011**

FOR TRAVIS COUNTY INTERNAL USE ONLY:

Original Contract Amount: $ 67,196.13 Current Modified Amount $67,196.13

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

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

1) The Contractor's name on Contract No. 11C00180LD is changed as follows:

From: Beaudry Motors, Inc.
11549 N. Reed Road
Hayden, ID 83835
EIN #82-0289604

Signature

STEVE BEAUDRY
Printed Name

To: Big Sky BMW Kawasaki, Inc.
2315 South Ave. W
Missoula, MT 59801
EIN #81-0544096

Signature

Nathan Bertland
Printed Name

Note to Vendor:

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

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

LEGAL BUSINESS NAME: BEAUDRY Motors, Inc

BY: _____
SIGNATURE

BY: STEVE BEAUDRY
PRINT NAME

TITLE: President
ITS DULY AUTHORIZED AGENT

☐ DBA
☑ CORPORATION
☐ OTHER

DATE: 11/18/11

TRAVIS COUNTY, TEXAS

BY: _____
CYD V. GRIMES, C.P.M., TRAVIS COUNTY PURCHASING AGENT

DATE:

TRAVIS COUNTY, TEXAS

BY: _____
SAMUEL T. BISCOE, TRAVIS COUNTY JUDGE

DATE:

ASSIGNMENT OF CONTRACT

The parties to this Assignment of Contract (this "Assignment") are Beaudry Motors, Inc. a corporation duly authorized and operating under the laws of the State of Idaho ("Assignor"), and Big Sky BMW Kawasaki, Inc. a corporation duly authorized and operating under the laws of the State of Montana ("Assignee").

RECITALS:

A. Travis County and Beaudry Motors, Inc. entered into a written Contract for the provision of Police Motorcycles (Contract No. 11C00180LD) on June 21, 2011, which is hereby incorporated by reference herein for all purposes (the "Contract"); and

B. Assignor desires by this Assignment to assign all of its right, title and interest in and to the Contract to Assignee subject to the terms of the Contract and this Assignment.

TERMS:

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

1. Assignor assigns, transfers and conveys to Assignee all of its right, title and interest in and to the Contract effective as December 6, 2011 (the "Effective Date of Assignment").

2. Assignee accepts such assignment, and assumes and is bound by and shall perform all terms, conditions, covenants, obligations, and duties of Assignor under the Contract as of the Effective Date of Assignment.

3. Assignor and Assignee acknowledge that nothing in this Assignment waives or modifies any of the provisions of the Contract.

4. The provisions of this Assignment are binding on and inure to the benefit of the heirs, representatives, successors and assigns of the parties.

5. This Assignment shall be construed and enforced in accordance with the laws of the State of Texas. Venue for any action arising hereunder or connected herewith shall lie exclusively in Travis County, Texas.

6. All references in this Assignment to the Contract encompass the original Contract, No 11C00180LD.

BEAUDRY MOTORS, INC.

By: _____

Printed Name: STEVE BEAUDRY

Title & Date: President 11/18/11

Attest: _____

Date: 11/18/11

BIG SKY BMW KAWASAKI, INC.

By: _____

Printed Name: Nathan Bertland

Title & Date: President 11/18/11

Attest: _____

Date: 11/18/11

By its signature below, Travis County signifies its consent to and approval of this Assignment from Beaudry Motors, Inc. to Big Sky BMW Kawasaki, Inc.

TRAVIS COUNTY, TEXAS

By: _____

Samuel T. Biscoe
Travis County Judge

Date: _____

Updated 12/1/11, 3:15 p.m.

Beaudry Motors, Inc.

11-18-11

Travis County Purchasing Office
PO Box 1748
Austin, TX 78767

Contract PO: 474613

Attn: Loren Breland

Dear Mr. Breland,

This letter is to inform you and Travis County of the changes that have been brought to our attention from the manufacturer of the Police Motors, Kawasaki Motor Corp. As you know the Police Motorcycles, per the solicitation, have a 3 year warranty. Per Kawasaki , as of October of this year, we will have to have our Kawasaki Dealership name on the Purchase Order for warranty purposes.
Per Loren Breland we have filled out and signed the proper forms for the assignment of contract. The Kawasaki Dealership will be Big Sky BMW Kawasaki. All terms and conditions of the contract with Beaudry Motors, Inc will remain the same. Beaudry Motors, Inc will take delivery, up fit, and deliver to Travis County as specified on the solicitation and PO.
Our relationship is solidified contractually with Big Sky BMW Kawasaki and is acceptable to Kawasaki Motor Corp.

Best Regards,

Steve Beaudry

11549 North Reed Road | Hayden, ID 83835 | (208) 772-6187 | Fax (208) 635-5013

Travis County Commissioners Court Agenda Request

Meeting Date: December 6, 2011
Prepared By/Phone Number: Lori Clyde/854-4205
Elected/Appointed Official/Dept. Head: Cyd Grimes
Commissioners Court Sponsor: Judge Biscoe

Agenda Language: Approve Partial Assignment of Contract from Unisys Corporation to Burroughs Payment Systems, Inc. for Check and Cash Automation Equipment and Related Maintenance of the Tax Office Quantum Payment Processing System.

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

In 2008 the Tax Office purchased a new Quantum Series 21300 payment processing system from Unisys Corporation. Travis County has been advised that Unisys sold all cash handling products to Burroughs Payment Systems and that effective December 7, 2011 Unisys will discontinue to support the maintenance of said equipment. As a result, a partial assignment of contract has been drafted for Burroughs Payment Systems, Inc. based on the original terms and conditions of the Unisys contract. The annual amount of the Burroughs contract will be $11,552.40.

- **Contract Expenditures:** Within the last 12 months $11,847.72 has been spent against this requirement.

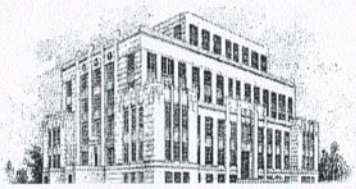
- **Contract Modification Information:**

Modification Amount:	For Burroughs $11,552.30 annually
Modification Type:	Partial Assignment from Unisys to Burroughs
Modification Period:	Beginning December 8, 2011

- **Funding Information:**
  - ☐ Purchase Requisition in H.T.E.: 546765
  - ☐ Funding Account(s): 001-1230-523-5002
  - ☐ Comments:

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us **by Tuesdays at 5:00 p.m.** for the next week's meeting.

Updated 12/1/11, 3:15 p.m.



Travis County Courthouse, Austin, Texas

TRAVIS COUNTY INFORMATION TECHNOLOGY SERVICES
Joe Harlow Jr., Chief Information Officer
314 W. 11th Street, P. O. Box 1748, Austin, TX 78767 (512) 854-9666 Fax (512) 854-4401

RECEIVED
TRAVIS COUNTY
2011 NOV 15 PM 2:07
PURCHASING
OFFICE

DATE: **October 20, 2011**

TO: **Cyd V. Grimes, C.P.M. – Travis County Purchasing Agent**

FROM: **Joe Harlow, Chief Information Officer** Joe Harlow

SUBJECT: **Unisys Quantum Series 21300 System Support Contract**

Proposed Motion:
To approve agreement with Burroughs Payment Systems for maintenance services for Quantum Series 21300.

Summary & Staff Recommendation:
ITS recommends approval of the agreement for maintenance services with Burroughs Payment Systems (Burroughs).

Issues and Opportunities:
Maintaining maintenance contracts on the equipment and software allows Travis County to respond quickly in the resolution of hardware/software malfunctions. Quick action on the repair of equipment helps to prevent extended system outages that have an adverse impact upon County operations.

Background:
Travis County was advised that Unisys sold all Cash Handling Products to Burroughs Payment Systems, and that effective December 7, 2011 Unisys will discontinue to support the maintenance of such equipment. Subsequent to that date, partial assignments of contracts have been drafted for both Unisys Corporation and Burroughs Payment Systems, Inc.

Budgetary and Fiscal Impact:
The total impact is $ 11,552.40 and is included in the following line item:

001-1230-523-5002	$11,552.40

Required Authorizations:

LEGAL:	John Hille, County Attorney Office
PURCHASING:	Lori Clyde, Purchasing Department
BUDGET:	Randy Lott, Planning and Budget Office

CC: Walter LaGrone, ITS; Nick Macik, ITS;

Updated 12/1/11, 3:15 p.m.

PURCHASE REQUISITION NBR: 0000546765

STATUS: READY FOR BUYER PROCESS

REQUISITION BY: TERRI FLEMMINGS/854-4998 REASON: MAINTENANCE FOR QUANTUM 21300 HARDWARE DATE: 11/22/11

SHIP TO LOCATION: TRAVIS COUNTY - ITS SUGGESTED VENDOR: 77924 BURROUGHS PAYMENT SYSTEMS INC DELIVER BY DATE: 11/30/11

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	MAINTENANCE QUANTUM SERIES 213000 HARDWARE FOR THE PERIOD OF 12/8/11 THRU 12/7/12 COMMODITY: DP PROC/COMP/SOFTWARE SVC SUBCOMMOD: SOFTWARE MAINT/SUPPORT	1.00	EA	11552.4000	11552.40	

REQUISITION TOTAL: 11552.40

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	00112305235002	REPR & MTNC-SERVCS PURCH MAINTENANCE AGREEMENTS-DP		100.00	11552.40
					11552.40

REQUISITION IS IN THE CURRENT FISCAL YEAR.

Updated 12/1/11, 3:15 p.m.

GM200I13 **TRAVIS COUNTY** 11/30/11
Fiscal Year 2012 **Account Balance Inquiry** 18:29:22

```
  Account number . . . :   1-1230-523.50-02
  Fund . . . . . . . . : 001  GENERAL FUND
  Department . . . . . :  12  INFORMATION & TELECOMMUNI
  Division . . . . . . :  30  OPERATIONS
  Activity basic . . . :  52  GENERAL GOVERNMENT
  Sub activity . . . . :   3  INFORMATION SYSTEMS MGMT
  Element  . . . . . . :  50  REPR & MTNC-SERVCS PURCH
  Object . . . . . . . :  02  MAINTENANCE AGREEMENTS-DP

  Original budget  . . . . . . . . . :       6,589,061
  Revised budget . . . . . . . . . . :       7,357,729   11/16/2011
  Actual expenditures - current  . :          73,790.71
  Actual expenditures - ytd  . . . :          24,294.82
  Unposted expenditures  . . . . . :                .00
  Encumbered amount  . . . . . . . :         393,250.59
  Unposted encumbrances  . . . . . :                .00
  Pre-encumbrance amount . . . . . :         639,486.89
  Total expenditures & encumbrances:       1,130,823.01    15.4%
  Unencumbered balance . . . . . . :       6,226,905.99    84.6
```

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

Updated 12/1/11, 3:15 p.m.

Burroughs Payment Systems, Inc.

Substitution of Service Provider

Burroughs Agreement Number
MA120050LC

This Substitution of Service Provider form is executed as of December 8, 2011 ("Effective Date") (Date) to substitute Burroughs Payment Systems, Inc ("Burroughs"), having a business mailing address of 41100 Plymouth Road, Plymouth , MI 48170 (Address), for Unisys Corporation ("Unisys"),

for the services under Agreement Number CM080296LC (the "Agreement") currently in effect between Customer and Unisys that are identified in the following attachment: pages 1 & 2 of the attached Support Services Schedule.

Customer, Burroughs, and Unisys desire to substitute Burroughs for Unisys for the contracted services that cover the Payment Systems Products that are the subject of the attached Support Services Schedule from Burroughs (the "Services") and agree:

(1) Unisys shall be relieved of any duty for such Services and the Services shall end under the Agreement (with Unisys) as of the Effective Date; and,

(2) Customer agrees to accept Burroughs as the substitute service provider for such Services as of the Effective Date. Burroughs and Customer will continue to apply the terms, conditions, and provisions of the Agreement to such Services, and Burroughs acknowledges and agrees that it shall be a party to and subject to the terms, conditions, and provisions of the existing Unisys Agreement. Burroughs assumes sole responsibility for the Services to be performed for the Payment Systems Products after the Effective Date; and

(3) To give effect to the substitution and for ease of administration: (a) each item identified in the attached Support Services Schedule, and the terms, conditions, and provisions of the existing Unisys Agreement are hereby incorporated by reference into this Substitution of Service Provider form for all purposes as if fully copied and set forth herein verbatim; and, Burroughs Payment Systems, Inc. shall be subject to said Agreement and shall replace Unisys Corporation in the performance of services for the Payment Systems Products; and (b) this Substitution of Service Provider form, the Services reflected in the attached Support Services Schedule, and the terms, conditions, and provisions of the Agreement constitute one contract for the Services between Customer and Burroughs only, which shall be designated as "**MA120050LC**".

Furthermore, as solely between Customer and BPS and in accordance with the terms of **MA120050LC**, Customer acknowledges that the prices shown in the attached Support Services Schedule reflects price increases in such Services that become effective on December 8, 2011.

THIS SUBSTITUTION OF SERVICE PROVIDER FORM IS LIMITED TO ITS TERMS AND WILL REMAIN VALID ONLY IF SIGNED AND RETURNED BY CUSTOMER BEFORE DECEMBER 8, 2011.

Customer, Burroughs, and Unisys have executed this Substitution of Service Provider agreement by their duly authorized representatives.

Agreed and Accepted

Customer: Travis County

(Signature) (Date)

(Printed or typed name)

(Title)

(Telephone number of contact)

Unisys Corporation

Steven J Shalla 11/7/11
(Signature) (Date)

Steven J. Shalla
(Printed or typed name)

Contracts Manager
(Title)

219-714-3826
(Telephone number of contact)

Substituted Service Provider – Burroughs Payment Systems, Inc.

Carol Waters 11-17-2011
(Signature) (Date)

Carol Waters
(Printed or typed name)

Contracts Manager
(Title)

219-714-3800
(Telephone number of contact)

Burroughs
Payment Systems

Support Services Schedule

Agreement Number

MA120050LC

Equipment Location

TRAVIS COUNTY TAX DEPT
5501 AIRPORT BLVD
AUSTIN, TX 78751-1410

Contact | Telephone number

Email address

Bill To Location

TRAVIS COUNTY
COUNTY AUDITOR
PO BOX 1748
AUSTIN, TX 78767-1748

Contact | Telephone number

Email address

Service Level

(1) Mail-In
(2) Advanced Exchange
(3) Standard NBD
(4) Standard 4HR
(5) Business Critical 4HR
(6) Business Critical 2HR

Initial term: ☑ 1 Year ☐ 2 Years ☐ 3 Years ☐ Other:

Coterminous ending

Annual rate increase cap (%) *(3-year initial term or longer)*

Billing Period: ☑ Annual ☐ Other:

Support Services Commencement Date: DECEMBER 8, 2011

List of Products Applicable to this Agreement

Level	Product style	Description (Include vendor name and model if non Burroughs Payment Systems product)	Quantity	Monthly Service Warranty Upgrade Period	Monthly Service Warranty Upgrade Unit charge	Monthly Service Warranty Upgrade Total charge	Monthly Support Services Unit charge	Monthly Support Services Total charge
4	21301-D	PROC:SITDOWN CONSOLE	1				783.42	783.42
4	21301-C20	CAMERA:FRONT/REAR CAMERA, 200dpi	1				INCL	-
4	21301-SSE	STACKER:STD 12 POCKETS (PKTS 1-12)	1				INCL	-
4	21300-TCP	ACC:PCI-TCP PCBA	1				INCL	-
4	21300-N2E	FEEDER:NO SECONDARY MERGE FDR	1				INCL	-
4	21300-RMN	ENDORSER:REAR ONLY MJE w/NO STMP	1				INCL	-
4	21300-EME	LS ENCODER:E13B MICR	1				INCL	-
4	21300-SCH	FEEDER:STD CAPACITY HOPPER	1				INCL	-
4	21300-CCF	ACC:DOWNSTREAM FRONT CCITT COMP	1				INCL	-
4	21300-CCR	ACC:DOWNSTREAM REAR CCITT COMP	1				INCL	-
4	21300-FDA	READER:MICR + DUAL LINE OCR	1				INCL	-
4	21300-FPD	ACC:FLAT PANEL 17 DISPLAY	1				INCL	-
4	21300-UFI	SYS:UPSTREAM FRONT IMAGE LIFT	1				INCL	-
4	21300-UNR	SYS:UPSTREAM NO REAR CAMERA	1				INCL	-
4	21300-UCF	ACC:UPSTREAM FRONT CCITT COMP	1				INCL	-
4	NDP17-MC2	SYS:DELL 17" FLAT PANEL MONITOR	2				4.32	8.64
4	NDP9999-UTA	WRKST:COMBINED UPSTRM TRACK & ICS	1				21.42	21.42
4	NDP9999-ICA	WRKST:IMAGE CAPTURE PC	1				21.42	21.42
4	USC9991-PCA	WRKST:DUAL CORE PC	1				18.73	18.73
4	21600-VHT	DOC SW:MED SPEED VIDEO HELP/TRG	1				INCL	-
4	21300-ICS	O/S:ICS SYSTEM S/W	1				22.73	22.73
4	21300-TNT	O/S:SW COMMON API SSW	1				31.81	31.81
4	NDP9999-TPX	DOC SW:WINDOWS XP SW FOR TRACK PC	1				23.86	23.86
4	NDP9999-CPX	DOC SW:WINDOWS XP FOR ICS PC	1				23.86	23.86

Charges

If Client is ordering Support Services for equipment which has a Monthly Service Warranty Upgrade Period ("Period"), the following applies. This Period is the number of months, if any, indicated for each item of equipment commencing on the item's Installation Date. During any portion of this Period in which the ordered Support Services are in effect for the equipment, the then-applicable Monthly Service Warranty Upgrade charge will apply instead of the Monthly Support Services charge.

Page subtotal - Upgrade charges $ 0	Page subtotal - Monthly charges $ 955.89
Total upgrade charges $ -	Total monthly charges $ 962.70
Other $	Other $
Upgrade Grand Total $ -	**Grand Total** $ 962.70

Support Services Schedule

Agreement Number

MA120050LC

List of Products Applicable to this Agreement

Level	Product style	Description (Include vendor name and model if non Burroughs Payment Systems product)	Quantity	Monthly Service Warranty Upgrade Period	Unit charge	Total charge	Monthly Support Services Unit charge	Total charge
4	USC9999-WXP	DOC SW:LOAD WIN XP PRO TRIGGER	1				6.81	6.81
					Page subtotal - Upgrade charges		Page subtotal - Monthly charges	
					$	0	$	6.81

Item 12

Travis County Commissioners Court Agenda Request

Meeting Date: December 6, 2011
Prepared By: Greg Chico, Right-of-Way Manager **Phone #:** 854-4659
Division Director/Manager: Steve Manilla, P.E., County Executive

Carol B. Joseph
Signature Pending
Greg Chico
(G. Chico)

Department Head: Steven M. Manilla, P.E., County Executive-TNR
Sponsoring Court Member: Commissioner Eckhardt, Precinct Two

AGENDA LANGUAGE: Consider and take appropriate action on the potential sale of a 0.092 acre (3,990 square feet) easement area to the Pflugerville Community Development Corporation (PCDC), requested and needed for construction of a wastewater line to serve property adjacent to the County's Northeast Metropolitan Park.

BACKGROUND/SUMMARY OF REQUEST:
Please see attachment.

STAFF RECOMMENDATIONS:
TNR recommends that any action taken by Travis County officials incorporate information received by the County from general public community input, and as discussed during the public hearing on this matter to be held in the Commissioners Courtroom on Tuesday, December 6, 2011.

ISSUES AND OPPORTUNITIES:
Please see attachment.

FISCAL IMPACT AND SOURCE OF FUNDING:
$10,000 in proceeds to be paid to Travis County, if easement is sold; no other fiscal impact.

ATTACHMENTS/EXHIBITS:
A: copy of Agenda Item backup from November 1, 2011 Commissioners Court
B: copies of three (3) printed advertisement announcing the Public Hearing -- as required by Chapter 26 of the Texas Parks and Wildlife Code -- run in the Austin American-Statesman on Sunday, November 13, 2011; Sunday, November 20, 2011; and, Sunday, November 27, 2011.
C: excerpt of minutes from November 1, 2011, wherein the Commissioners Court set a Public Hearing for December 6, 2011 to receive community / public input on the proposed easement sale.

REQUIRED AUTHORIZATIONS:

Cynthia McDonald	Financial Manager	TNR	854-4239
Steve Manilla	County Executive	TNR	854-9429

CC:

Charles Bergh	Parks Director	TNR	854-9408
Greg Chico	Right-of-Way Manager	TNR	854-4659
Dee Heap	Right-of-Way Negotiator	TNR	854-7647
Donna Williams-Jones	Senior Fianancial Analyst	TNR	854-7677

SM:SM:gc
0101 - Administrative -

EXHIBIT "A"

Travis County Commissioners Court Agenda Request

Meeting Date: 11/1/11, 9:00 am, Voting Session
Prepared By/Phone Number: Greg Chico, TNR, 854-4659
Elected/Appointed Official/Dept. Head: Steven Manilla, County Executive
Commissioners Court Sponsor: Commissioner Eckhardt

AGENDA LANGUAGE: (a) Consider a request from the Pflugerville Community Development Corporation (PCDC) to purchase a 0.092 acre (3,990 square feet) wastewater utility easement for subsurface use of parkland in N.E. Metro Park in Precinct Two; and, (b) consider scheduling a date to conduct a public hearing to receive comments regarding this proposal, as required by Chapter 26 of the Texas Parks and Wildlife Code. (Commissioner Eckhardt)

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS: In mid-October, 2011, Travis County was asked to sell wastewater utility easement rights from a parcel of land located in the County's NE Metro Park. This proposed easement area is 20 feet in width, and approximately 200 feet in length, and is needed by the adjoining property owner (PCDC) for their installation of a wastewater line to serve their planned Renewable Energy Park located to the east. A survey of this easement is attached as Exhibit "A". PCDC has offered $10,000 for purchase of this requested easement, and TNR staff views this amount as reasonable compensation based upon an internal assessment of fair market value for the easement. PCDC has also agreed that, if the County were to sell the easement, PCDC would limit use of the easement, in areas currently paved, to sub-surface (underground) boring and excavation only – for installing utilities beneath the existing park entrance road. Such boring would eliminate or greatly reduce disruption and inconvenience for park visitors, vehicular traffic, and overall operations.

STAFF RECOMMENDATIONS: Following consideration of the request, if the County is to proceed with the possible sale, TNR staff recommends that the Commissioners Court schedule a public hearing to be held on December 6, 2011, to receive comments on the proposal. This proposed date for public input allows for proper notice and advertisement of a hearing, as required by the Texas Parks and Wildlife Code. This notification

EXHIBIT "A"

requirement could be satisfied with advertisement in the Austin American-Statesman on Sunday, November 13th, 20th, and 27th.

ISSUES AND OPPORTUNITIES: This matter is an opportunity for the County to coordinate with local community and business interests to facilitate infrastructure improvements in support of economic development.

FISCAL IMPACT AND SOURCE OF FUNDING: None

REQUIRED AUTHORIZATIONS: Tom Nuckols, Asst. County Attorney, Chris Gilmore, Asst. County Attorney

copy: Steven M. Manilla, P.E., TNR County Executive; Charles Bergh, TNR Parks Director; Robert Armistead, TNR Parks Manager; Greg Chico, TNR Right-of-Way Manager; Dee Heap, Right-of-Way Negotiator; Cynthia McDonald, TNR Financial Manager; Donna Williams-Jones, TNR; Hannah York, Auditor's Office

Updated 12/1/11, 3:15 p.m.

EXHIBIT "B"

LEGAL NOTICES

NOTICE TO CONTRACTORS OF PROPOSED
TEXAS DEPARTMENT OF TRANSPORTATION
(TxDOT) CONTRACTS
Sealed proposals for contracts listed below will be received by TxDOT until the date(s) shown below, and then publicly read.
CONSTRUCTION/MAINTENANCE/BUILDING FACILITIES CONTRACT(S)
Dist/Div: Austin
Contract 6225-32-001 for PAVEMENT REPAIR in TRAVIS County will be opened on January 06, 2012 at 10:00 am at the District Office for an estimate of $222,566.00.
Contract 6232-45-001 for LEVELUP AND SEAL in CALDWELL County will be opened on December 01, 2011 at 1:00 pm at the State Office for an estimate of $709,969.35.
Dist/Div: San Antonio
Contract 6237-07-001 for EXCAVATION in BEXAR County will be opened on December 07, 2011 at 1:30 pm at the District Office for an estimate of $283,997.60.
Plans and specifications are available for inspection, along with bidding proposals, and applications for the TxDOT Prequalified Contractor's list, at the applicable State and/or Dist/Div Offices listed below. If applicable, bidders must submit prequalification information to TxDOT at least 10 days prior to the bid date to be eligible to bid on a project. Prequalification materials may be requested from the State Office listed below. Plans for the above contract(s) are available from TxDOT's website at www.txdot.gov and from reproduction companies at the expense of the contractor.
NPO: 38349

State Office
Constr./Maint. Division
200 E. Riverside Dr.
Austin, Texas 78704
Phone: 512-416-2540

Dist/Div Office(s)
Austin District
District Engineer
7901 N IH35
Austin, Texas 78761-5426
Phone: 512-832-7060

San Antonio District
District Engineer
4615 NWLoop 410
San Antonio, Texas 78229-0928
Phone: 210-615-1110

Minimum wage rates are set out in bidding documents and the rates will be part of the contract. TXDOT ensures that bidders will not be discriminated against on the grounds of race, color, sex, or national origin.

NOTICE TO SUBCONTRACTORS

Capital Excavation Company is soliciting bids from MBE/WBE vendors for Mueller Section VI Subdivision Ph A-C. Fax your bid to (512) 440-0844 or email mglass@capitalexcavation.com. Plans are available at the DSMBR plan room. Capital Excavation Company is an Equal Opportunity Employer. Bids due by **November 14, 2011 @ 5:00 pm.**

NOTICE TO BIDDERS
Texas State Technical College Waco Airport TxDOT CSJ # 11CTTSTCW
A "Notice to Bidders" is issued for the construction of airport improvements at the Texas State Technical College Waco Airport for: installing Air Traffic Control Tower equipment. Sealed proposals need to be addressed and delivered to Beverly Longfellow, TxDOT Aviation Division, 150 E. Riverside, Bldg, 150, 5th Floor, Austin, TX 78704. Proposals will be received until 2:30 P.M., December 14, 2011, then publicly opened and read.
Bidders may view and obtain plan sets, free of charge, from Plans Online http://www.txdot.gov/business/contractors_consultants/plans_online.htm. Or bidders may buy plan sets from the Reproduction companies that are listed on the website.
Technical questions concerning the specifications and plans should be directed to Pete Deeks, AJT Engineering, peted@ajteng.com. For other information please visit the Aviation website, http://www.txdot.gov/business/projects/aviation.htm or call Beverly Longfellow, TxDOT Aviation, at 512-416-4516.

ALAMO NORTH TEXAS RAILROAD COMPANY
NOTICE OF JOINT ANNUAL MEETING
Notice of Joint Meeting of Shareholders and Directors of Railroad Corporation: Alamo North Texas Railroad Company (the "Company") hereby gives notice of a joint annual meeting of its Shareholders and Directors to be held on December 12, 2011, at 8:30 a.m., at

LEGAL NOTICES

LEGAL NOTICE
Travis County Health Facilities Development Corporation
Retirement Facility Revenue Refunding Bonds
(Longhorn Village Project)
Series 2012
NOTICE OF PUBLIC HEARING
Pursuant to section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") **Notice Is Hereby Given** that the Travis County Health Facilities Development Corporation (the "Issuer") will hold a Public Hearing on Tuesday, November 29, 2011 at 9:00 o'clock a.m. in the Commissioners Courtroom of the Travis County Administration Building, 314 West 11th Street, First Floor, Austin, Texas 78701, with respect to the contemplated sale and issuance of not to exceed $130,000,000 in aggregate principal amount of its Retirement Facility Revenue Refunding Bonds (Longhorn Village Project) Series 2012 (the "Bonds"). The proceeds of the Bonds will be loaned to Longhorn Village, a Texas non-profit corporation (the "Obligor"), to be used (i) to refund certain previously-issued obligations of the Issuer issued for the benefit of the Obligor issued to acquire, construct, equip, and furnish the continuing care retirement center project located at 501 North Quinlan Park Road, Austin, Travis County, Texas 78732 (the "Project"), (ii) to fund a debt service reserve fund for the Bonds, and (iii) to pay certain costs of issuance and certain other soft costs relating to the Bonds, as permitted under Chapter 221 of the Texas Health and Safety Code, as amended. The Obligor is the owner of the Project.
The Bonds, when issued, will be a special, limited obligation payable by the Issuer solely out of the revenues derived from the Issuer's loan agreement with the Obligor.
The Bonds and interest thereon shall never constitute the debt or obligation of Travis County, Texas (the "County"), the State of Texas (the "State"), or any political subdivision or municipality thereof within the meaning of any provision or limitation of the statutes or Constitution of the State.
In order for the interest on the Bonds to be exempt from federal income taxation, the Code requires that the issuance of the Bonds be approved by appropriate elected public officials of the County, following a public hearing. Approval of the Bonds for purposes of the Code does not create, and shall not be construed as creating, any debt, obligation, or liability of the County, nor the approval of the Project pursuant to any other applicable provisions of law.
All interested persons are invited to attend the hearing to express their views with respect to the Project described above or the issuance of the Bonds and the financing described above. In lieu of attendance at the meeting, written comments may be submitted to the Issuer. Further information with respect to the Project will be available at the hearing or upon written request prior thereto addressed to the Issuer. If requested by a substantial number of members of the public prior to the scheduled date set forth above for the public hearing, the Issuer will consider changing the site and time of the public hearing or holding a second public hearing. Such requests, questions, or written comments may be directed to the Travis County Health Facilities Development Corporation in care of Cliff Blount, 8310 North Capital of Texas Hwy., Suite 490, Austin, Texas 78731, telephone (512) 479-0300.

Travis County Health Facilities Development Corporation

NOTICE OF PUBLIC HEARING
FOR THE USE OF PARKLAND
FOR OTHER PURPOSES
The City Council of the City of Austin will hold a public hearing on December 8, 2011, at 4:00 p.m. at Austin City Hall, 301 W. 2nd St., Austin, Texas, to consider the use of dedicated parkland for the following purposes:
The construction of a permanent sidewalk and use of temporary workspace for the Group 10 ADA Sidewalk Improvements - Brodie Lane Project on scientific area land that is part of the Austin Water Utility's Water Quality Lands known as Lot 7, Block A, Mission Bethany Subdivision.
This notice is given pursuant to Texas Parks and Wildlife Code, Sections 26.001, et. seq.

LEGAL NOTICE
The State Policy Committee of the State Employee Charitable Campaign is seeking applications from statewide federations and funds meeting charity eligibility requirements found in Texas Government Code Annotated, Section 659.131 et seq. Applications are available from, and questions may be referred to, the current State Campaign Manager at 512/507-9974. The application period shall be

LEGAL NOTICES

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Travis County Commissioners Court, Travis County, Texas, will hold a public hearing on Tuesday, December 6, 2011 to consider the sale of a 0.092 acre wastewater easement on land in N.E. Metro Park, to the Pflugerville Community Development Corporation ("PCDC") for installation of a proposed utility line pursuant to Chapter 26 of the Texas Parks and Wildlife Code
At the public hearing, the Travis County Commissioners Court will receive public comments and determine whether (1) there is a feasible and prudent alternative to PCDC's use of the 0.092 acre tract for sub-surface wastewater utility; and (2) the project's use of the 0.092 acre tract for utility service includes all reasonable planning to minimize detrimental impact to N.E. Metro Park.
The public hearing will be held in the Commissioners Courtroom in Travis County Administration Building (first floor), 314 West 11th Street, Austin, TX.

Statesman Legal Notices

address:
305 S. Congress
Austin, TX 78704

phone:
512-445-3832

fax:
512-445-3503

email address:
legals@statesman.com

Legal Notices are published daily in print and online in the Austin American-Statesman which is generally circulated in Bastrop, Bell, Blanco, Brazos, Burleson, Burnet, Caldwell, Colorado, Comal, Coryell, Fayette, Gillespie, Gonzales, Guadalupe, Hays, Kerr, Lampasas, Lee, Llano, Milam, Nueces, San Saba, Travis, Washington and Williamson Counties.

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Earlier deadlines for display ads apply. Please contact the Legal Notices desk for further details.

Charges vary depending on day of the week. Please call for rates. All published Legal Notices are placed online at no additional charge on statesman.com/classifieds.

For notices with a legal requirement of publication in a Spanish language paper, ¡ahora sí!, a product of the Austin American-Statesman, publishes each Thursday.

For any additional information, please call out Legal Notices desk at 512-445-3832 or email to legals@statesman.con

An affidavit of Publication is provided for each Legal Notice.

ALAMO GULF COAST RAILROAD COMPANY
NOTICE OF JOINT ANNUAL MEETING
Notice of Joint Meeting of Shareholders and Directors of Railroad Corporation: Alamo Gulf Coast Railroad Company (the "Company") hereby gives notice of a joint annual meeting of its Shareholders and Directors to be held on December 12, 2011, at 8:15 a.m., at its place of business at 8200 IH-10 West, Suite 600, San Antonio, Texas. At such annual meeting the Shareholders of the Company will elect Directors, and the Shareholders or the Directors may consider any other matters which may be brought before the meeting.

Notice of Declination of Medicare Payer Source

Updated 12/1/11, 3:15 p.m.

Contact Us

512-445-4000

FAX ads to 512-445-4047

Business Hours

Phone: 8:00 am–6:00 pm, Mon–Fri

Walk-in: 8:00 am–5:00 pm, Mon–Fri at 305 South Congress Ave.

statesman.com/classifieds

Search our online classified listings, or place your individual classified ad online, 24/7.

Incolumn Ad Deadlines

Run Date	Phone Deadlines	Fax Deadlines
Monday	5:30 pm, Friday	Noon, Friday
Tues–Fri	2:30 pm, Day Prior	Noon, Day Prior
Saturday	4:00 pm, Thurs	2:00 pm, Thurs
Sunday	4:00 pm, Friday	Noon Friday

Legal Notice Deadline

Noon 2 business days prior to publication.

Call for display ad deadlines.

WE ACCEPT:

TRUCKS - DOMESTIC

2007 Chevy Silverado Ext Cab 1500 LT2 2WD, 5.3L V8 Loaded! Excellent condition inside and out and mechanically! Clean CarFax! Brand new Goodyear Tires on factory 20" aluminum rims ($800 value!) Only 54,000 miles and less than 1,500 hours of run time! $17,900, 512-260-1366.

1997 Ford F150 Ex. condition, 114500mi. std. $6750,114,500 mi 297-0078, cdmccarthy@sbcglobal.net

1997 FORD F150 FOREST GREEN STD CAB P/U in very good condition have records thru Lambs Auto $6750.00, 114500 mi, 512-297-0078, cmccarthy@palmharbor.com

1999 FORD F-150 XLT EXT-CAB Very Clean, Good Miles,, Auto, Great Condition HUB87049 $4,599 CODY 512-945-9782

2001 Ford F150 $7656!!! The Perfect Long Bed Work Truck. Auto, AC, V6 75K Miles, 1 owner Clean CarFax SHAWN AT 512-771-1530

2002 Ford Ranger XLT S/Cab, $8989! Auto, AC, ...

Education / Financial

BUSINESS OPPORTUNITIES

Hershey Route for Sale
Run 20 accounts per day
& earn $10K. per month
$40K. investment. 1 person per area.
Call 803-327-5050

EXISTING BUSINESSES FOR SALE

For Sale drug store Est. in 1966, small OTC, we concentrate mainly in prescriptions. Alpine is a small town w/ 5 surrounding small towns w/ no pharmacies, only 3 total pharmacies in Alpine. Closest Wal-Mart is 67 miles away. We have Saul Ross State University. Alpine is one of the entrances to the The Big Ben national Park. 432-837-3232 robertlsoza@yahoo.com

Merchandise

ESTATE SALES

NE ESTATE SALE- mid century modern, Western, furniture, toys galore, baby gear, women's clothing, kitchen, leather saddle- start your Xmas shopping early. 2313 Boneset Trail, Round Rock, 78665. Sat/Sun 10am-3pm. Discounts Sunday.

ANTIQUES / ART OBJECTS

***** ANTIQUES FOR SALE. *****
Closing storage unit down.
512-970-1556 or 278-0306

Antique heavy oak buffet w/ mirror & marble top, $250 OBO. Vintage Victrola w/ shelving & lots of old records, $300 OBO. Hm 512-335-9183, or cell 512-925-0478

Rookwood Pottery- 50 pieces, some signed, Maxfield Parrish prints, US. stamps, coins, Reasonable prices Many other items 765-0392

APPLIANCES

HotPoint White Top Freezer 2 door FRIG, works great, 28"W,62"H,30"D, pics avail $110, 772-4200, mesaverdeapts@yahoo.com

BICYCLES / REPAIR

Boneshaker 52" high wheel Bicycle, $1000 512-258-3344

GUNS / AMMUNITION

SAXET GUN SHOW
SAT. Nov. 19, 9a-6p & SUN. Nov. 20, 9a-5p
Travis County Expo Center
7311 Decker Ln. Austin, TX
INFORMATION: 361-289-2256

Winchester 101, 20 ga, choke full/full, 30" barrel, breach tight, low usage, spotting on all of barrel, $750 OBO. 263-9583 lv msg

CZ-75 SP-01 tactical 9mm custom grips $500; Remington 1187 Sportsman semi-auto 12ga Camo $450 512-354-5792

For Sale PARA 1911 45cal. w/4 clips & Crimson Trace laser grips. $1000 Call 238-7122

HEATING / AIR CONDITIONING

New AC & Heating Systems
FOR SALE TO ALL. 512-342-8001

HOSPITAL EQUIPMENT

ArjoHuntleigh automatic patient lift. 600 lb capacity with accessories, for home use. For more information please call 512-567-4573

Ken-Air III digital computerized air bed w/ personalized weight distribution of patient, never get skin break down, 512-567-4573

Invacare Action heavy duty multi-position manual wheelchair with J cushions, like new condition, for home use. 512-567-4573

Blue Jet Active Trac Pride mobility scooter, $450 OBO. Home 512-335-9183, Cell 512-925-0478

JEWELRY / GOLD / SILVER

Wanted entire coin collections, any quantity - gold rings & jewelry, gold & silver coins, gold & silver bouillon. 512-945-5664

14 ct white gold ladies wedding rings, 1.74 ct diamond, appraised at $3668, sell $1200. Call 468-4023

Vintage Jewelry Trunk Show. Abercombie Gems, 3008 Bee Caves Road, Austin 78746.Sat Nov 26 10-5 Mex Silver Spratling,Aguilar,etc. Native American. Scandinavian. Art Deco Gold & Diamond jewelry.Also buying Jewelry,large diamonds. 5125873004,buddysstuff.com.

MACHINERY / EQUIPMENT / TOOLS

Table mitre saw, model 1350, $200 OBO. 512-852-1561

Craftsman Chainsaw 18" case with 2 blades. Excellent condition. $100 512-985-5007

Pets & Livestock

DOGS

Asking a minimal charge for your pet is advised to safeguard the animal from being used for undesirable purposes and to help ensure your pet a good home.

"Fall Adoption Special"
Cats only $25 adoption fee. Adoption application required. Dog breeds available: Border Collie, Boxer, Chihuahua, Chiweenie, English Pointer, G. Shepherd, Lab, Rat Terrier, Staffordshire Terrier, Rhodesian Ridgeback, Three Aussie puppies. Open every Sat & Sun 2-6p.
www.lifelongfriends.org
512-267-6876

Seek loving, committed homes for great adoptable dogs & puppies. bluedogrescue.com

PLEASE CHECK YOUR AD

Please read your ad both in print and online on the first day of publication. If there are errors, notify us immediately. We will make changes for errors upon notification. Austin American-Statesman liability is limited to the first day publication, and we do not accept liability for any other damages which may result from an error or omission in an ad.

WEE RESCUE YOU ADOPT
Meet & Greet at Petco on 183 10a-12pm Nov 19th. Shih Tzus, Chase, Pekinese. Permanent & foster homes needed. www.weerescue.org (512)533-9360

Aussiedoodle, Goldendoodle, Labradoodle pups, utd shots, guarantee, 4info or pics call/text 918-791-8800

Australian Labradoodles Multigenerational Puppies. Home raised LabradoodleMe.com 512.259.9205, 281.469.4447, 713-870-3973

Australian Shepherd,Miniature www.hopkinsfamilyaussies.weebly.com or call 1-512-755-9753

Bassett Hound puppies, with papers, shots & puppy starter kit. $300 Tri-color & Honey Available. Parents on site, CALL 254-338-3009

Fraud Alert

Be aware of requests to wire money to obtain a ...

DOGS

Morkies Female Morkies. 13 wks Shots & worming. Health Guarantee, $450 512-845-7215

Olde English Bulldogge, 7 wks, M/F, reg. shots, Bully, low & wide, show quality. $1250+ www.alloutkennels.com. 512-769-8668

Papillon 5-month-old black/white male purebred needs a new home. First rd shots. Sweet & energetic. $400. 512-782-4846 stoddard7701@yahoo.com

Pit bull, 8 mo. old, good health, all shots, well trained, needs active & loving owner, $50 adoption fee. 512-638-7054,

Pit Bull Bullies - Moving, must sell, top of the line, 8 wks & up. 512-627-2459 or 627-0329

Pomeranian Merle Puppies AKC beautiful male & fem, dewormed. Parents on site. $500 ea. 512-985-5179. loventexas@gmail.com

Schnauzer miniatures CKC beautiful puppies, $175-300. 254-939-3411,

Schnauzer Miniatures, AKC champ bloodlines, house trained, all shots + wormed, blk/wht, non-kennel environment, $400. 512-944-4918

Schnauzer Toys. **Just in time for a White Christmas.** Beautiful, small, white chocolate, white & salt & pepper M's & F's. Place dep, will hold til Xmas. See at tinytailsschnauzers.com. 512-577-9027

Shar Pei Rescue Group adoptions. All colors, ages, sizes . www.sharpeirescue.com & click on Texas. $250. Call for info 512-929-3409

Shih Tzu. AKC Shih Tzu 2M 2F black & dobie's Accepting deposits ready 12-23 $500-$750 Local pick-up cash only 254-833-5967,

Shih Tzu CKC beautiful puppies, $150-$300. 254-939-3411,

Shih tzu Tiny rare imperials, m/f, s/w/vet chkd, $450-$800 830-491-7039, lrsz4u@gmail.com

Siberian Husky CKC Reg.Blue Eyed Puppies 1st shots/dewormed 3 W(2M &1F) 1 R&W M, 1 C&W F. Ready Now $525 512-266-343

Weimaraner CKC, silver, M's & F's, shots & wormed, tails & dewclaws removed, $150-$250, MC & VI. 254-697-6861

Westie ACK Westie. 1 Male 550 & 1 Female 650. Vet check. Potty & crate trained. Miguel 512-576-4473 or macv020@hotmail.com

Whippet - 2 AKC male puppies, 3 mos old need good homes, $400. 254-290-0466

Yorkie - AKC 2 fem's, 11 wks, $850 ea. Dam ... lbs, sire 3.5 lbs, Merlin 512-689-0363

LEGAL NOTICES

NOTICE OF PUBLIC HEARING
FOR THE USE OF PARKLAND
FOR OTHER PURPOSES

The City Council of the City of Austin will hold a public hearing on December 8, 2011, at 4:00 p.m. at Austin City Hall, 301 W. 2nd St., Austin, Texas, to consider the use of dedicated parkland for the following purposes:
For a temporary access route for the decommissioning and demolition of the Holly Street Power Plant on parkland known as Metz Park.
This notice is given pursuant to Texas Parks and Wildlife Code, Sections 26.001, et. seq.

NOTICE
ELSA ENGLAND ELEMENTARY SCHOOL
ROUND ROCK INDEPENDENT SCHOOL DISTRICT
(SOLAR PANEL PACKAGE)

Balfour Beatty Construction, LLC. is the Construction Manager for the Round Rock ISD work located in Round Rock, Texas. Balfour Beatty Construction will accept proposals from all qualified subcontractors for the Elsa England Elementary School Solar Panel package work.
Competitive Sealed Proposals are due Tuesday, November 29, 2011 at 2:00 p.m. Proposals should be e-mailed to Scott German @ sgerman@balfourbeattyus.com.
Plans and specifications are available on Isqft per invitation.
Contact Bryan Parma at Balfour Beatty Construction for additional information on this project at (972) 484-4888.
The Owner reserves the right to waive any informality and to reject any or all proposals.

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Travis County Commissioners Court, Travis County, Texas, will hold a public hearing on Tuesday, December 6, 2011 to consider the sale of a 0.092 acre wastewater easement on land in N.E. Metro Park, to the Pflugerville Community Development Corporation ("PCDC") for installation of a proposed utility line pursuant to Chapter 26 of the Texas Parks and Wildlife Code
At the public hearing, the Travis County Commissioners Court will receive public comments and determine whether (1) there is a feasible and prudent alternative to PCDC's use of the 0.092 acre tract for sub-surface wastewater utility; and (2) the project's use of the 0.092 acre tract for utility service includes all reasonable planning to minimize detrimental impact to N.E. Metro Park.
The public hearing will be held in the Commissioners Courtroom in Travis County Administration Building (first floor), 314 West 11th Street, Austin, TX.

In accordance with Acts of the 75th Session ...

EXHIBIT "B"

EXHIBIT "B"

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LEGAL NOTICES

All City of Austin Certified MBE/WBE owned businesses interested in bidding the Formula 1 United States Offsite Wastewater & Pearce Lane Lift Station Phase 2 Improvements project, will need to fax bids to DNT Construction on or before November 29, 2011; 5:00 PM. Please fax bids to 512/ 837-6701. Documents are available at the City of Austin, One Texas Center, 7th Floor, Suite 760, 505 Barton Springs Rd., Austin, TX 78704, at various plan rooms and for review at DNT Constructions office, 2300 Picadilly Dr., Round Rock, TX; Call 512/ 837-6700 for further information.

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ALAMO NORTH TEXAS RAILROAD COMPANY
NOTICE OF JOINT ANNUAL MEETING

Notice of Joint Meeting of Shareholders and Directors of Railroad Corporation: Alamo North Texas Railroad Company (the "Company") hereby gives notice of a joint annual meeting of its Shareholders and Directors to be held on December 12, 2011, at 8:30 a.m., at its place of business at 8200 IH-10 West, Suite 600, San Antonio, Texas. At such annual meeting the Shareholders of the Company will elect Directors, and the Shareholders or the Directors may consider any other matters which may be brought before the meeting.

CITY OF AUSTIN
PUBLIC HEARING FOR SUBSTANDARD AND DANGEROUS PROPERTIES

TO THE UNKNOWN OWNER(S) OF THE FOLLOWING PROPERTIES:

Anyone having an interest therein: heir(s), unknown heir(s) and legal representatives of each of the named and mentioned persons who may be deceased; corporate officers, trustees, receivers and stockholders or any of the named or mentioned parties which may be corporations, defunct officers, trustees, receivers and stockholders; and any and all persons, including adverse claimants, owning or having or claiming any legal or equitable interest in these properties:

3804 (aka 3800) South Congress Avenue, legally known as WESLEY ADDN; last known owner is 3800 South Congress LP.

6304 Arnold Drive, legally known as LOT 30 WALNUT HILLS SEC 4; last known owner is STACM LLC.

5308 Avenue G, legally known as LOT 9-10 *& S 17FT OF LOT 11 BLK 43 HIGHLANDS THE; last known owner is Gary L. Stryk % Gary Stryk.

Said properties are in violation of the Austin City Code, as amended from time to time, in that they are not maintained to minimum standards of habitability.

You are hereby notified that a public hearing will be held by the Building and Standards Commission at One Texas Center, 3rd Floor Conference Room, Austin, Texas on Tuesday, December 6, 2011 at 6:30 PM to consider an Order to vacate, secure, repair, or demolish said properties and/or issue penalties.

The City of Austin is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications, including arrangements to have a sign language interpreter present at the meeting, will be made if assistance is requested prior to Thursday, December 1, 2011. To request assistance or further information, contact Sonja Prevo at (512) 974-2340, Monday through Friday, between 7:00 AM and 4:00 PM.

Sonja Prevo
Building and Standards

LEGAL NOTICES

ROUND ROCK ISD

PUBLIC HEARINGS SCHEDULED FOR SCHOOL ATTENDANCE ZONE ADJUSTMENTS

Round Rock ISD is committed to maintaining the highest level of student achievement and quality instruction.

One of the realities we face living in a growing district is that, at times, our schools become crowded and we need to address these crowded conditions with boundary adjustments. With the bond passage of 2008, Round Rock ISD will open Elsa England Elementary School in the north central area in August 2012, which will require boundaries to be redrawn. The north central quadrant includes Sommer, Brushy Creek, Deep Wood, and Great Oaks Elementary. Cedar Ridge High School is anticipated to become overcrowded next school year and needs relief, which may prompt some changes to high school boundaries for the 2012-2013 school year.

A Citizens' Boundary Committee has been formulated to review potential boundary scenarios and to provide input to district staff on the proposed changes. A school attendance zone adjustment will be presented to the public at a series of boundary hearings in accordance with Board Policy FC (Local). Hearings are currently scheduled as follows:

December 1, 2011, Cedar Ridge HS - Cafeteria, 6:30 PM
December 5, 2011, Cedar Valley MS - Cafeteria, 6:30 PM (for Elsa England Elementary)
December 6, 2011, McNeil HS - Cafeteria, 6:30 PM
December 8, 2011, Stony Point HS - Lecture Hall, 6:30 PM

Public input is also welcomed at the January 19, 2012 regular board meeting where the board will discuss feedback from these hearings. A final recommendation is expected to be presented to the Board of Trustees at a regular board meeting on February 16, 2012 for approval of the boundary changes.

Statesman Legal Notices

address:
305 S. Congress
Austin, TX 78704

phone:
512-445-3832

fax:
512-445-3503

email address:
legals@statesman.com

Legal Notices are published daily in print and online in the Austin American-Statesman which is generally circulated in Bastrop, Bell, Blanco, Brazos, Burleson, Burnet, Caldwell, Colorado, Comal, Coryell, Fayette, Gillespie, Gonzales, Guadalupe, Hays, Kerr, Lampasas, Lee, Llano, Milam, Nueces, San Saba, Travis, Washington and Williamson Counties.

Deadlines: Legal Notices copy needs to be submitted to our office noon two business days prior to date of publication. Holiday deadlines may differ.

Earlier deadlines for display ads apply. Please contact the Legal Notices desk for further details.

Charges vary depending on day of the week. Please call for rates. All published Legal Notices are placed online at no additional charge on statesman.com/classifieds.

For notices with a legal requirement of publication in a Spanish language paper, ¡ahora sí!, a product of the Austin American-Statesman, publishes each Thursday.

For any additional information, please call out Legal Notices desk at 512-445-3832 or email to legals@statesman.con

LEGAL NOTICES

ALAMO GULF COAST RAILROAD COMPANY
NOTICE OF JOINT ANNUAL MEETING

Notice of Joint Meeting of Shareholders and Directors of Railroad Corporation: Alamo Gulf Coast Railroad Company (the "Company") hereby gives notice of a joint annual meeting of its Shareholders and Directors to be held on December 12, 2011, at 8:15 a.m., at its place of business at 8200 IH-10 West, Suite 600, San Antonio, Texas. At such annual meeting the Shareholders of the Company will elect Directors, and the Shareholders or the Directors may consider any other matters which may be brought before the meeting.

NOTICE OF PUBLIC HEARING FOR THE USE OF PARKLAND FOR OTHER PURPOSES

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For a temporary access route for the decommissioning and demolition of the Holly Street Power Plant on parkland known as Metz Park. This notice is given pursuant to Texas Parks and Wildlife Code, Sections 26.001, et. seq.

NOTICE TO BIDDERS
GEORGETOWN MUNICIPAL AIRPORT
TxDOT CSJ # 1114GRGTN

A "Notice to Bidders" is issued for the construction of airport improvements at the Georgetown Municipal Airport for pavement rehabilitation and Runway Safety Area improvements. Sealed proposals need to be addressed and delivered to Trina Bickford, Purchasing Manager, City of Georgetown, 300-1 Industrial Ave., Georgetown, Texas, 78626. Proposals will be received until 2:30 P.M. on December 29, 2011, then publicly opened and read.

Bidders may view and obtain plan sets, free of charge, from Plans Online http://www.txdot.gov/business/contractors_consultants/plans_online.htm. Or bidders may buy plan sets from the Reproduction companies that are listed on the website.

Technical questions concerning the specifications and plans should be directed to Larry Caldwell, P.E. with Klotz Associates, Inc., at 512-328-5771. For other information please visit the Aviation website, http://www.txdot.gov/business/projects/aviation.htm or call Beverly Longfellow, TxDOT Aviation, at 512-416-4516.

LEGAL NOTICE:

This Texas Lottery Commission Scratch-Off game will close on December 9, 2011. You have until June 6, 2012, to redeem any tickets for this game: **#1315 Cash Extravaganza** ($5) overall odds are 1 in 3.98. This Texas Lottery Commission Scratch-Off game will close on December 10, 2011. You have until June 7, 2012, to redeem any tickets for this game: **#1238 Solid Gold** ($10) overall odds are 1 in 4.22. This Texas Lottery Commission Scratch-Off game will close on December 30, 2011. You have until June 27, 2012, to redeem any tickets for this game: **#1339 Green and Gold** ($5) overall odds are 1 in 3.87. These Texas Lottery Commission Scratch-Off games will close on February 1, 2012. You have until July 30, 2012, to redeem any tickets for these games: **#1332 Money Tripler** ($3) overall odds are 1 in 4.68, **#1328 Fat Cat Tripler** ($2) overall odds are 1 in 4.45, **#1338 Super 8's** ($1) overall odds are 1 in 4.60, **#1325 5 Times Lucky** ($5) overall odds are 1 in 3.98. The odds listed here are the overall odds of winning any prize in a game, including break-even prizes. Lottery retailers are authorized to redeem prizes of up to and including $599. Prizes of $600 or more must be claimed in person at a Lottery Claim Center or by mail with a completed Texas Lottery claim form; however, annuity prizes or prizes over $1,000,000 must be claimed in person at the Commission Headquarters in Austin. Call Customer Service at **1-800-37LOTTO** or visit the Lottery Web site at **www.txlottery.org** for more information and location of nearest Claim Center. The Texas Lottery is not responsible for lost or stolen tickets, or for tickets lost in the mail. Tickets, transactions, players, and winners are subject to, and players and winners agree to abide by, all applicable laws, Commission rules, regulations, policies, directives, instructions, conditions, procedures, and final decisions of the Executive Director. A Scratch-Off game may continue to be sold

EXHIBIT "C"

CERTIFIED MINUTES EXCERPT

The Travis County Commissioners' Court convened on November 1, 2011. The following Item was considered:

27. Consider and take appropriate action on the following requests in Precinct Two:

    a. Consider a request from the Pflugerville Community Development Corporation to purchase a 0.092 acre (3,990 square feet) wastewater utility easement for subsurface use of parkland in Northeast Metro Park; and

    RESULT: **DISCUSSED**

    b. Consider scheduling a date to conduct a public hearing to receive comments regarding this proposal, as required by Chapter 26 of the Texas Parks and Wildlife Code. (Commissioner Eckhardt)

    RESULT: **ADDED TO CONSENT**

    Clerk's Note: By approving Item 27.b the Court set the Public Hearing for Tuesday, December 6, 2011 at 9:00 AM and stated that further action will be taken on this item after the public hearing.

Consent Items

Members of the Court heard from:
Steve Manilla, County Executive, TNR

MOTION:	Approve the following Consent Items: C1–C3 and Agenda Items 7, 8.a, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26.a–b, 27.b, 28, 30, 31, 32, 34.a–b, 37, and 38.
RESULT:	**ADOPTED [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

I, Dana DeBeauvoir, County Clerk and Ex-Officio Clerk of the Commissioners' Court of Travis County, Texas, do hereby certify that the above is correct information from the Proceedings of the Commissioners' Court of Travis County, Texas.

Witness my hand and seal, this the 3rd day of November, 2011.

SEAL OF COMMISSIONERS COURT ★ TRAVIS COUNTY, TEXAS ★

DANA DeBEAUVOIR
County Clerk and Ex-Officio Clerk
of the Commissioners' Court of
Travis County, Texas

By: Gillian Porter
Gillian Porter, Deputy

Updated 12/1/11, 3:15 p.m.

Item 13

Travis County Commissioners Court Agenda Request

Meeting Date: 12/6/11
Prepared By/Phone Number: Tim Pautsch Phone #: 854-7689
Division Director/Manager: Anna Bowlin
Department Head: Steven M. Manilla, P.E., County Executive-TNR
Sponsoring Court Member: Commissioner Davis, Precinct One

AGENDA LANGUAGE: Consider and take appropriate action on a Cash Security Agreement with Highland Homes, Austin for sidewalk fiscal for Commons at Rowe Lane IIIA Lot 14 Block K, in Precinct One.

BACKGROUND/SUMMARY OF REQUEST:
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.

STAFF RECOMMENDATIONS:
Highland Homes, Ltd., proposed to use this Cash Security Agreement, as follows: Phase IIIA, Lot 14, Block K, $780.00, Permit #11-1968, to post sidewalk fiscal where the sidewalks have not been completed in this subdivision.

ISSUES AND OPPORTUNITIES:
None

FISCAL IMPACT AND SOURCE OF FUNDING:
There are no budgetary and/or fiscal impacts as this is fiscal posted for a development.

ATTACHMENTS/EXHIBITS:
Cash Security Agreement, Map of lot.

REQUIRED AUTHORIZATIONS:

Cynthia McDonald	Financial Manager	TNR	854-4239
Steve Manilla	County Executive	TNR	854-9429
Anna Bowlin	Engineering Svcs Div Dir	TNR	854-7561
Stacey Scheffel SS	On-Site Sewage Fac Program Mgr	TNR	854-7565

CC:

Tim Pautsch	Engineering Specialist	TNR	854-7689

TP:AB:tp
1101 - Development Services - Commons at Rowe Lane IIIA

§ EXHIBIT 82.401 (C)

CASH SECURITY AGREEMENT - SIDEWALKS

TO: Travis County, Texas

DEVELOPER/BUILDER: Highland Homes, Ltd. - Austin

ESCROW AGENT: Travis County Treasurer

AMOUNT OF SECURITY: $780 ADDRESS 2700 Sixpence

SUBDIVISION: The Commons @ Rowe Lane IIA or IIIA
LOT: 14 BLOCK: K

DATE OF POSTING: 11-9-11

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 to ADA and Texas Accessibility Standards. 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 that 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 constructing the Improvements. This Agreement may be revoked only by written consent of the DEVELOPER/BUILDER and the County.

DEVELOPER/**BUILDER**

BY: Cynthia Hicock

PRINT: Cynthia Hicock

TITLE: Office Administrator

PHONE: 512-834-8429x108

COMPANY NAME & ADDRESS

Highland Homes Ltd. - Austin

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

Austin, Texas 78727

APPROVED BY THE TRAVIS COUNTY COMMISSIONERS' COURT: _____
Date

_____
COUNTY JUDGE, TRAVIS COUNTY, TEXAS

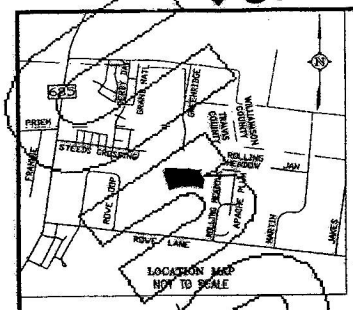
_____
Date

Updated 12/1/11, 3:15 p.m.

PHOTOGRAPHIC MYLAR $65.00 1-28-2011 2011000032

FINAL PLAT
THE COMMONS AT ROWE LANE
PHASE III-A

High Land Homes
Sidewalk Fiscal
O=Recieved Fiscal
—=RAS complete



LEGEND

- ● 1/2" IRON ROD FOUND
- ○ 1/2" IRON ROD WITH CAP SET
- ▣ CONCRETE MONUMENT SET
- BENCHMARK
- ROW RIGHT-OF-WAY
- BL BUILDING SETBACK LINE
- PUE PUBLIC UTILITY EASEMENT
- SDE SIGHT DISTANCE EASEMENT
- S.F. SQUARE FEET
- (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
- 4 FOOT SIDEWALK
- BREAKLINE

SCALE: 1" = 100'
AUGUST 2010
TRAVIS COUNTY, TEXAS

LINE TABLE		
LINE	BEARING	LENGTH
L1	N07°34'56"E	30.25
L2	N86°30'18"W	21.48
L3	N14°13'06"W	29.33
L4	N11°21'45"W	32.83
L5	S13°27'28"E	42.83
L6	N15°31'36"E	18.30
L7	N34°12'28"E	34.89
L8	N86°30'30"W	73.06
L9	N07°30'36"E	78.50
L10	N86°02'10"W	81.70
L11	N07°40'06"E	69.00
L12	N07°21'07"W	23.10
L13	S07°34'56"W	35.67

ACREAGE	
BLOCK J	2.817 AC.
BLOCK K	3.800 AC.
BLOCK L	0.617 AC.
BLOCK M	1.656 AC.
RIGHT-OF-WAY	2.887 AC.
TOTAL ACREAGE	13.771 AC.

LINEAR FEET OF NEW STREETS			
SIXPENCE LANE	50' ROW	1268	L.F.
HAVANT WAY	50' ROW	498	L.F.
SELBY TRAIL	50' ROW	133	L.F.
MERIDIAN BOULEVARD	50' ROW	581	L.F.
TOTAL		2449	L.F.

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C1	51.81	175.00	20°56'05"	N17°03'28"W	51.79
C2	38.32	225.00	9°45'35"	N14°02'28"E	38.30
C3	23.56	15.00	90°00'00"	S48°12'22"W	21.21
C4	62.29	175.00	20°39'41"	S39°44'51"W	62.18
C5	25.88	15.00	98°51'40"	N44°26'17"W	22.79
C6	169.50	225.00	43°18'13"	S22°53'04"E	165.96
C7	92.85	275.00	19°18'13"	S22°53'04"E	92.21
C8	24.20	15.00	92°22'50"	S61°17'53"W	21.68
C9	18.67	15.00	71°21'44"	N14°08'29"W	17.50
C10	166.66	275.00	34°42'24"	N39°36'16"W	164.12
C11	23.56	15.00	90°00'00"	S02°34'56"W	21.21
C12	23.56	15.00	90°00'00"	S87°25'04"E	21.21
C13	118.32	325.00	21°07'26"	N00°06'16"W	118.68
C14	13.62	15.00	52°01'13"	S42°33'28"W	13.16
C15	151.03	50.00	173°04'19"	N47°08'22"W	99.82
C16	13.62	15.00	52°01'13"	N11°32'06"E	13.16
C17	137.57	325.00	24°15'06"	S87°25'04"E	136.54
C18	23.56	15.00	90°00'00"	S87°25'04"E	21.21
C19	34.99	225.00	8°54'21"	N14°57'53"W	34.47
C20	1.83	225.00	0°46'26"	N18°30'28"W	1.83
C21	46.86	225.00	7°15'12"	S01°26'06"W	46.84
C22	60.44	325.00	10°39'22"	S07°53'47"E	60.36
C23	8.19	325.00	1°26'37"	S13°06'26"E	8.19
C24	24.98	325.00	4°24'00"	S18°18'31"E	24.98
C25	65.86	325.00	11°36'46"	N07°18'48"W	65.88
C26	10.03	275.00	2°05'26"	N06°31'11"E	10.03
C27	41.87	325.00	7°23'01"	N03°52'31"E	41.84
C28	60.44	325.00	10°39'22"	N02°07'16"W	60.36
C29	17.03	325.00	3°00'11"	N11°37'37"W	17.03
C30	20.85	56.00	20°57'04"	N08°06'24"E	20.73
C31	41.99	50.00	47°00'13"	N10°13'24"W	39.94
C32	42.58	50.00	48°47'53"	N58°10'32"W	41.31
C33	45.33	50.00	51°56'42"	S17°07'47"W	43.79
C34	42.85	325.00	7°32'21"	N08°18'32"W	42.82
C35	99.22	325.00	17°31'46"	S18°33'46"W	98.79
C36	34.39	325.00	6°03'38"	S26°17'22"W	34.37

LAND USE

SINGLE FAMILY LOTS= 50

CUMULATIVE DENSITY CALCULATIONS

TOTAL NUMBER OF RESIDENTIAL UNITS: 50

TOTAL AREA OF RESIDENTIAL LOTS AND LOCAL AND COLLECTOR STREETS: 13.771 AC.

BENCHMARK LIST

BM#1: COTTON SPINDLE SET IN THE SOUTHWEST BASE OF A 13" LIVE OAK. APPROX. 700' NORTH OF INTERSECTION OF WINDMILL RANCH AVE. & COMMONS PARKWAY.
NORTHING= 10,152,756.13
EASTING= 3,167,197.81
ELEV.= 687.87

BM#2: ARROW MARK IN CONCRETE ON NORTH EDGE OF WASTEWATER MANHOLE LIP.
NORTHING= 10,154,130.49
EASTING= 3,166,557.76
ELEV.= 695.10

THE COMMONS AT ROWE LANE, PHASE III-A

OWNER/SUBDIVIDER: THE COMMONS AT ROWE LANE, LP
2929 WEST 5TH STREET, SUITE A
FORT WORTH, TEXAS 76107
PHONE: (817)332-9660 FAX: (817)332-1400

ACREAGE: 13.771 AC.
SURVEY: JACOB CASNER SURVEY A-2753
NUMBER OF BLOCKS: 4
NUMBER OF LOTS: 50
LINEAR FEET OF NEW STREETS: 2449 L.F.
DATE: AUGUST, 2010
SURVEYOR: ZAMORA, L.L.C. (ZWA)
1435 SOUTH LOOP 4
BUDA, TEXAS 78610
PHONE: (512)295-6201 FAX: (512)295-6091

ENGINEER: GRAY + JANSING & ASSOCIATES, INC.
8217 SHOAL CREEK BLVD., SUITE 200
AUSTIN, TEXAS 78757-7592
PHONE: (512)452-0371 FAX: (512)454-9933

DATE	BY	REVISIONS

ZWA
Zamora, L.L.C.
Professional Land Surveyors
1435 South Loop 4, P.O. Box 1036, Buda, Texas 78610
Tel (512) 295-6201 Fax (512) 295-6091

GRAY · JANSING & ASSOCIATES, INC.
Consulting Engineers
8217 Shoal Creek Blvd., Suite 200
Austin, Texas 78757-7592
(512)452-0371 FAX(512)454-9933
TBPE FIRM # 2946

TECH: GLF	SURV: GRZ
DATE: AUGUST, 2010	SCALE: 1" = 100'
DRAWING FILE: 10-1001-13 PHASE 3A.DWG	
PROJECT: COMMONS @ ROWE LANE	
JOB NO: 10-1001-13 (06-015-14)	

SHEET 1 OF 2

Travis County Commissioners Court Agenda Request

Meeting Date: 12/6/11
Prepared By/Phone Number: LeRoy Click Phone #: 854-7656
Division Director/Manager: Randy Nicholson

Department Head: Steven M. Manilla, P.E., County Executive-TNR
Sponsoring Court Member: County Judge Sam Biscoe

AGENDA LANGUAGE: Consider and take appropriate action on recommendations to appoint 4 voting members and 4 alternates, to the Technical Advisory Committee of the Capital Area Metropolitan Planning Organization.

BACKGROUND/SUMMARY OF REQUEST:
The CAMPO Technical Advisory Committee serves as an advisory committee for the completion of all transportation studies, plans, development and programming recommendations, required under state or federal laws pertaining to all surface modes of transportation and transportation support facilities. The TAC also serves as a forum and working group in the 5-County region (Williamson, Hays, Caldwell, Bastrop and Travis counties), for regional project coordinaton across jurisdictional boundaries. At the September 12 CAMPO Tranportation Policy Board meeting, the Board approved the Technical Advisory Committee's "Option A" for revised composition of the TAC, to be included in the TAC bylaws, and at the November 14, 2011, CAMPO TPB meeting, the Board approved the revised TAC bylaws. The CAMPO TAC previously was 22 voting members, and now is, 32 voting members. Travis County representation on the TAC previously was 1 voting member and 1 alternate, and is now, 4 voting members and 4 alternates. The TAC bylaws require that appointed members must be comprised of employed staff, of the member agency or local jurisdiction, that has expertise in the following: transportation planning, implementation of transportation projects, or related fields with responsibility to that governmental unit or agency for some aspect of planning, development or improvement of the transportation system. TAC voting members and their alternates are appointed by their jurisdictions.

STAFF RECOMMENDATIONS:
TNR recommends approval of the proposed list of TAC voting members and their alternates (Attachment A).

ISSUES AND OPPORTUNITIES:

The change to 1 TAC voting member for every Transportation Policy Board member, addresses issues associated with a potential "walking quorum," and also allows the TAC members to more accurately represent individual TPB members, as well as representing a wider range of expertise on the TAC. The approved bylaws add TAC voting members to cities with populations over 7,000, that previously had no vote on the TAC. Those cities include Bastrop, Buda, Elgin, Hutto, Lakeway, and Lockhart.

FISCAL IMPACT AND SOURCE OF FUNDING:

Although staff time will be diverted once a month, there is no fiscal impact.

ATTACHMENTS/EXHIBITS:

Attachment A--Proposed List of TAC members and Alternates

REQUIRED AUTHORIZATIONS:

Cynthia McDonald	Financial Manager	TNR	854-4239
Steve Manilla	County Executive	TNR	854-9429
Carol Joseph	Assistant Director	TNR	854-9418
Randy Nicholson	Planning & GIS Mgr.	TNR	854-4603
Anna Bowlin	Development Services	TNR	854-7561

CC:

Teresa Calkins	Development Services	TNR	854-7569
David Greear	Traffic Safety Div. Mgr.	TNR	854-7650
Charlie Watts	Senior Planner	TNR	854-7654
Melissa Zone	Senior Planner	TNR	854-9435

: :

0101 - Administrative - 0505

Attachment A

Proposed List of TAC Members and Alternates

Regular members	Alternates
Steve Manilla, P.E.	**Public Works Dir. (TBD)**
Randy Nicholson, AICP	**Melissa Zone, AICP**
Charlie Watts, AICP	**David Greear, P.E.**
Anna Bowlin, AICP	**Teresa Calkins, P.E.**

Updated 12/1/11, 3:15 p.m.

Item 15

Travis County Commissioners Court Agenda Request

Meeting Date: December 6, 2011
Prepared By: Michael Hettenhausen **Phone #:** 854-7563
Division Director/Manager: Anna Bowlin, Division Director, Development Services

Department Head: Steven M. Manilla, P.E., County Executive-TNR
Sponsoring Court Member: Commissioner Huber, Precinct Three

AGENDA LANGUAGE: Consider and take appropriate action on the Revised Plat of Lots 38A and 40A, Block D of the Revised Plat of Lots 38 and 40 Block D Belvedere Phase One (Revised Plat - Two Lots - 2.538 acres - Carlton Ridge Cove) in Precinct Three.

BACKGROUND/SUMMARY OF REQUEST:

The property owners of lots 38A and 40A wish to revise the existing plat by moving the common lot line to create a larger lot for Lot 38A and a smaller lot for Lot 40A, both platted from Carlton Ridge Cove. There are no new public or private streets proposed with this revised plat. Parkland dedication or fees in lieu of dedication are not required with this revised plat.

STAFF RECOMMENDATIONS:

As this plat application meets all Travis County standards, Transportation and Natural Resources staff recommends approval of the revised plat.

ISSUES AND OPPORTUNITIES:

Per Texas Local Government Code Section 232.011, this revised plat will not require notice to property owners within Belvedere Phase One or a public hearing.

FISCAL IMPACT AND SOURCE OF FUNDING:

None.

ATTACHMENTS/EXHIBITS:

Precinct map
Location map
Existing final plat
Proposed final plat

REQUIRED AUTHORIZATIONS:

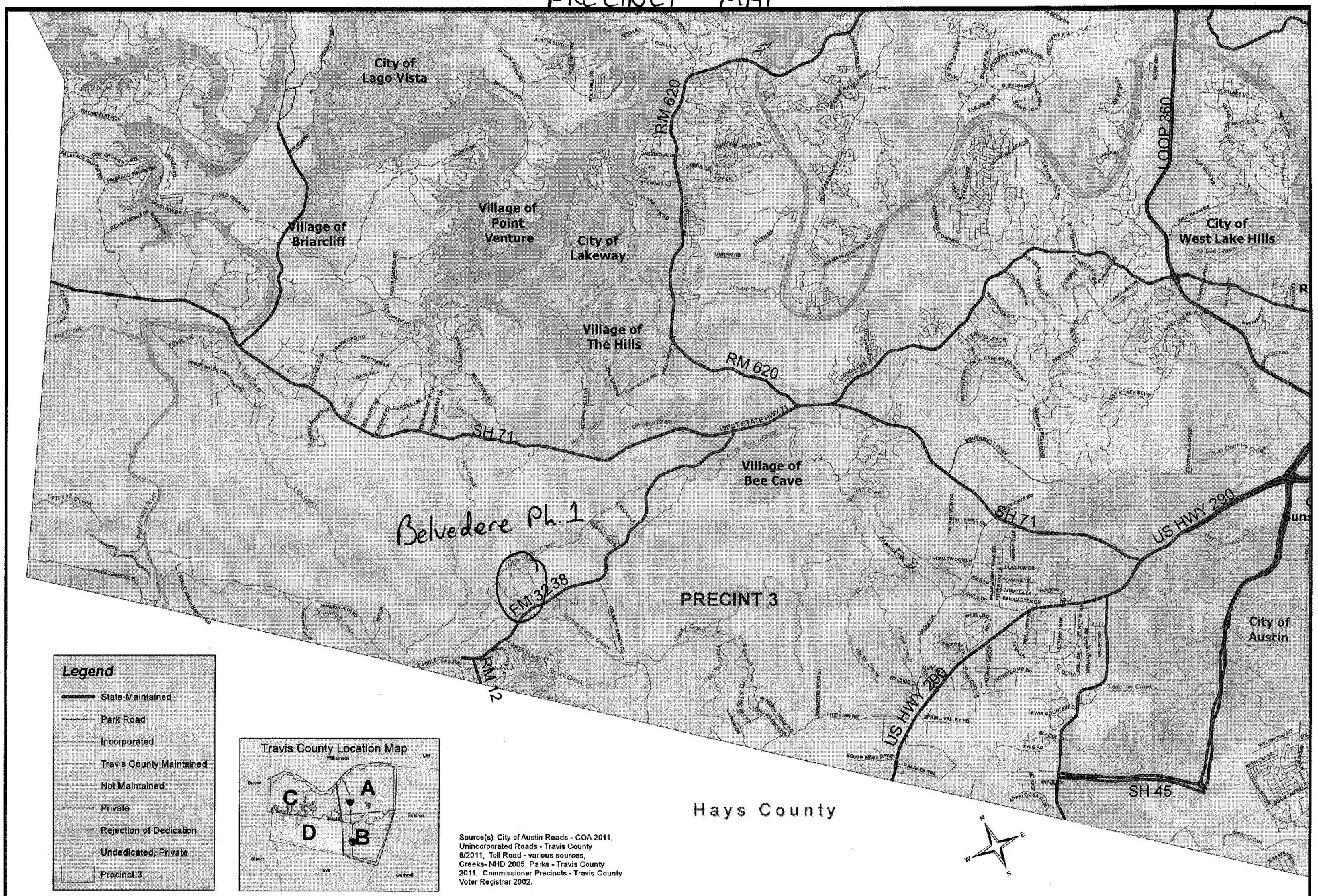
Cynthia McDonald	Financial Manager	TNR	854-4239
Steve Manilla	County Executive	TNR	854-9429

CC:

MH:AB:mh
1101 - Development Services -

Updated 12/1/11, 3:15 p.m.

PRECINCT MAP



Map Disclaimer: The data is provided "as is" with no warranties of any kind.

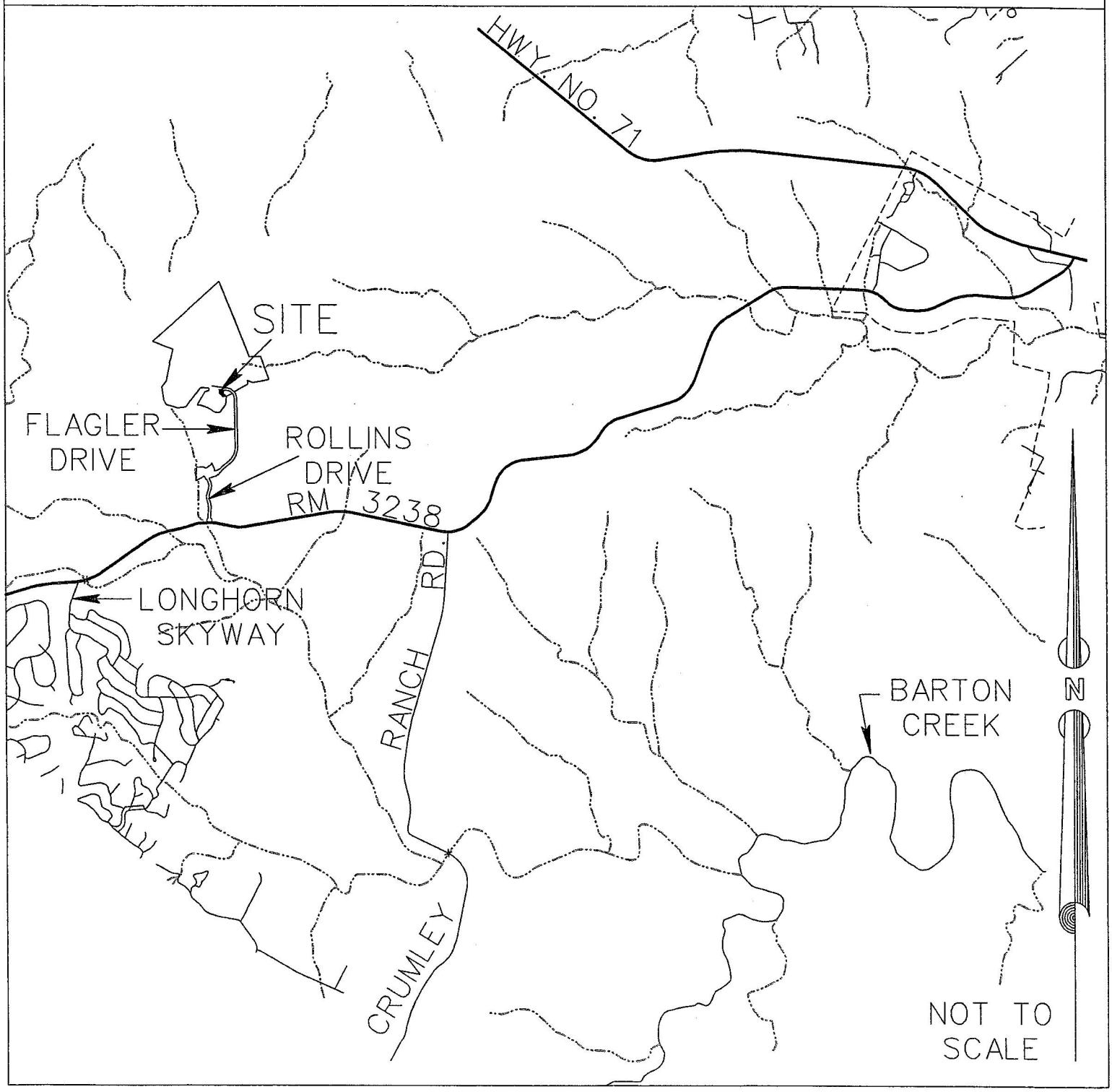
Travis County Roadways, Map D

0 1 Miles

Map Prepared by: Travis County, Dept. of Transportation & Natural Resources. Date: 8/9/2011

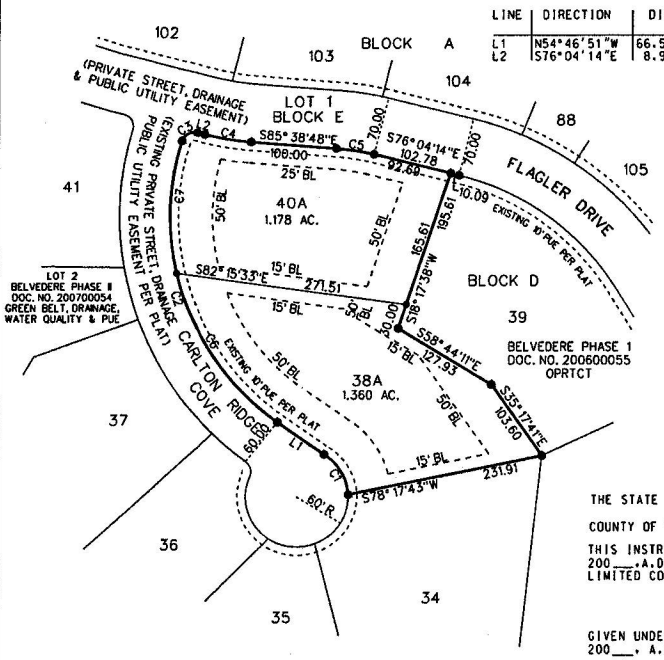
Updated 12/1/11, 3:15 p.m.

VICINITY MAP



Updated 12/1/11, 3:15 p.m.

EXISTING PLAT



LINE	DIRECTION	DISTANCE
L1	N54°46'51"W	66.56
L2	S76°04'14"E	8.93

LEGEND

- ● = 5/8" IRON ROD WITH PLASTIC CAP MARKED "RPLS 4532" FOUND
- ● = 5/8" IRON ROD WITH PLASTIC CAP MARKED "RPLS 4532" SET
- OPRTCT = OFFICIAL PUBLIC RECORDS TRAVIS COUNTY TEXAS
- BL = BUILDING SETBACK LINE
- PUE = PUBLIC UTILITY EASEMENT

N

0 50 100 200

CURVE	LENGTH	DELTA	RADIUS	DIRECTION	CHORD
C1	57.75	55°09'05"	60.00	N30°17'51"W	55.55
C2	378.60	72°18'24"	300.00	N18°41'58"W	353.97
C3	22.64	86°28'31"	15.00	N60°41'30"E	20.55
C4	55.99	09°34'34"	335.00	S80°51'31"E	55.92
C5	44.29	09°34'34"	265.00	S80°51'31"E	44.24
C6	218.00	41°38'03"	300.00	N34°02'08"W	213.23
C7	160.60	30°40'21"	300.00	N02°07'04"E	158.69

GENERAL NOTES:

1. NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A MUNICIPAL WATER DISTRIBUTION SYSTEM OR AN APPROVED ONSITE WATER WELL.
2. NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN APPROVED PUBLIC SEWER SYSTEM OR APPROVED PRIVATE SEWAGE DISPOSAL SYSTEM.
3. NO OBJECTS, INCLUDING, BUT NOT LIMITED TO BUILDINGS, FENCES, OR LANDSCAPING SHALL BE ALLOWED IN A DRAINAGE EASEMENT, EXCEPT AS APPROVED BY TRAVIS COUNTY.
4. PROPERTY OWNER OR HIS/HER ASSIGNS SHALL PROVIDE FOR ACCESS TO THE DRAINAGE EASEMENT AS MAY BE NECESSARY AND SHALL NOT PROHIBIT ACCESS BY TRAVIS COUNTY FOR INSPECTION OR MAINTENANCE OF SAID EASEMENT.
5. ALL DRAINAGE EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE OWNER OR HIS/HER ASSIGNS.
6. LOT 88, BLOCK A, IS DESIGNATED "COMMON AREA" AND IS OWNED AND MAINTAINED AS COMMON AREA BY THE HOMEOWNER'S ASSOCIATION, SEE DOCUMENT NUMBER 2006022952 TRAVIS COUNTY PROPERTY RECORDS.
7. TRAVIS COUNTY DEVELOPMENT PERMIT REQUIRED PRIOR TO ANY SITE DEVELOPMENT.
8. ALL STREETS & DRAINAGE FACILITIES WILL BE DESIGNED IN ACCORDANCE TO TRAVIS COUNTY CONSTRUCTION STANDARDS FOR STREET & DRAINAGE IN SUBDIVISIONS.
9. WATER SERVICE TO BE PROVIDED BY LOWER COLORADO RIVER AUTHORITY OR STATE APPROVED WATER SYSTEM.
10. WASTEWATER SERVICE TO BE PROVIDED BY INDIVIDUAL ON-SITE WASTEWATER DISPOSAL.
11. ELECTRIC SERVICE TO BE PROVIDED BY PEDERNALES ELECTRIC CO-OP.
12. TELEPHONE SERVICE TO BE PROVIDED BY SBC.
13. PROJECT IS LOCATED WITHIN TRAVIS COUNTY AND IS NOT LOCATED WITHIN ANY OTHER CITY'S EXTRA TERRITORIAL JURISDICTION (ETJ).
14. OVERALL IMPERVIOUS COVER WITHIN THIS BELVEDERE SUBDIVISION SHALL NOT EXCEED FIFTEEN PERCENT (15%). INDIVIDUAL PHASES WITHIN THE BELVEDERE SUBDIVISION MAY EXCEED FIFTEEN (15%) SO LONG AS OVERALL IMPERVIOUS COVER DOES NOT EXCEED FIFTEEN (15%).
15. ALL ROADWAYS SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
16. THE 0.85 ACRE PARKLAND REQUIREMENT WILL BE MET WITH A COMBINATION OF PARKLAND FEES AND 50 PERCENT CREDIT FOR THE PRIVATE GREENBELT AND AMENITY LOTS.
17. LOT 1, BLOCK "D" TO BE OWNED AND MAINTAINED BY THE HOME OWNERS ASSOCIATION.

EASEMENTS:

1. PRIVATE STREETS, DRAINAGE, PUBLIC UTILITY AND ACCESS EASEMENTS AS SHOWN PER DOC. NO. 200600055
2. THERE SHALL BE A 10 FOOT PUBLIC UTILITY EASEMENT ADJACENT TO ALL PRIVATE STREETS PER DOC. NO. 200600055

THE STATE OF TEXAS *
*
COUNTY OF TRAVIS *

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS THE___DAY OF_____, 200___, A.D. BY DOUG CONNOLLY, PRESIDENT OF DOUG CONNOLLY BUILDER, LTD. A TEXAS LIMITED COMPANY ON BEHALF OF SAID ENTITY.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE_____DAY OF _____, 200___, A.D.

NOTARY PUBLIC IN AND FOR STATE OF TEXAS

(PRINT OR TYPE NOTARY'S NAME)

STATE OF TEXAS *
* KNOW ALL MEN BY THESE PRESENTS
COUNTY OF TRAVIS *

THAT WE DOUG CONNOLLY BUILDER, LTD, ACTING HEREIN BY AND THROUGH DOUG CONNOLLY, ITS PRESIDENT, BEING THE OWNERS OF THAT CERTAIN 2.538 ACRES OF LAND SITUATED IN TRAVIS COUNTY, TEXAS BEING ALL OF LOT 38 AND LOT 40, BLOCK D, BELVEDERE PHASE 1, A SUBDIVISION OF TRAVIS COUNTY, TEXAS WHOSE PLAT IS RECORDED IN DOCUMENT NO. 200600055 OF THE OFFICIAL PUBLIC RECORDS OF SAID COUNTY, SAID LOT 38 HAVING BEEN CONVEYED TO US BY DEED RECORDED IN DOCUMENT NO. 2006189739 AND SAID LOT 40 HAVING BEEN CONVEYED TO US BY DEED RECORDED IN DOCUMENT NO. 2006246369 BOTH OF THE SAID OFFICIAL PUBLIC RECORDS, DO HEREBY AMEND SAID LOT 38 AND LOT 40, BLOCK D FOR THE SOLE PURPOSE OF RELOCATING THE COMMON LOT LINE PURSUANT TO CHAPTER 232.009 OF THE TEXAS LOCAL GOVERNMENT CODE, IN ACCORANCE WITH THE ATTACHED PLAT TO BE KNOWN AS "REVISED PLAT OF LOTS 38 AND 40, BLOCK D, BELVEDERE PHASE 1", AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE EASEMENTS AS SHOWN HEREON UNLESS OTHERWISE INDICATED AND DO HEREBY DEDICATE TO THE OWNERS OF THE LOTS IN THE SUBDIVISION THE PRIVATE STREETS SHOWN HEREON, SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED. THE MAINTENANCE AND PAYMENT OF REAL PROPERTY TAXES ON SUCH PRIVATE STREETS (ROLLINS DRIVE, FLAGLER DRIVE, LYNCHBURG DRIVE, CARLTON RIDGE COVE, MAGNOLIA RIDGE COVE AND GLENVILLE COVE) ARE THE RESPONSIBILITY OF THE OWNERS OF THE SUBDIVISION OR ANY DULY CONSTITUTED HOMEOWNERS ASSOCIATION UNDER THAT CERTAIN INSTRUMENT OF RECORD AT DOCUMENT NUMBER 2006022950, OF THE SAID OFFICIAL PUBLIC RECORDS. AN EXPRESS EASEMENT IS HEREBY GRANTED ACROSS SAID PRIVATE STREETS AND ANY COMMON AREAS FOR THE USE OF THE SURFACE FOR ALL GOVERNMENTAL FUNCTIONS, VEHICULAR AND NON-VEHICULAR, INCLUDING FIRE AND POLICE PROTECTION, SOLID AND OTHER WASTE MATERIAL PICKUP, AND ANY OTHER PURPOSE ANY GOVERNMENTAL AUTHORITY DEEMS NECESSARY; AND OWNER FURTHER AGREES THAT ALL GOVERNMENTAL ENTITIES, THEIR AGENTS OR EMPLOYEES, SHALL NOT BE RESPONSIBLE OR LIABLE FOR ANY DAMAGE OCCURRING TO THE SURFACE OF THE SAID PRIVATE STREET AND ANY COMMON AREA AS A RESULT OF ANY SUCH USE BY GOVERNMENTAL VEHICLES.

IN WITNESS WHEREOF, DOUG CONNOLLY BUILDER, LTD. HAS CAUSED THESE PRESENTS TO BE EXECUTED BY THEIR PRESIDENT, DOUG CONNOLLY THIS THE ____DAY OF_____, 200__, A.D.

DOUG CONNOLLY BUILDER, LTD.
A TEXAS LIMITED COMPANY

BY:

DOUG CONNOLLY, PRESIDENT
8025 CARLTON RIDGE COVE
AUSTIN, TEXAS 78738

"NO PORTION OF THIS TRACT IS WITHIN THE DESIGNATED FLOOD HAZARD AREA AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) #48453C0395H, TRAVIS COUNTY, TEXAS, DATED SEPTEMBER 26, 2008."

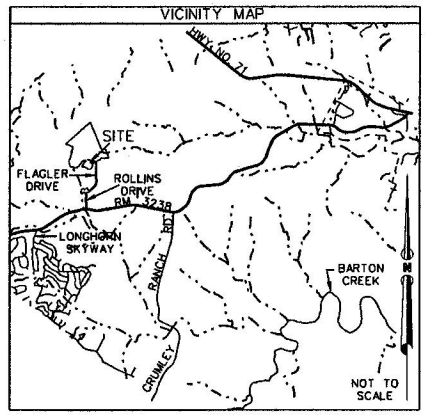
I, WILLIAM H. RAMSEY, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING, AND HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH THE SURVEYING RELATED PORTIONS OF THE AUSTIN CITY CODE OF 1999, AS AMENDED, IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

WILLIAM H. RAMSEY — DATE
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4532
RAMSEY LAND SURVEYING, LLC.
8718 SOUTHWEST PARKWAY
P.O. BOX 92768
AUSTIN, TEXAS 78709-2768
PHONE : (512) 301-9398 FAX : (512) 301-9395

LOT TABLE

LOT NO.	ACREAGE
38A	1.360 AC.
40A	1.178 AC.
TOTAL LOTS 2	TOTAL AREA 2.538 AC.

VICINITY MAP



NO	REVISIONS	DRN	CHK	DATE

RAMSEY LAND SURVEYING, L.L.C.
8718 SOUTHWEST PARKWAY
P.O. BOX 92768
AUSTIN, TEXAS 78709-2768
PHONE (512) 301-9398
FAX (512) 301-9395
bramseyrlsurveying.com

REVISED PLAT OF LOTS 38 AND 40, BLOCK D, BELVEDERE, PHASE 1

DRAWN BY	CAR
CHECKED	/BR
DATE	07-30-08
PROJECT NO	1102-04
DRAWING NO	1102.01
SHEET NO.	1 OF 2
FILENAME	1102/38&40FPA.DGN

COMMISSIONERS' COURT RESOLUTION:

IN APPROVING THIS PLAT, THE COMMISSIONERS COURT OF TRAVIS COUNTY, TEXAS, ASSUMES NO OBLIGATION TO BUILD THE STREETS, ROADS, AND OTHER PUBLIC THOROUGHFARES SHOWN ON THIS PLAT OR ANY BRIDGES OR CULVERTS IN CONNECTION THEREWITH. THE BUILDING OF ALL STREETS, ROADS, OR OTHER PUBLIC THOROUGHFARES OR IN CONNECTION THEREWITH, IS THE RESPONSIBILITY OF THE OWNER(S) AND/OR DEVELOPER OF THE TRACT OF LAND COVERED BY THIS PLAT IN ACCORDANCE WITH PLANS AND SPECIFICATIONS PRESCRIBED BY THE COMMISSIONERS COURT OF TRAVIS COUNTY, TEXAS.

THE OWNER(S) OF THE SUBDIVISION SHALL CONSTRUCT THE SUBDIVISION'S STREET AND DRAINAGE IMPROVEMENTS (THE "IMPROVEMENTS") TO THE COUNTY STANDARDS IN ORDER FOR THE COUNTY TO ACCEPT THE PUBLIC IMPROVEMENTS FOR MAINTENANCE OR TO RELEASE FISCAL SECURITY POSTED TO SECURE PRIVATE IMPROVEMENTS. TO SECURE THIS OBLIGATION THE OWNER(S) MUST POST FISCAL SECURITY WITH THE COUNTY IN THE AMOUNT OF THE ESTIMATED COST OF THE IMPROVEMENTS. THE FISCAL SECURITY TO SECURE SUCH CONSTRUCTION IS A CONTINUING OBLIGATION BINDING ON THE OWNER(S) AND THEIR SUCCESSORS AND ASSIGNS UNTIL THE PUBLIC IMPROVEMENTS HAVE BEEN ACCEPTED FOR MAINTENANCE BY THE COUNTY, OR THE PRIVATE IMPROVEMENTS HAVE BEEN CONSTRUCTED AND ARE PERFORMING TO COUNTY STANDARDS.

THE AUTHORIZATION OF THIS PLAT BY THE COMMISSIONERS COURT FOR FILING OR THE SUBSEQUENT ACCEPTANCE FOR MAINTENANCE BY TRAVIS COUNTY, TEXAS, OF ROADS AND STREETS IN THE SUBDIVISION DOES NOT OBLIGATE THE COUNTY TO INSTALL STREET NAME SIGNS OR ERECT TRAFFIC CONTROL SIGNS, SUCH AS SPEED LIMIT, STOP SIGNS, YIELD SIGNS, WHICH IS CONSIDERED TO BE A PART OF THE DEVELOPER'S RESPONSIBILITY.

BENCHMARK:

NO. 730-01, 80d NAIL 466' SOUTHEAST OF THE SOUTHWEST CORNER OF LOT 1, BLOCK D AND 114 FEET WEST OF THE WEST R.O.W. LINE OF ROLLINS DRIVE, ELEVATION = 1117.92.

NO. 730-02, 1/2 INCH IRON ROD WITH PLASTIC CAP MARKED "J. E. GERON RPLS 4300" 150 FEET SOUTH OF THE NORTH CORNER OF LOT 78, BLOCK A, ELEVATION = 1242.57

TRAVIS COUNTY ON-SITE WASTEWATER PROGRAM PLAT NOTES FOR SUBDIVISIONS UTILIZING ON-SITE WASTEWATER SYSTEMS

1. NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A PUBLIC SEWER SYSTEM OR A PRIVATE ON-SITE SEWAGE DISPOSAL SYSTEM WHICH HAS BEEN APPROVED AND LICENSED FOR OPERATION BY THE TRAVIS COUNTY ON-SITE WASTEWATER PROGRAM.
2. NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A POTABLE WATER SUPPLY FROM AN APPROVED PUBLIC WATER SYSTEM.
3. NO ON-SITE SEWAGE DISPOSAL SYSTEM MAY BE INSTALLED WITHIN 100 FEET OF A PRIVATE WATER WELL NOR MAY AN ON-SITE WASTEWATER DISPOSAL SYSTEM BE INSTALLED WITHIN 150 FEET OF A PUBLIC WATER WELL.
4. NO CONSTRUCTION MAY BEGIN ON ANY LOT IN THIS SUBDIVISION UNTIL PLANS FOR THE PRIVATE ON-SITE SEWAGE DISPOSAL SYSTEM ARE SUBMITTED TO AND APPROVED BY THE TRAVIS COUNTY ON-SITE WASTEWATER PROGRAM.
5. ALL DEVELOPMENT ON ALL LOTS IN THIS SUBDIVISION MUST BE IN ACCORDANCE WITH THE MINIMUM REQUIREMENTS OF TEXAS ADMINISTRATIVE CODE CHAPTER 285 AND TRAVIS COUNTY CODE CHAPTER 48.
6. LOTS IN THIS SUBDIVISION ARE LIMITED TO ONE SINGLE-FAMILY RESIDENCE AND APPURTENANT STRUCTURES.
7. THESE RESTRICTIONS ARE ENFORCEABLE BY THE TRAVIS COUNTY ON-SITE WASTEWATER PROGRAM AND/OR LOT OWNERS WITHIN THE SUBDIVISION.

_____ _____

STACEY SCHEFFEL, D.R.
PROGRAM MANAGER
ON SITE WASTE WATER PROGRAM
TRAVIS COUNTY-TNR

DATE

ETJ NOTE:

NO PORTION OF THIS TRACT IS WITHIN THE CITY OF AUSTIN OR THE ETJ OF THE CITY OF AUSTIN.

_____

VICTORIA LI, P.E., DIRECTOR
WATERSHED PROTECTION & DEVELOPMENT REVIEW DEPARTMENT

STATE OF TEXAS
COUNTY OF TRAVIS

I, DANA DEBEAUVOIR, CLERK OF TRAVIS COUNTY, TEXAS DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF _____, 200_, A.D., AT _____ O'CLOCK __M., DULY RECORDED ON THE _____ DAY OF _____, 200_, A.D., AT _____ O'CLOCK __M. OF SAID COUNTY AND STATE, IN DOCUMENT NUMBER_____, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK, THIS _____ DAY OF _____, 200_, A.D.

DANA DEBEAUVOIR, COUNTY CLERK,
TRAVIS COUNTY, TEXAS

_____
DEPUTY

STATE OF TEXAS:
COUNTY OF TRAVIS:

I, DANA DEBEAUVOIR, CLERK OF THE COUNTY COURT, OF TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT ON THE _____ DAY OF _____, 200_, A.D., THE COMMISSIONERS' COURT OF TRAVIS COUNTY, TEXAS, PASSED AN ORDER AUTHORIZING THE FILING FOR RECORD OF THIS PLAT, AND THAT SAID ORDER WAS DULY ENTERED IN THE MINUTES OF SAID COURT.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY COURT OF SAID COUNTY, THE _____ DAY OF _____, 200_, A.D.

DANA DEBEAUVOIR, COUNTY CLERK, TRAVIS COUNTY, TEXAS

_____
DEPUTY

NO	REVISIONS	DRN	CHK	DATE

RAMSEY LAND SURVEYING, L.L.C.
8718 SOUTHWEST PARKWAY
P.O. BOX 92768
AUSTIN, TEXAS 78709-2768
PHONE (512) 301-9398
FAX (512) 301-9395
bramseyer1surveying.com

REVISED PLAT OF LOTS 38 AND 40, BLOCK D, BELVEDERE, PHASE 1

DRAWN BY	CAR
CHECKED	/BR
DATE	07-30-08
PROJECT NO	1102-04
DRAWING NO	1102.01
SHEET NO.	2 OF 2
FILENAME	1102/38&40AFP.DGN

Updated 12/1/11, 3:15 p.m.

PROPOSED PLAT

REVISED PLAT OF LOTS 38A AND 40A, BLOCK D OF THE REVISED PLAT OF LOTS 38 AND 40, BLOCK D, BELVEDERE, PHASE 1

TRAVIS COUNTY CONSUMER PROTECTION NOTICE FOR HOMEBUYERS

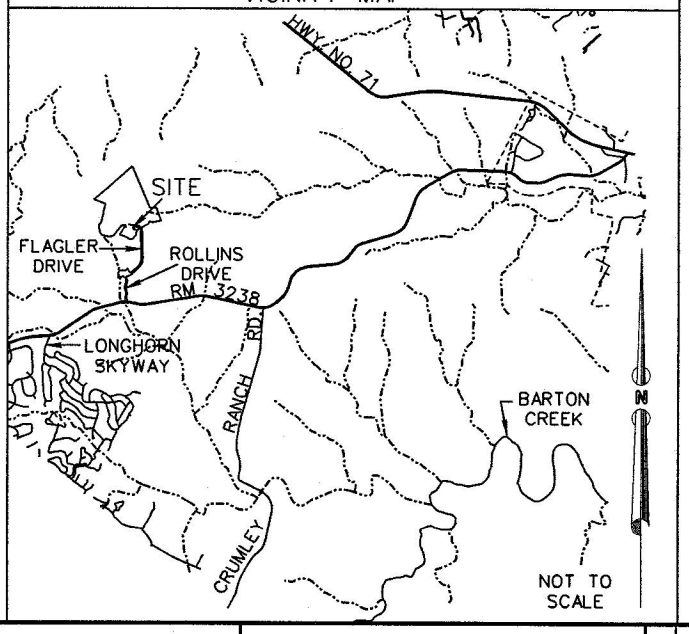
IF YOU ARE BUYING A LOT OR HOME, YOU SHOULD DETERMINE WHETHER IT IS INSIDE OR OUTSIDE THE CITY LIMITS.

DEPENDING ON STATE LAW AND OTHER FACTORS, LAND OUTSIDE THE CITY LIMITS MAY BE SUBJECT TO FEWER LOCAL GOVERNMENT CONTROLS OVER THE DEVELOPMENT AND USE OF LAND THAN INSIDE THE CITY LIMITS.

BECAUSE OF THIS, LOCAL GOVERNMENT MAY NOT BE ABLE TO RESTRICT THE NATURE OR EXTENT OF DEVELOPMENT NEAR THE LOT OR HOME NOR PROHIBIT NEARBY LAND USES THAT ARE INCOMPATIBLE WITH A RESIDENTIAL NEIGHBORHOOD.

THIS CAN AFFECT THE VALUE OF YOUR PROPERTY.
TRAVIS COUNTY REQUIRES THIS NOTICE TO BE PLACED ON SUBDIVISION PLATS. IT IS NOT A STATEMENT OR REPRESENTATION OF THE OWNER OF THE PROPERTY, THE SUBDIVIDER, OR THEIR REPRESENTATIVES.

VICINITY MAP



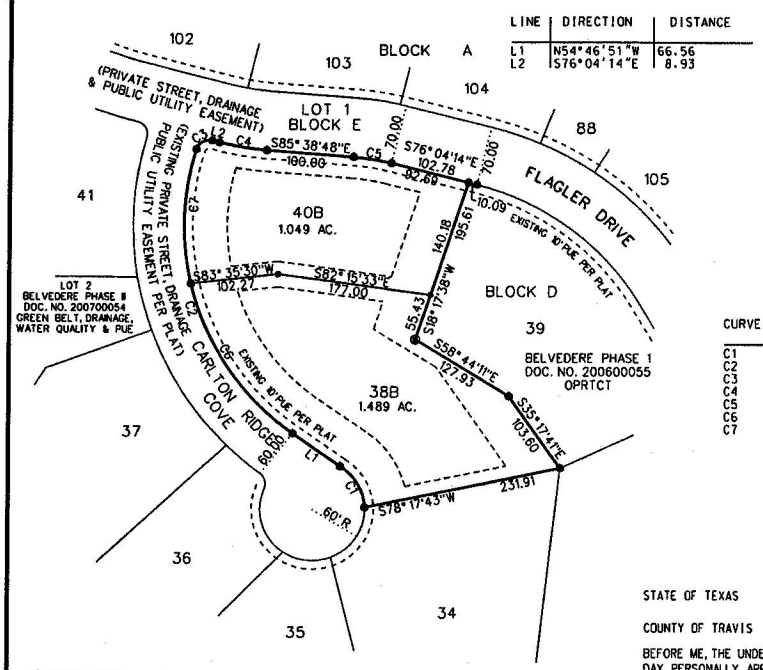
DRAWN BY	CAR
CHECKED	/BR
DATE	05-04-11
PROJECT NO	1276-04
DRAWING NO	1276.01
SHEET NO.	1 OF 3
FILENAME	1276/38&40APlat.DGN

REVISED PLAT OF
LOTS 38A AND 40A, BLOCK D
OF THE REVISED PLAT OF
LOTS 38 AND 40, BLOCK D,
BELVEDERE, PHASE 1

RAMSEY LAND SURVEYING, L.L.C.
8718 SOUTHWEST PARKWAY
P.O. BOX 92768
AUSTIN, TEXAS 78709-2768
PHONE (512) 301-9398
FAX (512) 301-9395
bramsey@rlsurveying.com

NO	REVISIONS	DRN	CHK	DATE

Updated 12/1/11, 3:15 p.m.



LINE	DIRECTION	DISTANCE
L1	N54°46'51"W	66.56
L2	S76°04'14"E	8.93

LEGEND

- ● = 5/8" IRON ROD WITH PLASTIC CAP MARKED "RPLS 4532" FOUND
- ◉ = COTTON GIN SPINDLE FOUND
- • = 5/8" IRON ROD WITH PLASTIC CAP MARKED "RPLS 4532" SET
- OPRTCT = OFFICIAL PUBLIC RECORDS TRAVIS COUNTY TEXAS
- BL = BUILDING SETBACK LINE
- PUE = PUBLIC UTILITY EASEMENT

N

0 50 100 200

CURVE	LENGTH	DELTA	RADIUS	DIRECTION	CHORD
C1	57.75	55°09'05"	60.00	N30°17'51"W	55.55
C2	378.60	72°18'24"	300.00	N18°41'58"W	353.97
C3	22.64	86°28'31"	15.00	N60°41'30"E	20.55
C4	55.99	09°34'34"	335.00	S80°51'31"E	55.92
C5	44.29	09°34'34"	265.00	S80°51'31"E	44.24
C6	218.00	41°38'03"	300.00	N34°02'08"W	213.23
C7	160.60	30°40'21"	300.00	N02°07'04"E	158.69

GENERAL NOTES:

1. NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A MUNICIPAL WATER DISTRIBUTION SYSTEM OR AN APPROVED ONSITE WATER WELL.
2. NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN APPROVED PUBLIC SEWER SYSTEM OR APPROVED PRIVATE SEWAGE DISPOSAL SYSTEM.
3. NO OBJECTS, INCLUDING, BUT NOT LIMITED TO BUILDINGS, FENCES, OR LANDSCAPING SHALL BE ALLOWED IN A DRAINAGE EASEMENT, EXCEPT AS APPROVED BY TRAVIS COUNTY.
4. PROPERTY OWNER OR HIS/HER ASSIGNS SHALL PROVIDE FOR ACCESS TO THE DRAINAGE EASEMENT AS MAY BE NECESSARY AND SHALL NOT PROHIBIT ACCESS BY TRAVIS COUNTY FOR INSPECTION OR MAINTENANCE OF SAID EASEMENT.
5. ALL DRAINAGE EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE OWNER OR HIS/HER ASSIGNS.
6. LOT 88, BLOCK A, IS DESIGNATED "COMMON AREA" AND IS OWNED AND MAINTAINED AS COMMON AREA BY THE HOMEOWNER'S ASSOCIATION, SEE DOCUMENT NUMBER 2006022950 TRAVIS COUNTY PROPERTY RECORDS.
7. TRAVIS COUNTY DEVELOPMENT PERMIT REQUIRED PRIOR TO ANY SITE DEVELOPMENT.
8. ALL STREETS & DRAINAGE FACILITIES WILL BE DESIGNED IN ACCORDANCE TO TRAVIS COUNTY CONSTRUCTION STANDARDS FOR STREET & DRAINAGE IN SUBDIVISIONS,
9. WATER SERVICE TO BE PROVIDED BY LOWER COLORADO RIVER AUTHORITY OR STATE APPROVED WATER SYSTEM.
10. WASTEWATER SERVICE TO BE PROVIDED BY INDIVIDUAL ON-SITE WASTEWATER DISPOSAL.
11. ELECTRIC SERVICE TO BE PROVIDED BY PEDERNALES ELECTRIC CO-OP.
12. TELEPHONE SERVICE TO BE PROVIDED BY SBC.
13. PROJECT IS LOCATED WITHIN TRAVIS COUNTY AND IS NOT LOCATED WITHIN ANY OTHER CITY'S EXTRA TERRITORIAL JURISDICTION (ETJ).
14. OVERALL IMPERVIOUS COVER WITHIN THIS BELVEDERE SUBDIVISION SHALL NOT EXCEED FIFTEEN PERCENT (15%). INDIVIDUAL PHASES WITHIN THE BELVEDERE SUBDIVISION MAY EXCEED FIFTEEN (15%) SO LONG AS OVERALL IMPERVIOUS COVER DOES NOT EXCEED FIFTEEN (15%).
15. ALL ROADWAYS ARE PRIVATE AND SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
16. THE 0.85 ACRE PARKLAND REQUIREMENT WILL BE MET WITH A COMBINATION OF PARKLAND FEES AND 50 PERCENT CREDIT FOR THE PRIVATE GREENBELT AND AMENITY LOTS.
17. LOT 1, BLOCK "D" TO BE OWNED AND MAINTAINED BY THE HOME OWNERS ASSOCIATION.

EASEMENTS:

1. PRIVATE STREETS, DRAINAGE, PUBLIC UTILITY AND ACCESS EASEMENTS AS SHOWN PER DOC. NO. 200600055
2. THERE SHALL BE A 10 FOOT PUBLIC UTILITY EASEMENT ADJACENT TO ALL PRIVATE STREETS PER DOC. NO. 200600055

LOT TABLE

LOT NO.	ACREAGE
38B	1.489 AC.
40B	1.049 AC.
TOTAL LOTS 2 TOTAL AREA	2.538 AC.

STATE OF TEXAS *
* KNOW ALL MEN BY THESE PRESENTS
COUNTY OF TRAVIS *

THAT WE RUSSELL S. GARRICK AND LAURA B. GARRICK BEING THE OWNERS OF THAT CERTAIN 2.538 ACRES OF LAND SITUATED IN TRAVIS COUNTY, TEXAS BEING ALL OF LOT 38A AND LOT 40A, BLOCK D, REVISED PLAT OF LOTS 38 AND 40, BLOCK D, BELVEDERE PHASE 1, A SUBDIVISION OF TRAVIS COUNTY, TEXAS WHOSE PLAT IS RECORDED IN DOCUMENT NO. 200900085 OF THE OFFICIAL PUBLIC RECORDS OF SAID COUNTY, SAID LOT 38A HAVING BEEN CONVEYED TO US BY DEED RECORDED IN DOCUMENT NO. 2011058355 AND SAID LOT 40A HAVING BEEN CONVEYED TO US BY DEED RECORDED IN DOCUMENT NO. 2011058213 BOTH OF THE SAID OFFICIAL PUBLIC RECORDS, DO HEREBY AMEND SAID LOT 38A AND LOT 40A, BLOCK D FOR THE SOLE PURPOSE OF RELOCATING THE COMMON LOT LINE PURSUANT TO CHAPTER 232.011 OF THE TEXAS LOCAL GOVERNMENT CODE, IN ACCORANCE WITH THE ATTACHED PLAT TO BE KNOWN AS "REVISED PLAT OF LOTS 38A AND 40A, BLOCK D OF THE REVISED PLAT OF LOTS 38 AND 40, BLOCK D, BELVEDERE PHASE 1" AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE EASEMENTS AS SHOWN HEREON UNLESS OTHERWISE INDICATED AND DO HEREBY DEDICATE TO THE OWNERS OF THE LOTS IN THE SUBDIVISION THE PRIVATE STREETS SHOWN HEREON, SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED. THE MAINTENANCE AND PAYMENT OF REAL PROPERTY TAXES ON SUCH PRIVATE STREETS (ROLLINS DRIVE, FLAGLER DRIVE, LYNCHBURG DRIVE, CARLTON RIDGE COVE, MAGNOLIA RIDGE COVE AND GLENVILLE COVE) ARE THE RESPONSIBILITY OF THE OWNERS OF THE SUBDIVISION OR ANY DULY CONSTITUTED HOMEOWNERS ASSOCIATION UNDER THAT CERTAIN INSTRUMENT OF RECORD AT DOCUMENT NUMBER 2006022950, OF THE SAID OFFICIAL PUBLIC RECORDS. AN EXPRESS EASEMENT IS HEREBY GRANTED ACROSS SAID PRIVATE STREETS AND ANY COMMON AREAS FOR THE USE OF THE SURFACE FOR ALL GOVERNMENTAL FUNCTIONS, VEHICULAR AND NON-VEHICULAR, INCLUDING FIRE AND POLICE PROTECTION, SOLID AND OTHER WASTE MATERIAL PICKUP, AND ANY OTHER PURPOSE ANY GOVERNMENTAL AUTHORITY DEEMS NECESSARY; AND OWNER FURTHER AGREES THAT ALL GOVERNMENTAL ENTITIES, THEIR AGENTS OR EMPLOYEES, SHALL NOT BE RESPONSIBLE OR LIABLE FOR ANY DAMAGE OCCURRING TO THE SURFACE OF THE SAID PRIVATE STREET AND ANY COMMON AREA AS A RESULT OF ANY SUCH USE BY GOVERNMENTAL VEHICLES.

IN WITNESS WHEREOF, RUSSELL S.GARRICK AND LAURA B. GARRICK HAVE CAUSED THESE PRESENTS TO BE EXCUTED THIS THE _____ DAY OF _____, 2011 A.D.

RUSSELL S. GARRICK
8025 CARLTON RIDGE COVE
AUSTIN, TX. 78738

LAURA B. GARRICK
8025 CARLTON RIDGE COVE
AUSTIN, TX. 78738

STATE OF TEXAS *
*
COUNTY OF TRAVIS *

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED RUSSEL S. GARRICK, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE _____ DAY OF _____, 2011.

NOTARY PUBLIC IN AND FOR STATE OF TEXAS

STATE OF TEXAS *
*
COUNTY OF TRAVIS *

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED LAURA B. GARRICK, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE _____ DAY OF _____, 2011.

NOTARY PUBLIC IN AND FOR STATE OF TEXAS

"NO PORTION OF THIS TRACT IS WITHIN THE DESIGNATED FLOOD HAZARD AREA AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) #48453C0395H, TRAVIS COUNTY, TEXAS, DATED SEPTEMBER 26, 2008."

SURVEYOR'S STATEMENT:

I, WILLIAM H. RAMSEY, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT, WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND, THAT ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED AS INDICATED HEREON.

DATE

WILLIAM H. RAMSEY
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4532
8718 SOUTHWEST PARKWAY
P.O. BOX 92768
AUSTIN, TEXAS 78709-2768
PHONE (512) 301-9398 FAX (512) 301-9395

NO	REVISIONS	DRN	CHK	DATE

RAMSEY LAND SURVEYING, L.L.C.
8718 SOUTHWEST PARKWAY
P.O. BOX 92768
AUSTIN, TEXAS 78709-2768
PHONE (512) 301-9398
FAX (512) 301-9395
bramseyerlsurveying.com

REVISED PLAT OF LOTS 38A AND 40A, BLOCK D OF THE REVISED PLAT OF LOTS 38 AND 40, BLOCK D, BELVEDERE, PHASE 1

DRAWN BY	CAR
CHECKED	/BR
DATE	05-04-11
PROJECT NO	1276-04
DRAWING NO	1276.01
SHEET NO.	2 OF 3
FILENAME	1276/38&40AFPII.DGN

COMMISSIONERS' COURT RESOLUTION:

IN APPROVING THIS PLAT, THE COMMISSIONERS COURT OF TRAVIS COUNTY, TEXAS, ASSUMES NO OBLIGATION TO BUILD THE STREETS, ROADS, AND OTHER PUBLIC THOROUGHFARES SHOWN ON THIS PLAT OR ANY BRIDGES OR CULVERTS IN CONNECTION THEREWITH. THE BUILDING OF ALL STREETS, ROADS, OR OTHER PUBLIC THOROUGHFARES OR IN CONNECTION THEREWITH, IS THE RESPONSIBILITY OF THE OWNER(S) AND/OR DEVELOPER OF THE TRACT OF LAND COVERED BY THIS PLAT IN ACCORDANCE WITH PLANS AND SPECIFICATIONS PRESCRIBED BY THE COMMISSIONERS COURT OF TRAVIS COUNTY, TEXAS.

THE OWNER(S) OF THE SUBDIVISION SHALL CONSTRUCT THE SUBDIVISION'S STREET AND DRAINAGE IMPROVEMENTS (THE "IMPROVEMENTS") TO THE COUNTY STANDARDS IN ORDER FOR THE COUNTY TO ACCEPT THE PUBLIC IMPROVEMENTS FOR MAINTENANCE OR TO RELEASE FISCAL SECURITY POSTED TO SECURE PRIVATE IMPROVEMENTS. TO SECURE THIS OBLIGATION THE OWNER(S) MUST POST FISCAL SECURITY WITH THE COUNTY IN THE AMOUNT OF THE ESTIMATED COST OF THE IMPROVEMENTS. THE FISCAL SECURITY TO SECURE SUCH CONSTRUCTION IS A CONTINUING OBLIGATION BINDING ON THE OWNER(S) AND THEIR SUCCESSORS AND ASSIGNS UNTIL THE PUBLIC IMPROVEMENTS HAVE BEEN ACCEPTED FOR MAINTENANCE BY THE COUNTY, OR THE PRIVATE IMPROVEMENTS HAVE BEEN CONSTRUCTED AND ARE PERFORMING TO COUNTY STANDARDS.

THE AUTHORIZATION OF THIS PLAT BY THE COMMISSIONERS COURT FOR FILING OR THE SUBSEQUENT ACCEPTANCE FOR MAINTENANCE BY TRAVIS COUNTY, TEXAS, OF ROADS AND STREETS IN THE SUBDIVISION DOES NOT OBLIGATE THE COUNTY TO INSTALL STREET NAME SIGNS OR ERECT TRAFFIC CONTROL SIGNS, SUCH AS SPEED LIMIT, STOP SIGNS, YIELD SIGNS, WHICH IS CONSIDERED TO BE A PART OF THE DEVELOPER'S RESPONSIBILITY.

BENCHMARK:

NO. 723-07, COTTON GIN SPINDLE IN 10" LIVE OAK +/-13' SOUTHWEST OF FRONT LOT CORNER LOTS 35 & 36, BLOCK D, BELVEDERE PHASE 1, IN LOT 36 AT CARLTON RIDGE COVE. ELEVATION = 1246.70

NO. 723-06, COTTON GIN SPINDLE IN 12" LIVE OAK (TAG NO.1260) +/-20' SOUTH OF R.O.W. FLAGLER DR AT PRC LOT 41D AND 10' WEST OF WEST R.O.W. CARLTON RIDGE COVE. ELEVATION = 1234.88

TRAVIS COUNTY ON-SITE WASTEWATER PROGRAM PLAT NOTES FOR SUBDIVISIONS UTILIZING ON-SITE WASTEWATER SYSTEMS

1. NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A PUBLIC SEWER SYSTEM OR A PRIVATE ON-SITE SEWAGE DISPOSAL SYSTEM WHICH HAS BEEN APPROVED AND LICENSED FOR OPERATION BY THE TRAVIS COUNTY ON-SITE WASTEWATER PROGRAM.
2. NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A POTABLE WATER SUPPLY FROM AN APPROVED PUBLIC WATER SYSTEM.
3. NO ON-SITE SEWAGE DISPOSAL SYSTEM MAY BE INSTALLED WITHIN 100 FEET OF A PRIVATE WATER WELL NOR MAY AN ON-SITE WASTEWATER DISPOSAL SYSTEM BE INSTALLED WITHIN 150 FEET OF A PUBLIC WATER WELL.
4. NO CONSTRUCTION MAY BEGIN ON ANY LOT IN THIS SUBDIVISION UNTIL PLANS FOR THE PRIVATE ON-SITE SEWAGE DISPOSAL SYSTEM ARE SUBMITTED TO AND APPROVED BY THE TRAVIS COUNTY ON-SITE WASTEWATER PROGRAM.
5. ALL DEVELOPMENT ON ALL LOTS IN THIS SUBDIVISION MUST BE IN ACCORDANCE WITH THE MINIMUM REQUIREMENTS OF TEXAS ADMINISTRATIVE CODE CHAPTER 285 AND TRAVIS COUNTY CODE CHAPTER 48.
6. LOTS IN THIS SUBDIVISION ARE LIMITED TO ONE SINGLE-FAMILY RESIDENCE AND APPURTENANT STRUCTURES.
7. THESE RESTRICTIONS ARE ENFORCEABLE BY THE TRAVIS COUNTY ON-SITE WASTEWATER PROGRAM AND/OR LOT OWNERS WITHIN THE SUBDIVISION.

_____ _____

STACEY SCHEFFEL, D.R. — DATE
PROGRAM MANAGER
ON SITE WASTE WATER PROGRAM
TRAVIS COUNTY-TNR

ETJ NOTE:

NO PORTION OF THIS TRACT IS WITHIN THE CITY OF AUSTIN OR THE ETJ OF THE CITY OF AUSTIN.

_____

GREGORY GUERNSEY, A.I.C.P., DIRECTOR
PLANNING & DEVELOPMENT REVIEW DEPARTMENT

STATE OF TEXAS
COUNTY OF TRAVIS

I, DANA DEBEAUVOIR, CLERK OF TRAVIS COUNTY, TEXAS DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF _____, 201_, A.D., AT _____ O'CLOCK _.M., DULY RECORDED ON THE _____ DAY OF _____, 201_, A.D., AT _____ O'CLOCK _.M. OF SAID COUNTY AND STATE, IN DOCUMENT NUMBER _____, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK, THIS _____ DAY OF _____, 201_, A.D.

DANA DEBEAUVOIR, COUNTY CLERK,
TRAVIS COUNTY, TEXAS

_____

DEPUTY

STATE OF TEXAS:
COUNTY OF TRAVIS:

I, DANA DEBEAUVOIR, CLERK OF THE COUNTY COURT, OF TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT ON THE _____ DAY OF _____, 201_, A.D., THE COMMISSIONERS' COURT OF TRAVIS COUNTY, TEXAS, PASSED AN ORDER AUTHORIZING THE FILING FOR RECORD OF THIS PLAT, AND THAT SAID ORDER WAS DULY ENTERED IN THE MINUTES OF SAID COURT.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY COURT OF SAID COUNTY, THE _____ DAY OF _____, 201_, A.D.

DANA DEBEAUVOIR, COUNTY CLERK, TRAVIS COUNTY, TEXAS

_____

DEPUTY

NO	REVISIONS	DRN	CHK	DATE

RAMSEY LAND SURVEYING, L.L.C.
8718 SOUTHWEST PARKWAY
P.O. BOX 92768
AUSTIN, TEXAS 78709-2768
PHONE (512) 301-9398
FAX (512) 301-9395
bramsey@rlsurveying.com

REVISED PLAT OF LOTS 38A AND 40A, BLOCK D OF THE REVISED PLAT OF LOTS 38 AND 40, BLOCK D, BELVEDERE, PHASE 1

DRAWN BY	CAR
CHECKED	/BR
DATE	05-04-11
PROJECT NO	1276-04
DRAWING NO	1276.01
SHEET NO.	3 OF 3
FILENAME	1276/38&40AFPIII.DGN

Item 17

Travis County Commissioners Court Agenda Request

Meeting Date: December 6, 2011

Prepared By/Phone Number: David A. Salazar 854-4107

Elected/Appointed Official/Dept. Head: Sherri E. Fleming, County Executive for Health and Human Services and Veterans Service

Commissioners Court Sponsor: Judge Samuel T. Biscoe

AGENDA LANGUAGE:
Consider and Take Appropriate Action on Request to Post Notice of Public Hearing to Receive Comments Regarding Proposed Amendments to Chapter 57 (Travis County Smoking Policy) of the Travis County Code.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:
Travis County Commissioners Court adopted the current Smoking Policy on October 21, 1986, to be effective January 1, 1987. In November of 2010, the Court approved the Interlocal with the City of Austin to receive funding through a grant from the Center for Disease Control to improve the health of government employees and the general public through cessation of the use of tobacco products. Even before implementation of the grant, the Travis County Wellness Clinic has provided tobacco cessation counseling and treatment and has, since, undergone a public information campaign to educate staff and the public about the hazardous nature of using tobacco products. The grant also suggests that the grantees consider the implementation of Tobacco Free Workplace policies. Posting a public hearing to receive comments will enable the Court to consider feedback from all segments of the County workforce and open the forum for feedback from Travis County residents as well, prior to making decisions on any proposed policy changes.

STAFF RECOMMENDATIONS:
Staff recommends approval of the request to post notice and the scheduling of a public hearing to receive comment from staff and the public regarding any proposed changes to the Chapter 57 of the Travis County Code (Travis County Smoking Policy).

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us **by Tuesdays at 5:00 p.m.** for the next week's meeting.

ISSUES AND OPPORTUNITIES:
On November 16, 2010, the Court approved an Interlocal Agreement to participate in a grant and receive funding through the City of Austin from the Centers for Disease Control and Prevention (CDC) under the U.S. Department of Health and Human Services via the American Recovery and Reinvestment Act of 2009, to help reduce tobacco use prevalence and exposure to secondhand tobacco smoke under the Communities Putting Prevention to Work (CPPW) initiative.

Travis County's Health and Human Service and Veterans' Service (HHS/VS) Department, in collaboration with the Travis County's Wellness Clinic, was charged with the implementation of the Communities Putting Prevention to Work (CPPW) initiative, whose objectives are to:

1) protect the well-being of Travis County employees, their families and the community by reducing tobacco use prevalence and exposure to second-hand smoke; and

2) explore the implementation of a Tobacco Free Workplace policy at all Travis County properties, and to provide resources for employees who want to stop using tobacco products.

The Interlocal with the City of Austin for funding of this initiative, in the amount of $200,000, is set to expire on February 29, 2012.

FISCAL IMPACT AND SOURCE OF FUNDING:
Approving this request will not increase the County Budget.

REQUIRED AUTHORIZATIONS:
Mary Etta Gerhardt

Travis County Commissioners Court Agenda Request

Meeting Date: December 6, 2011
Prepared By/Phone Number: Yolanda Reyes, (512)854-9106
Elected/Appointed Official/Dept. Head: Leroy Nellis, Acting County Executive, Planning and Budget
Commissioners Court Sponsor: Judge Sam Biscoe

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

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS: Please see attached documentation.

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:

Leroy Nellis – Planning and Budget Office, (512) 854-9106
Jessica Rio – Planning and Budget Office, (512) 854-9106
Cheryl Aker – County Judge's Office, (512) 854-9555

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us **by Tuesdays at 5:00 p.m.** for the next week's meeting.

BUDGET AMENDMENTS AND TRANSFERS
FY 2012

12/6/2011

AMENDMENTS

BA#	Project Code	FUND	DEPT/DIV	ACT	ELM/ OBI	Dept.	Line Item	Increase	Decrease	Pg #
A1	KCA001	517	1405	801	8112	Facilities	Land		$ 6,000,000	1
	BEFIT1	517	0615	801	8002	Auditor	Software	$ 6,000,000		

TRANSFERS

BA#	Project Code	FUND	DEPT/DIV	ACT	ELM/ OBI	Dept.	Line Item	Increase	Decrease	Pg #
T1		001	4220	587	0701	Pretrial Scvs	Reg.Salaries-Perm Empl		$ 9,101	4
		001	4220	587	0401	Pretrial Scvs	Reg.Sal-Apptd Offcl(CC)	$ 9,101		

OTHER

Approve parking stipends for five employees in Criminal Justice Planning Department who moved offices from Airport Blvd. to 700 Lavaca	7

PLANNING AND BUDGET OFFICE
TRAVIS COUNTY, TEXAS

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

MEMORANDUM

TO: Commissioners Court

FROM: Jessica Rio, Assistant Budget Director

DATE: November 29, 2011

SUBJECT: Budget Adjustment Related to New Financial System

The attached Budget Adjustment from Facilities Management to the Auditor's Office for $6,000,000 is related to the County's new financial system. The County issued $13,000,000 in FY 10 tax exempt CO's for the purchase of acquiring land in downtown Austin. However, land in downtown Austin was purchased in FY 11 with taxable CO's. These funds have been rebudgeted in Facilities Management since FY 10. The attached cash flow that PBO sent the County Auditor in January of 2011 and highlights that the BEFIT cash flow assumptions included a $6,000,000 transfer from the $13 million in Facilities Management.

Fund 517 not only has $13,000,000 in Facilities Management, but also $1,366,562 in its Allocated Reserve that can be used for other allowed capital purposes. PBO will be coming forward in the next week or two with "scrubs" recommendations once they have been reviewed by the County Attorney and the County Auditor's Office. In the meantime, PBO recommends this budget adjustment to allow the BEFIT project to continue as scheduled..

cc: Christina Adair (County Auditor's Office)
Roger El Khoury (Facilities Management)
John Hille (County Attorney's Office)
Steve Manilla (TNR)
Leroy Nellis (TNR)
Jose Palacios (County Auditor's Office)
Hannah York (County Auditor's Office)
Susan Spataro (County Auditor)
Mike Wichern (County Auditor's Office)

Funding Required	FY2010	FY2011	FY2012	FY2013	FY2014	Totals
Total (per Auditor's Worksheet)		$7,308,933	$9,204,829	$6,103,332	$1,684,431	$24,301,525
Total Needed (Cumulative)		$7,308,933	$16,513,762	$22,617,094	$24,301,525	

CO Issuance	FY2010	FY2011	FY2012	FY2013	FY2014	Totals
CO issued	$7,600,000	$4,100,000	$6,601,525	-	-	$18,301,525
Existing COs	$6,000,000*	-	-	-	-	$6,000,000
CO Available for project (cumulative)	$13,600,000	$17,700,000	$24,301,525			$24,301,525**

*6,000,000 – FY 10 COs related to property to be purchased with FY 11 COs. This change will need to be approved by Court.
** Please note that this table assumes issuance of remaining amount by 2012.

Table showing excess CO balance over cash flow schedule	FY2010	FY2011	FY2012	FY2013	FY2014	
Total CO balance per year (total CO available per year less total funding required per year)	$13,600,000	$10,391,067	$7,787,763	$1,684,431	$0	

2

Budget Adjustment: 30473

Fyr _ Budget Type: 2012-Bonds
Author: 14 - DRAPER, AMY
Created: 11/30/2011 11:49:42 AM
PBO Category:
Court Date: None
Dept: FACILITIES MANAGEMENT
Just: Other
Transfer funds from Facilities Management Dept's Central Austin Land Purchase project to Auditor's BEFIT project per PBO request

From Account	Acct Desc	Project	Proj Desc	Amount
517-1405-801-8112	LAND	KCA001	CENTRL AUST REAL EST PURC	6,000,000
				6,000,000

To Account		Project		Amount
517-0615-801-8002	SOFTWARE	BEFIT1	BEFIT FUNDING	6,000,000
				6,000,000

Approvals	Dept	Approved By	Date Approved
Originator	14	AMY DRAPER	11/30/2011 11:50:42 AM
DepOffice	14	AMY DRAPER	11/30/2011 11:50:45 AM

NOV. 30, 2011

12/1/11

3

PLANNING AND BUDGET OFFICE
TRAVIS COUNTY, TEXAS

700 Lavaca, Ste 1560
P.O. Box 1748
Austin, Texas 78767

November 29, 2011

To: Commissioners Court

From: Katie Petersen Gipson, Sr. Planning & Budget Analyst

Re: Percentage of Dr. Nagy's salary to be covered by Drug Court funding

The Drug Court program has recently moved from Criminal Courts Administration to Pretrial Services. A percentage of Dr. Geraldine Nagy's time will be spent overseeing this program. Due to the fact that state funding cannot cover her time working on a Travis County program, 5% of her salary will need to be covered by Drug Court funding. Three other administrators in CSCD may also need to have their salaries split-funded in a similar manner (this action would not require a funding transfer). PBO has confirmed the available funding and recommends approval of this transfer.

CC:
Dr. Geraldine Nagy, Travis County Adult Probation,
Rosie Ramon-Duran, Travis County Adult Probation,
Robert Klepac, Travis County Adult Probation,
Irma Guerrero, Pretrial Services,
Larry Spacek, Pretrial Services,
Leroy Nellis, PBO

ADULT PROBATION DEPARTMENT

of Travis County

Central Unit	North Unit	Mental Health Unit	South Unit	SMART
411 W. 13th Street, Suite 400 Austin, TX 78701	10409 Burnet Rd Austin, TX 78758	4920 IH 35 North Suite 110 Austin, TX 78751	4011 McKinney Falls Pkwy Suite 1300 Austin, TX 78744	3404 S FM 973 Del Valle, TX 78617
512-854-4600	512-854-9775	512-854-1800	512-854-CSCD (2723)	512-854-3150
512-854-4606 Fax	512-854-4533 Fax	512-854-4612 Fax	512-854-4612 Fax	512-247-5567 Fax

Mailing Address: PO Box 2245 Austin, Texas 78768-2245
www.co.travis.tx.us/AdultProbation
Voice Response System: 512-495-6563 or 1-800-451-3887

Dr. Geraldine Nagy, Director
Rosie Ramón-Durán, Assistant Director

Memorandum

To: Katie Petersen, Budget Analyst, PBO

From: Rosie Ramón-Durán, Assistant Director

Date: November 29, 2011

Subject: Drug Court

As you are aware the administration of the Drug Court Program was transferred from Court Administration to Pretrial Services effective November 1st. A small percentage (5% or $9,101) of Dr. Nagy's salary must be paid by the County for administration of this program. CJAD policy strictly prohibits the use of state funds for any expenses related to Pretrial supervision. A budget amendment form will need to be processed in order to transfer funds from 0701 to 0401. Funds used will come from Slot 138, a Judicial Aide position, which has been vacant since August 1, 2011. Our FY 12 budget has $42,709 allocated for this position. If you need additional information let me know.

Budget Adjustment: 30394

Fyr _ Budget Type: 2012-Reg	Author: 42 - SPACEK, LARRY	Created: 11/18/2011 1:09:33 PM
PBO Category: Transfer	Court Date: Tuesday, Dec 6 2011	Dept: PRETRIAL SERVICES
Just: Other	Transfer necessary to provide funding for a percentage of Adult Probation executive director's salary	

From Account	Acct Desc	Project	Proj Desc	Amount
001-4220-587-0701	REG SALARIES-PERMNT EMPL			9,101
				9,101

To Account		Project	Amount
001-4220-587-0401	REG SALARY-APPTD OFCL(CC)		9,101
			9,101

Approvals	Dept	Approved By	Date Approved
Originator	42	LARRY SPACEK	11/28/2011 3:54:18 PM
DepOffice	39	ROSIE RAMON-DURAN	11/28/2011 3:56:05 PM

Dwight Mellis 12/1/11

6

PLANNING AND BUDGET OFFICE
TRAVIS COUNTY, TEXAS

700 Lavaca, Ste 1560
P.O. Box 1748
Austin, Texas 78767

November 29, 2011

To: Commissioners Court

From: Katie Petersen Gipson, Sr. Planning & Budget Analyst

Re: Parking Stipends for Criminal Justice Planning employees

Criminal Justice Planning requests to give five of their employees parking stipends. These employees were previously located at Airport Blvd and have recently moved to 700 Lavaca. They do not yet have the seniority for a downtown parking space and were hired under the assumption of free parking at their workplace, and therefore their manager would like to compensate them for an unexpected expense. PBO as confirmed that the department has sufficient permanent salary savings to cover the $100 per month per employee request.

Some departments have offered their employees parking stipends since FY01 when each department was given the equivalent of 6% compensation increase to cover performance pay, reclassifications, internal equity and a variety of other compensation issues, including parking. Therefore, parking stipends have been offered to employees on an ad hoc basis in the last ten years.

PBO is requesting that this action be approved by Commissioners Court because at this time there is no standing County-wide policy on these stipends. Absent such a policy, PBO is supportive of this request for the CJP employees because 1.) there is sufficient permanent salary savings, 2.) other employees have received such stipends in the past, and 3.) these employees would receive a de facto pay cut because they would now be assuming an expense that was not part of their original compensation agreement when hired. However, please note that most downtown departments do not have the resources to offer stipends to all employees that do not have seniority for a parking place or able to join the 700 Lavaca garage zoned parking pilot. It is possible that other departments may come forward with similar requests.

CC: Roger Jefferies, County Executive for Justice & Public Safety
Cameron Cory, Criminal Justice Planning
Beth Blankenship, Auditor's Office
Leroy Nellis, PBO

JUSTICE & PUBLIC SAFETY DIVISION
Roger Jefferies, County Executive
P.O. Box 1748 Austin, Texas 78767
Phone (512) 854-4415 Fax (512) 854-4417

Criminal Justice Planning
Roger Jefferies
(512) 854-4415

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

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

Date: November 28, 2011

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

Via: Leroy Nellis, County Executive, PBO
Katie Petersen, Budget Analyst, PBO

From: Roger Jefferies, County Executive, JPS

SUBJECT: Parking Stipends for Certain CJP Staff

We are respectfully requesting a transfer of $7,207 from permanent salary savings in Criminal Justice Planning to cover parking stipends for 5 CJP staff.

CJP recently moved from the Airport Blvd. campus to 700 Lavaca. As per the policy set forth by the Parking Committee and the Commissioners Court, only those staff who had been with the county for four or more years are eligible to participate in the zone parking pilot at 700 Lavaca. The policy therefore excluded 5 CJP staff who have been with the county for less than 4 years.

While we acknowledge this is an extraordinary request, our reasoning is that these 5 employees accepted their positions at Airport Blvd., which has ample free parking, without contemplation in their terms of employment and compensation package that they would need to pay for parking at a later date because of a move in their workstation. We believe this is a fair way to handle this circumstance with these particular employees. As indicated above, CJP is able to fund this request internally.

The transfer would cover a stipend of $100 per month per employee until they became eligible for access to some type of county parking as determined by the Parking Committee and the Commissioners Court. No future CJP employees would be provided this stipend as they would be informed of the parking situation upon being offered a position.

Thank you for your consideration. We have attached the request to the Auditor's Office to establish the stipends upon your approval, and the response by the Parking Committee to our initial inquiry. Please contact me if you have any questions.

JUSTICE & PUBLIC SAFETY DIVISION

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

Criminal Justice Planning
Roger W. Jefferies
(512) 854-4415

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

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

MEMORANDUM

To: **Travis County Auditor's Office**

From: **Roger Jefferies, County Executive, JPS**

Date: **November 22, 2011**

Subject: **Park Stipend (Department 55/00)**

The Criminal Justice Planning Department (CJP) has recently moved to the 700 Lavaca. As a result of this move, several staff members have lost parking privileges. I would like to add a parking stipend to the pay of five employees with an effective date of 12/15/11. I am requesting to use salary savings to cover the cost of the stipend for a total of $100/per month. The total cost with benefits is $7207 per year.

Cory Cameron - 447413
Eric Calkins - 729403
Laurel Mollere - 477173
Anna Gruzinov - 599453
Patricia Bouressa - 21003

If you have any questions, you can contact me at 854-4415.

Roger Jefferies

From: Sydnia Crosbie <Sydnia.Crosbie@co.travis.tx.us>
Sent: Monday, November 07, 2011 12:13 PM
To: ROGER EL-KHOURY; Roger Harner; Steven Manilla; Roger Jefferies
Cc: Kristy Vargas
Subject: Re: Parking at 700 Lavaca
Attachments: Commuting OPTIONS.doc

Roger,
You are correct in your understanding of the parking policy. At the downtown campus, parking is assigned by hire date. This still applies when an employee is transferred from a campus where parking was readily available to the downtown campus where it is scarce. Occasionally, this does occur now when an employee is transferred with the Courts or the Sheriffs office. Zoned parking at 700 Lavaca has allowed us to offer parking to about 200 more employees than would otherwise have parking, but they were selected solely based on hire date.

Attached is some information we share with new employees who work downtown. Roger Harner may have a more updated version. You may also want to explore instituting a parking stipend like the Auditor's Office does.

Kind Regards,
Sydnia

Sydnia Crosbie
Lead Financial Analyst
Travis County TNR
(512) 854-7682
>>> Roger Jefferies <Roger.Jefferies@co.travis.tx.us> 11/7/2011 9:48 AM >>>
Hey folks:

Criminal Justice Planning will be moving to 700 Lavaca on the 18th of November. We were recently informed that CJP staff who have been employed for under 4 years will not be allowed access to the zone parking in the garage. Seven staffers are affected. This will create a significant financial hardship for them as they are the lower paid staff members, and up until this move, had access to free county parking at the Airport Blvd. campus.

Before I pursue other solutions, I wanted to clarify that the current zone parking policy would exclude them. And ask if your zone parking policy contemplated situations like ours where staff had access to parking when they accepted their positions and are now being excluded from parking because they are being moved.

I realize this is a difficult issue that you are managing and appreciate the decisions you must make. But I think we might be a "first" in that our staff had access to parking and now that benefit is being taken away because of the move.

Thanks for your consideration.

Roger Jefferies
44759

11

Updated 12/1/11, 3:15 p.m.

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

Amount	Dept Transferred Into	Date	Explanation
$15,196,426			Beginning Balance
($354,050)	County Clerk	10/13/2011	Voting Equip. for other entities elections
($3,559)	Comm. Pct. 4	10/18/11	ACC Internship Program
($3,559)	Records Mngt.	10/18/11	ACC Internship Program
($650)	Comm. Pct. 3	10/18/11	Office Supplies
($1,500)	Constable Pct. 1	10/25/2011	Bilingual Pay
$37,432	Various	10/26/2011	Cancelled Purchase Orders
($41,044)	JP Pct. 1	10/26/2011	Special Project Temp. Employee
($41,044)	JP Pct. 1	10/26/11	Special Project Temp. Employee
$24,673	Various	11/7/11	Cancelled Purchase Orders
($57,415)	Purchasing	11/8/2011	Temp. Empl-Transition to new accting sys.
($5,000)	General Admin.	11/22/2011	Redistricting Services
($299,500)	TNR	11/22/11	Purchase 244 Acres-Wilbarger Crk
($1,248,996)	ITS	11/22/11	BEFIT Hardware and Software
$13,202,214	**Current Balance**		

Possible Future Expenses Against Allocated Reserve Previously Identified:

Amount	Explanation
($750,000)	TNR - Landfill
($300,000)	Criminal Courts - Possible Capital Cases
($208,000)	RMCR - Offsite Storage
($200,000)	HRMD - Revised Tuition Reimbursement Policy
($175,000)	PBO - Bank Depository Contract
($149,135)	County Clerk - Redistricting effects on Elections
($100,000)	RMCR - Postage
($55,208)	TNR - TXI Environmental Monitoring
($18,767)	HRMD - ACC Internship Program
($20,000)	Emergency Services - HazMat Reserve
($347,012)	Criminal Courts - Drug Court, Veterans Court Grants
($193,169)	Civil Courts - Family Drug Court Grant
($45,000)	HHS&VS - Coordinator Position - SafeHaven/SafePlace
($137,421)	TNR - Northeast Metro Park - Phase III
($12,500)	TNR - Ozone Monitoring at McKinney Roughs
($294,139)	TCSO - 700 Lavaca Security
($5,941,788)	Compensation
($8,947,139)	**Total Possible Future Expenses (Earmarks)**

$4,255,075 Remaining Allocated Reserve Balance After Possible Future Expenditures

12

Updated 12/1/11, 3:15 p.m.

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

Amount	Dept Transferred Into	Date	Explanation
$1,433,446			Beginning Balance
$1,433,446	**Current Reserve Balance**		

Possible Future Expenses Against CAR Identified During the FY12 Budget Process:

Amount	Explanation
($365,000)	TNR - International Cemetery
($330,000)	EMS - EMS Interlocal Base Agreement - Ambulances
($48,505)	TCSO - Security
($90,000)	TNR - New Guardrail Installations
($90,000)	TNR - Failing Vehicles
($80,000)	RMCR - A/V Equipment for 700 Lavaca Street
($38,500)	TNR - Northeast Metro Park - Phase III
($1,042,005)	**Total Possible Future Expenses (Earmarks)**

$391,441 Remaining CAR Balance After Possible Future Expenditures

Salary Savings Reserve Status (001-9800-981-9803)

Amount	Dept Transferred Into	Date	Explanation
$330,703			Beginning Balance
$330,703	**Current Reserve Balance**		

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

Amount	Dept Transferred Into	Date	Explanation
$4,950,000			Beginning Balance
$4,950,000	**Current Reserve Balance**		

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

Amount	Dept Transferred Into	Date	Explanation
$1,000,000			Beginning Balance
$1,000,000	**Current Reserve Balance**		

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

Amount	Dept Transferred Into	Date	Explanation
$4,000,000			Beginning Balance
$4,000,000	**Current Reserve Balance**		

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

Amount	Dept Transferred Into	Date	Explanation
$250,000			Beginning Balance
$250,000	**Current Reserve Balance**		

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

Amount	Dept Transferred Into	Date	Explanation
$596,369			Beginning Balance
$596,369	**Current Reserve Balance**		

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

Amount	Dept Transferred Into	Date	Explanation
$60,250			Beginning Balance
$60,250	**Current Reserve Balance**		

IJS/FACTS Reserve Status (001-9800-981-9840)

Amount	Dept Transferred Into	Date	Explanation
$4,700,000			Beginning Balance
$4,700,000	**Current Reserve Balance**		

Transition Reserve Status (001-9800-981-9841)

Amount	Dept Transferred Into	Date	Explanation
$750,000			Beginning Balance
$750,000	**Current Reserve Balance**		

Reserve for State Cuts Status (001-9800-981-9842)

Amount	Dept Transferred Into	Date	Explanation
$300,000			Beginning Balance
***$300,000**	**Current Reserve Balance**		

Starflight Maintenance Reserve Status (001-9800-981-9843)

Amount	Dept Transferred Into	Date	Explanation
$640,000			Beginning Balance
($245,000)	EMS	11/15/11	Rescue Hoist
$395,000	**Current Reserve Balance**		

TCSO Overtime Reserve Status (001-9800-981-9844)

Amount	Dept Transferred Into	Date	Explanation
$1,500,000			Beginning Balance
$1,500,000	**Current Reserve Balance**		

*** Reserved for MHMR**

15

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

Amount	Dept Transferred Into	Date	Explanation
$1,043,855			Beginning Balance
$1,043,855	**Current Reserve Balance**		

Updated 12/1/11, 3:15 p.m.

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

Amount	Dept Transferred Into	Date	Explanation
$51,367,824			Beginning Balance
($27,695,392)	TNR	11/22/11	Park Land, Vehicles and Rd.Impvts.
($5,886,705)	Facilities	11/22/11	700 Lavaca, 1st and 2nd floor Renovations
$17,785,727	**Current Reserve Balance**		

17

Travis County Commissioners Court Agenda Request

Meeting Date: 12/6/2011, 9:00 AM, Voting Session
Prepared By/Phone Number: Travis R. Gatlin, Planning and Budget Office, 854-9065
Elected/Appointed Official/Dept. Head: Leroy Nellis, Acting County Executive Planning and Budget
Commissioners Court Sponsor: Judge Biscoe

AGENDA LANGUAGE:

Review and approve requests regarding grant programs, applications, contracts and permissions to continue:

> Review and approve the 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 30.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

The one item this week is the annual application for the Emergency Food and Shelter Program in Health and Human Services and Veterans Service. The grant will provide $100,000 of emergency utility assistance to qualified Travis County residents.

STAFF RECOMMENDATIONS:

PBO recommends approval of the item.

ISSUES AND OPPORTUNITIES:

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

FISCAL IMPACT AND SOURCE OF FUNDING:

The grant does not require a County match.

REQUIRED AUTHORIZATIONS:

Planning and Budget Office	Leroy Nellis
County Judge's Office	Cheryl Aker

Updated 12/1/11, 3:15 p.m.

TRAVIS COUNTY

12/6/2011

GRANT APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE
FY 2012

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 Cost Share	County Contribution	In-Kind Contribution	Program Total	FTEs	PBO Notes	Auditor's Assessment	Page #
Contracts											
58	Emergency Food and Shelter Program, Phase 30	1/1/2012-12/31/2012	$100,000	$0	$0	$0	$100,000	-	R	S	8

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

Updated 12/1/11, 3:15 p.m.

FY 2012 Grant Summary Report
Grant Applications approved by Commissioners Court

The following is a list of grants for which application has been submitted since October 1, 2011, and the notification of award has not yet been received.

Dept	Name of Grant	Grant Term	Grant Award	County Cost Share	County Contribution	In-Kind Contribution	Program Total	FTEs	Approval Date
24	Formula Grant - Indigent Defense Grant Program	10/01/2011-9/30/2012	TBD	$0	$0	$0	TBD	-	10/18/2011
49	Little Webberville Park Boat Ramp Renovation Grant	6/01/2012-05/31/2015	$77,502	$0	$25,834	$0	$103,336	-	10/25/2011
49	Webberville Park Boat Renovation Grant	6/01/2012-5/31/2015	$129,793	$0	$43,624	$0	$173,417	-	10/25/2011
49	Dink Pearson Park Boat Ramp Grant	6/01/2013-5/31/2016	$500,000	$0	$166,667	$0	$666,667	-	10/25/2011
58	AmeriCorps	8/1/2012-7/31/2013	$298,671	$0	$437,941	$73,677	$810,289	28	11/1/2011
			$1,005,966	$0	$674,066	$73,677	$1,753,709	28.00	

**Amended from original agreement.*

2

Updated 12/1/11, 3:15 p.m.

FY 2012 Grant Summary Report
Grants Approved by Commissioners Court

The following is a list of grants that have been received by Travis County since October 1, 2011

Dept	Name of Grant	Grant Term	Grant Award	County Cost Share	County Contribution	In-Kind Contribution	Program Total	FTEs	Approval Date
24	Drug Diversion Court	9/01/2011-8/31/2012	$132,702	$0	$0	$0	$132,702	1.00	10/4/2011
24	Travis County Veteran's Court	9/01/2011-8/31/2012	$155,000	$0	$0	$0	$155,000	2.00	10/4/2011
22	Family Drug Treatment Court	9/01/2011-8/31/2012	$119,185	$0	$0	$0	$119,185	1.00	10/4/2011
39	DWI Court	9/01/2011-8/31/2012	$231,620	$0	$0	$0	$231,620	4.00	10/4/2011
49	Low-Income Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program (LIRAP) Local Initiatives Projects*	5/06/2008-8/31/2013	$1,650,140	$0	$0	$155,101	$1,805,241	-	10/4/2011
45	Travis County Psychology Internship Program	9/01/2011-8/31/2016	$464,733	$99,779	$0	$0	$564,512	-	10/11/2011
58	Comprehensive Energy Assistance Program*	1/01/2011-12/31/2011	$5,519,883	$0	$0	$0	$5,519,883	-	10/18/2011
37	Austin/Travis County Human Trafficking LE Task Force*	1/01/2011-9/30/2012	$15,000	$0	$0	$0	$15,000	-	10/18/2011
24	Drug Diversion Court*	9/01/2010-8/31/2011	$188,422	$0	$19,132	$0	$207,554	1.00	10/18/2011
37	2012 Target & Blue Law Enforcement Grant	10/1/2011-9/30/2012	$500	$0	$0	$0	$500	-	10/25/2011
45	Juvenile Services Solicitation for the Front End Therapeutic Services Program	9/1/2011-8/31/2012	$21,000	$0	$0	$0	$21,000	-	10/25/2011
45	Travis County Eagle Resource Project	9/1/2011-8/31/2012	$39,907	$0	$0	$0	$39,907	-	10/25/2011
58	Travis County Family Drug Treatment Court - Children's Continuum	10/1/2011 - 9/30/2014	$550,000	$0	$28,012	$155,321	$733,333	4.00	11/1/2011
47	Emergency Management Performance Grant	10/1/2010-3/31/2012	$78,753	$78,753	$0	$0	$157,506	3.00	11/8/2011
37	State Criminal Alien Assitance Program (SCAAP)	7/1/2009-6/30/2010	$683,501	$0	$0	$0	$683,501	-	11/22/2011
58	Comprehensive Energy Assistance Program*	1/1/2011-12/31/2011	$5,519,883	$0	$0	$0	$5,519,883	-	11/22/2011

3

Updated 12/1/11, 3:15 p.m.

Dept	Name of Grant	Grant Term	Grant Award	County Cost Share	County Contribution	In-Kind Contribution	Program Total	FTEs	Approval Date
47	Urban Area Security Inititive*	8/1/2010-13/31/2012	$250,000	$0	$0	$0	$250,000	1.00	11/22/2011
45	Leadership Academy Dual Diagnosis Unit-Residential Substance Abuse Treatment Program	10/1/2011-9/30/2012	$142,535	$47,512	$0	$0	$190,047	1.82	11/29/2011
58	Seniors and Volunteers for Childhood Immunization (SVCI)	9/1/2011-8/31/2012	$8,846	$0	$0	$0	$8,846	0.20	11/29/2011
58	Coming of Age (DADS)	9/1/2011-8/31/2012	$24,484	$24,484	$0	$0	$48,968	-	11/29/2011
58	Coming of Age (CNCS)*	10/1/2010-3/31/2012	$75,743	$22,723			$98,466	0.59	11/29/2011
			$15,871,837	$273,251	$47,144	$310,422	$16,502,654	19.61	

*Amended from original agreement.

4

Updated 12/1/11, 3:15 p.m.

FY 2012 Grants Summary Report*

Permission to Continue

*Also includes any pending items from FY 11

Dept	Name of Grant	Grant Term per Application	Amount requested for PTC: Personnel Cost	Amount requested for PTC: Operating Transfer	Amount requested for PTC: Total Request	Filled FTEs	PTC Expiration Date	Cm. Ct. PTC Approval Date	Cm. Ct. Contract Approval Date	Has the General Fund been Reimbursed?
45	Residential Substance Abuse Treatment (RSAT)	10/1/2011-9/30/2012	$9,388	$9,388	$18,776	1	11/30/2012	9/20/2011	Awaiting Contract	No
	Totals		$9,388	$9,388	$18,776					

5

Updated 12/1/11, 3:15 p.m.

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.

Grant Contracts approved by Commissioners Court

		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. *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.*	$ 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. *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.*	$ 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). *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).***	$ -	$ -	$ 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). *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.***	$ -	$ -	$ 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). *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.***	$ -	$ -	$ 64,599	$ -		$ -		$ -		$ -		$ -

6

Updated 12/1/11, 3:15 p.m.

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	$ 4,611,349	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 development a tobacco free workstite 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	$ 7,252,569	$ 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.

GRANT SUMMARY SHEET

Check One:	Application Approval: ☒ Contract Approval: ☐	Permission to Continue: ☐ Status Report: ☐
Check One:	Original: ☒	Amendment: ☐
Check One:	New Grant: ☐	Continuation Grant: ☒
Department/Division:	HHS&VS, 58/54	
Contact Person/Title:	Lisa Sindermann / Contract Compliance Specialist	
Phone Number:	854-4594	

Grant Title:	Emergency Food and Shelter Program, Phase 30			
Grant Period:	From:	1/1/12	To:	12/31/12
Fund Source:	Federal: ☒	State: ☐	Local: ☐	
Grantor:	Local Board of Emergency Food and Shelter Program			
Will County provide grants funds to a subrecipient?		Yes: ☐	No: ☒	
Are the grant funds pass-through another agency? If yes list originating agency below		Yes: ☒	No: ☐	
Originating Grantor:	National Board of Emergency Food and Shelter Program (United Way)			

Budget Categories	Grant Funds	County Cost Share	***County Contribution***	In-Kind	**TOTAL**
Personnel:	0	0	**0**	0	$0
Operating:	100,000	0	**0**	0	$100,000
Capital Equipment:	0	0	**0**	0	$0
Indirect Costs:	0	0	**0**	0	$0
Total:	$100,000	$0	**$0**	$0	$100,000
FTEs:	0.00	0.00	**0.00**	0.00	0.00

Permission to Continue Information					
Funding Source (Account number)	Personnel Cost	Operating Transfer	Estimated Total	Filled FTE	PTC Expiration Date
	0	0	$0	0.00	

Department	Review	Staff Initials	Comments
County Auditor	☒	EH	
County Attorney	☒	MEG	

Performance Measures	Projected FY 12	Progress To Date:				Projected FY 13
Applicable Depart. Measures	Measure	12/31/11	3/31/12	6/30/12	9/30/12	Measure
# of Households receiving Utility Assistance	15,000					15,000
Measures For Grant						
# of Households receiving Utility Assistance from the Emergency Food and Shelter Program	405					405
Outcome Impact Description	Assist households who are experiencing an economic emergency. The department assists these households by paying the highest on 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 application is for continued support for utility assistance for Travis County citizens at or below 200% of the federal poverty guidelines. There is no grant match required. PBO recommends approval of this application request.

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

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 programs 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 processings. 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 assistance. Keeping with that intent, the funds awarded to Travis County in Phase 30 will be used only for direct client services.

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

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 through the department. This program funding assists in meeting the needs of the clients who are experiencing an economic crisis and need assistance meeting their household utility obligations.

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

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

Date: November 21, 2011

TO: MEMBERS OF THE COMMISSIONERS COURT

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

SUBJECT: Acceptance of 2012 Emergency Food and Shelter Program Phase 30 Application

Proposed Motion: Consider and take appropriate action to approve the 2012 grant application for funding of the Emergency Food and Shelter Program Phase 30.

Summary and Staff Recommendation: Staff requests the acceptance and authorization to apply for $100,000 in funding for the Phase 30 grant period. This requested amount is approximately $20,000 more than the award received for this grant in the 2011 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 01-01-11 through 12-31-11.

Issues and Opportunities: The department has participated in this program for a number of years. Within the current program period which just began September 6, 2011, the department has assisted over 270 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 of 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: Leroy Nellis, Interim County Executive, 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 30
AUSTIN/TRAVIS & WILLIAMSON COUNTIES

APPLICATION

Organization:	Travis County Health and Human Services & Veterans Service		
Physical Address:	100 N. IH 35; Austin, TX 78701		
Mailing Address (if different from physical address):	P. O. Box 1748; Austin, TX 78767		
Contact Person for Application Questions:	Jim Lehrman		
Phone:	(512) 854-4100	Fax:	(512) 854-4115
Email:	jim.lehrman@co.travis.tx.us		
Contact Person for EFSP if Funded:	Jim Lehrman		
Phone:	(512) 854-4100	Fax:	(512) 854-4115
Email:	jim.lehrman@co.travis.tx.us		
Organization's Total Operating Budget:	$18,594,658.		
Program Budget:	$5,210,716.		

Instructions for the "Desired Expense Documentation Method" selection in the table below:

- **This choice only applies to the Served Meals and Mass Shelter categories of assistance.**
- Please refer to the Program Costs section of the manual, especially pages 38-39.
- Note for those who choose the per meal or per diem method: The Local Board will have to approve your selection after funding decisions have been made.
- The two choices for Served Meals are:
  Actual Direct Eligible Costs
  Exactly $2/meal
  Please select one and enter in the table below.
- The two choices for Mass Shelter are:
  Actual Direct Eligible Costs

13

Emergency Food & Shelter National Board Program

Per diem: $7.50 or $12.50 per person per night
Please choose actual costs or per diem (and if the latter, also the dollar amount), and enter your choice in the table below.

Category	**Funds Requested**	**Desired Expense Documentation Method**
A) Served Meals		
B) Other Food		N/A
C) Mass Shelter		
D) Other Shelter		N/A
E) Rent/Mortgage Assistance		N/A
F) Utilities Assistance	$100,000.	N/A
G) Administration (2% of total request maximum)		N/A
H) Total	**$100,000.**	**N/A**

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:

Signature, Travis County Judge	Date
Samuel T. Biscoe	
Printed Name	

Travis County Commissioners Court Agenda Request

Meeting Date: December 6, 2011
Prepared By/Phone Number: Deborah Laudermilk/(512) 854-9779
Elected/Appointed Official/Dept. Head: Leroy Nellis
Commissioners Court Sponsor: Judge Samuel T. Biscoe

AGENDA LANGUAGE:
Consider and take appropriate action on request to approve creation of a non-interest bearing account for the Travis County Treasurer's office.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:
Memorandum is attached.

STAFF RECOMMENDATIONS:
Attached

ISSUES AND OPPORTUNITIES:
Attached

FISCAL IMPACT AND SOURCE OF FUNDING:
None

REQUIRED AUTHORIZATIONS:
None

CASH/INVESTMENT MANAGEMENT DEPARTMENT
TRAVIS COUNTY, TEXAS

Travis County Administration Building
700 Lavaca , Suite 1560
P.O. Box 1748
Austin, Texas 78767

Phone: (512) 854-9779
Fax: (512) 854-4210
Email: Deborah.laudermilk@co.travis.tx.us

DATE: November 29, 2011

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

FROM: Deborah A. Laudermilk, Investment Manager

RE: Creation of Non-interest bearing bank account

Proposed Motions:

Consider and take appropriate action on request to approve the creation of a non-interest bearing account for the Travis County Treasurer's office.

Summary:

The extremely low interest rate environment has created a situation where the County will be required to pay for their banking services according to the fees and rates that Travis County agreed to in the Depository Contract with J. P. Morgan Chase that was effective July 1, 2011. According to the contract, the County is currently only earning approximately 0.01% on its interest bearing accounts. In addition, these interest bearing accounts must be collateralized for which there is also a cost. The Bank agreed to allow Travis County to earn 0.60% in earnings credits on Travis County's non-interest bearing accounts. These earnings credits are "soft" dollars that have been used to pay for the County's banking services in the past. Taking into consideration the current financial market, the earnings credit rate that the Bank is paying the County during the term of this contract is a fair rate even though it is lower than in the contract that recently expired. Unlike in the past, this lower rate is not high enough for the Travis County accounts to earn enough in earnings credits to cover the cost of the bank services.

After discussions with the Treasurer's and the Auditor's office, it was agreed that it would be beneficial to the County to open a non-interest bearing account for funds to be transferred into this account from one of the overnight investment pools. Currently, these liquid overnight investment pools are earning in the range of 0.09% to 0.12%, so earning 0.60% in earnings credits would be worth the cost of not earning 0.12% in "hard" dollar interest. Our estimate of the funds needed to be held in the account would be approximately $30 million. The funds that

we would transfer into this account would be funds that are not legally required to be held in interest bearing accounts. After reviewing the bank account analysis each month we would adjust the amount held in this non-interest bearing account as needed so that the total monthly earnings credit would be sufficient to prevent the County from having to write a check for banking fees. In addition, as the interest rate environment improves and/or if there is a change in the rates that we are earning, we will re-evaluate the use of these funds so as to safely earn the County the highest rate of return on their investments.

Issues: None.

Budgetary:

Current analysis provides evidence that with the creation of this non-interest bearing account, the deposits held in this account will allow Travis County to earn sufficient earnings credit so that the county will not have to pay for its banking services at J.P. Morgan Chase. If the County would decide not to create this account and hold sufficient funds, then it is likely that the County will have to pay approximately $20,000 per month in banking fees.

Recommendation:

Approve the creation of a non-interest bearing account for the Travis County Treasurer's office.

Required Authorizations:

None

cc: Dolores Ortega-Carter, County Treasurer
Susan Spataro, County Auditor
Leroy Nellis, Acting PBO Executive Manager
Jose Palacios, Chief Asst. County Auditor – Disbursements
Nicki Riley, Chief Asst. County Auditor
Mike Wichern, Chief Asst. County Auditor
David Jungerman, Financial Audit Manager
Mike Crawford, Financial Audit Manager
Sean O'Neal, Auditor's office
Rhonda Ambrose, Treasurer's office
Sandy Hendrix, Auditor's office
Barbara Wilson, County Attorney

Travis County Commissioners Court Agenda Request

Meeting Date: December 6, 2011
Prepared By/Phone Number: Sydnia Crosbie/ 854-9383
Elected/Appointed Official/Dept. Head: Sydnia Crosbie, Parking Committee Chair
Commissioners Court Sponsor: Sam Biscoe, County Judge

AGENDA LANGUAGE:

Receive Court direction on employee feedback methods regarding zoned parking and the revised parking policy.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

On August 30, 2011, the Commissioners Court adopted the recommended parking policy revisions for 90 days as presented by the Parking Committee with discussed changes. Previously on April 12, 2011, the Court also voted to maintain 700 Lavaca as a zoned facility. On November 1st, that was extended 60 days to allow the committee to bring back the issue of zoned parking with an update on the revised parking policy.

The Court has requested employee feedback on both the parking policy and zoned parking. The Parking Committee seeks direction on the Court's preference for how and when that information is collected.

STAFF RECOMMENDATIONS:

The Parking Committee seeks direction on what methods the Court prefers for employee feedback and when that feedback would be received. The committee has met with individual stakeholder groups and has additional meetings scheduled in early December. Surveys are scheduled for those currently parking in 700 Lavaca and specific stakeholder groups affected by the policy revisions such as the Civil Courts, Criminal Courts and Sheriff's Office. A general employee parking survey was conducted in September 2010. A follow up survey for all employees is not planned at this time.

In addition to the feedback noted above, the committee recommends holding an employee hearing that would allow employees to speak directly to the Court on both the parking policy and zoned parking in general. The Parking Committee would then take that feedback and revise its recommendation as necessary before returning to Court for a full report.

As directed by the Court, the Committee will report on zoned versus assigned parking and request renewed adoption of a revised parking policy in early January.

ISSUES AND OPPORTUNITIES:
N/A

FISCAL IMPACT AND SOURCE OF FUNDING:
N/A

REQUIRED AUTHORIZATIONS:
N/A

Parking Committee Members:
April Bacon, Auditor's Office
Daniel Bradford, County Attorney
Rachel G. Castro, District Clerk
D'Andra Cedillo, Pretrial Services
Sydnia Crosbie, TNR
Jessica Ghazal, District Attorney
Dana Hess, HRMD
Etta Jarmon, Domestic Relations
Alice Leslie, Purchasing
Gillian Porter, County Clerk
Steven Town, TCSO
Dina White, District Attorney
Danikae Doetsch, District Clerk (alternate)
Viktoria Hagedorn, Auditor's Office (alternate)
Tenley Aldredge, County Attorney (advisory)
Adele Noel, TNR, Air Quality (advisory)
Roger Harner, Facilities, acting Parking Administrator (advisory)

Item 23

Travis County Commissioners Court Agenda Request

Meeting Date: 12/06/2011
Prepared By/Phone Number: Meg Seville, 4-9804
Elected/Appointed Official/Dept. Head: Sheriff Greg Hamilton, 4-9788
Commissioners Court Sponsor: Judge Sam Biscoe

AGENDA LANGUAGE:
Consider and take appropriate action on Sheriff's Office request for additional training funds.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:
See attached memo

STAFF RECOMMENDATIONS:

ISSUES AND OPPORTUNITIES:

FISCAL IMPACT AND SOURCE OF FUNDING:

REQUIRED AUTHORIZATIONS:

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us **by Tuesdays at 5:00 p.m.** for the next week's meeting.

JAMES SYLVESTER
Chief Deputy

GREG HAMILTON
TRAVIS COUNTY SHERIFF
P.O. Box 1748
Austin, Texas 78767
(512) 854-9770
www.tcsheriff.org

DARREN LONG
Major – Corrections

PHYLLIS CLAIR
Major – Law Enforcement

MARK SAWA
Major - Administration & Support

TO: **Travis County Commissioners' Court**

FROM: **Sheriff Greg Hamilton**

SUBJECT: **Request for additional training funds**

DATE: **November 28, 2011**

In July 2011, we learned that the Texas Legislature, in their passage of the state budget stripped out 100% of the funding for Law Enforcement Officers Standards and Education (LEOSE) that goes to law enforcement agencies based on the number of sworn officers they employ. These funds are directly received by the law enforcement agency from the State of Texas via the State Comptroller's Office. The Travis County Sheriff's Office has averaged receipt of $74,969.21 annually over the last ten years with the 2011 allocation being $73,429.99.

LEOSE funds come from the court fees that are assessed on criminal offenses and that Travis County collects on behalf of the State. Five percent of those funds are used to fund LEOSE training funds. The State Agency Texas Commission on Law Enforcement Officers Standards and Education (TCLEOSE) keeps one-third of the funds, the other two-thirds are distributed by the Comptroller's Office to supplement continuing education for law enforcement and corrections personnel. The expenditures are governed under and in accordance with the Texas Occupations Code Sec. 1701.157, to wit;

"A local law enforcement agency shall use the money received only as necessary to ensure the continuing education of persons licensed under this chapter or to provide necessary training, as determined by the agency head, to full-time fully paid law enforcement support personnel in the agency."

Historically the Travis County Sheriff's Office has used these funds to augment locally budgeted funds for travel, training and seminars for staff. The funds have also been utilized to provide for necessary equipment used in training of our staff at our academy and other training sites and units. The funds are meant to supplement local funding and not supplant them. Thus, for many years we have been able to keep our county funded training dollars stable despite increased costs for training and travel, as well as increased staffing levels throughout those years.

The funding levels from LEOSE for the last five years are as follows;

2006 Allocation	74,162 15
2007 Allocation	76,452.41
2008 Allocation	75,487.40

2009 Allocation	78,598.76
2010 Allocation	75,079.72
2011 Allocation	**73,429.99**

The elimination of these funds leaves our agency in the position of having lost a valuable and necessary tool for ensuring that our staff receives up-to-date and proper training. While our training academy handles the bare minimum training that is mandated by the state for staff, and our normal county training funds handle some other outside training, it has been our fortune to have LEOSE funding to help provide the best training for our staff which we feel is one of the most cost effective manners of ensuring our staff perform to the standards expected in our community and it has enabled us to not have to request significant increases in the county's contribution to those training funds over time.

While we have been diligent in monitoring our spending related to the use of LEOSE funds, on November 23, 2011 we had $7,744.32 left in our account. Based on the funds currently in the account and those received in the past please consider this request for an additional $70,000 in funding to cover the loss of LEOSE funding for the remainder of FY 12.

Cc. File

PLANNING AND BUDGET OFFICE
TRAVIS COUNTY, TEXAS

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

MEMORANDUM

TO: Members of the Commissioners Court

FROM: Travis R. Gatlin, Sr. Planning and Budget Analyst

DATE: November 30, 2011

RE: Travis County Sheriff's Office (TCSO) Request for Additional Training Funds

TCSO has submitted a mid-year request for $70,000 of additional training funds based on the State no longer providing approximately $75,000 per year of Law Enforcement Officers Standards and Education (LEOSE) resources. The office has a little over $7,000 left from last year's LEOSE allocation that can be used to mitigate a small portion of the loss of not receiving the funds in FY 12. The LEOSE funds are intended to supplement County or local training resources. Please see the memo from TCSO for additional details.

The office was informed about the change from the State late in the budget process and submitted a request right before the Preliminary Budget was filed. The request was included in the Budget Agenda Request Form for FY 12 consideration and was discussed during Budget Markup. However, no action was taken. The Commissioners Court did establish a $300,000 Reserve for State Cuts that was originally intended for Austin Travis County Integral Care, should it be needed. No action has been taken by the Commissioners Court on the use of these funds so far this year. In addition, the Commissioners Court established earmarks against the General Fund Allocated Reserve for potential reductions to existing grant programs in the Criminal Courts and Civil Courts. The earmark is $347,012 for the Criminal Courts' Drug Court and Veterans Court grants and $193,169 for the Civil Courts' Family Drug Court. PBO has been informed by the Criminal Courts that the Veterans Court grant from the Texas Veterans Commission will not be renewed. PBO is working with the department to request $50,000 of the earmark to continue this portion of the program. It is not clear at this time if the Criminal Courts or Civil Courts will request any additional earmarked funds.

It should also be noted that TCSO received an additional 78 FTE in the FY 12 Adopted Budget without any increase in travel and training resources. The FY 12 TCSO General Fund Adopted Budget for travel and training is $139,286. Should the Commissioners Court approve the mid-year request of $70,000 for training resources, PBO's recommended funding source is the General Fund Allocated Reserve and requests, if

approved, that PBO be directed to process the following budget adjustments as automatics.

From	001-9800-981.98-92 (Allocated Reserve)	-$70,000
To	001-3705-561.6504 (Training Line Item in Division 3705)	$35,000
To	001-3706-583.6504 (Training Line Item in Division 3706)	$35,000

Unless specifically directed by the Commissioners Court that an on-going increase be added to TCSO's FY 13 target budget, the office would need to submit any further requests through the budget process.

cc: Sheriff Greg Hamilton
Jim Sylvester, TCSO
Phyllis Clair, TCSO
Darren Long, TCSO
Mark Sawa, TCSO
Paul Matthews, TCSO
Michael Hemby, TCSO
Meg Seville, TCSO
Leroy Nellis, PBO
Jessica Rio, PBO
Diana Ramirez, PBO

Travis County Commissioners Court Agenda Request

Meeting Date: Tuesday, November 29, 2011
Prepared By/Phone Number: Deece Eckstein, 854-9754
Elected/Appointed Official/Dept. Head: Deece Eckstein, 854-9754
Commissioners Court Sponsor: Judge Biscoe

AGENDA LANGUAGE:

CONSIDER AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY APPOINTMENTS TO THE CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY BOARD OF DIRECTORS.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS: Backup materials follow.

STAFF RECOMMENDATIONS: Backup materials follow.

ISSUES AND OPPORTUNITIES: Backup materials follow.

FISCAL IMPACT AND SOURCE OF FUNDING: Backup materials follow.

REQUIRED AUTHORIZATIONS: None.

NAMES, PHONE NUMBERS AND EMAIL ADDRESSES OF PERSONS WHO MIGHT BE AFFECTED BY OR BE INVOLVED WITH THIS REQUEST:

Steven Manilla
County Executive, Transportation and Natural Resources
Phone: 854-4929
Email: Steven.Manilla@co.travis.tx.us

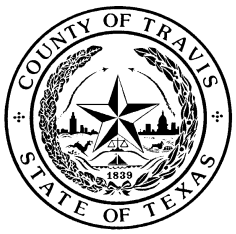
Carol Joseph
Assistant Director, Transportation and Natural Resources
854-9418
Carol.Joseph@co.travis.tx.us

Leroy Nellis, Budget Director
Planning and Budget Office
Phone: 854-9106
Email: Leroy.Nellis@co.travis.tx.us

Charlie Watts
Senior Planner, Transportation and Natural Resources
854-9383
Email: Charlie.Watts@co.travis.tx.us

Patricia Estrada
Purchasing Support Specialist III, Purchasing Office
854-9915
Patricia.Estrada@co.travis.tx.us

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us **by Tuesdays at 5:00 p.m.** for the next week's meeting.



MEMO

- ❑ **For Your Information**
- ❑ **Action Required**

TO: **Travis County Commissioners Court**

FROM: Deece Eckstein, Coordinator, IGR

DATE: Wednesday, November 30, 2011

RE: **CTRMA Board of Directors appointments**

Summary and IGR Recommendation

The terms of two Travis County appointees to the Central Texas Regional Mobility Authority Board of Directors expire February 1, 2012 – **Henry Gilmore** and **Charles Heimsath**. Mr. Gilmore has indicated his desire to cycle off the CTRMA board at the end of his term. Mr. Heimsath has indicated his desire to be reappointed to the board.

IGR recommends that the Court:

- acknowledge Henry Gilmore's decision to step down and express its appreciation for his efforts;
- reappoint Charles Heimsath to the CTRMA board for a term from February 2, 2012 to February 1, 2014; and
- approve a process to call for applications and select a new member for the CTRMA board for a term from February 2, 2012 to February 1, 2014

Central Texas Regional Mobility Authority

The Central Texas Regional Mobility Authority was created in 2002 as a joint effort between Travis and Williamson counties to expand mobility options in the region. The CTRMA is governed by a seven-member board, with three appointees each from Travis and Williamson counties and a

chair appointed by the governor. The other Travis County appointee is **Nikelle Meade**, whose term will expire in February, 2013.

Qualifications – and Disqualifications – of a Board Member

A member of the Board must be a resident of the county from whence they are appointed.

A member of the Board may ***not*** be:

1. An elected official; or
2. An employee of a city or county located wholly or partly within the boundaries of CTRMA.

Moreover, a person is ***not*** eligible to serve on the Board if the person or the person's spouse:

1. is employed by or participates in the management of a business entity or other organization, other than a political subdivision, that is regulated by or receives money from TxDOT or the Authority;
2. owns or controls, directly or indirectly, more than a 10 percent interest in a business entity or other organization that is regulated by or receives money from TxDOT or the Authority, other than compensation for acquisition of turnpike right-of-way;
3. uses or receives a substantial amount of tangible goods, services, or money from TxDOT or the Authority, other than compensation or reimbursement authorized by law for Board membership, attendance, or expenses, or for compensation for acquisition of turnpike right-of-way;
4. is an officer, employee, or paid consultant of a Texas trade association in the field of road construction, maintenance, or operation; or
5. is required to register as a lobbyist under Chapter 305, Government Code, because of the person's activities for compensation on behalf of a profession related to the operation of TxDOT or the Authority.

Applicants are required to sign a notarized affidavit attesting they meet these criteria.

Appointment Process

Attachment A is a proposed outline and timetable for making the appointment. It broadly tracks the process adopted by the Court in previous appointments, including the CTRMA, CentralHealth, and the CapMetro Board of Trustees.

Dissemination of Call for Applications

Attachment B proposes how to disseminate information about the call for applications.

Application Packet

Attachment C is a proposed application packet, including:

- the call for applications
- a list of desired qualifications and skills
- an application form
- an affidavit to be completed

These documents were developed with reference to the application form and process used for other appointments, including the CTRMA, CentralHealth, and the CapMetro Board of Trustees.

Attachments

1. Letter from Henry Gilmore re CTRMA board membership, November 30, 2011.
2. Letter from Charles Heimsath re CTRMA board membership, November 30, 2011.
3. Outline of proposed process and timetable for CTRMA appointment(s). ("Attachment A")
4. Outline of proposed process and language for dissemination of the call for applications. ("Attachment B")
5. Proposed Application Packet for CTRMA appointment(s). ("Attachment C")

DuBois
Bryant
& Campbell LLP
ATTORNEYS

HENRY H. GILMORE
700 Lavaca, Suite 1300
Austin, Texas 78701
(512) 457-8000 phone
(512) 457-8008 fax

hgilmore@dbcllp.com

November 30, 2011

The Honorable Sam Biscoe
Travis County Judge
314 W. 11th St, 5th Floor
Austin, Texas 78701

Re: CTRMA Board

Dear Judge Biscoe:

This is to confirm that I will not be seeking re-appointment to the Board of Directors of the CTRMA after my current term expires in February 2012. I have served on the Board on behalf of Travis County since 2003. I thank you and the members of the Travis County Commissioners Court for the high honor and privilege of serving Travis County and the Travis County/Williamson County region these past 9 years.

I am very proud of the CTRMA's accomplishments and progress since the Agency started up in 2003. The Authority has grown from a fledgling start up to a mature toll agency that is recognized nationally for enhancing mobility and economic development within the region. The Authority is providing vital transportation infrastructure that will serve the needs of our children and grandchildren in the future.

I commend you and the Court for your vision for the region when you joined with Williamson County to form the CTRMA back in 2003. You took a bold leap of faith then and the County and the region are the beneficiaries of your vision. I have no doubt that my replacement will continue the Authority's good work on behalf of the citizens of Travis County and the region.

Sincerely,

Henry H. Gilmore

cc: Mike Heiligenstein, Executive Director
Chairman Ray Wilkerson

ATTACHMENT A

TRAVIS COUNTY COMMISSIONERS COURT
CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY
BOARD OF DIRECTORS APPOINTMENT
Proposed Process and Timetable

December 6	Commissioners Court adopts selection process for CapMetro Board of Directors appointment and announces call for applications
	2012
January 13	Deadline for submission of applications
January 16 - January 23	Commissioners Court members reviews all applications, down list of candidates to interview
January 24	Commissioners Court selects short list of candidates to be interviewed by the Court
January 26	Commissioners Court work session interviews with finalists • 40-minute interviews with each candidate • Prepared list of questions to be asked of each candidate • Open, but untelevised, session
January 31	Commissioners Court selects Travis County appointee to CapMetro Board of Directors
February 1	Terms of two CTRMA appointees from Travis County expire
February 2	Term of the new Travis County appointees begins

ATTACHMENT B

Once the Commissioners Court approves the process, the call for applications to the CTRMA will be disseminated in at least the following ways:

1. Legal notices will be posted in at least one newspaper of general circulation in Travis County for two consecutive weeks.
2. Information about the appointment will be put on the County website, along with a link to the application packet in PDF format.
3. The County will issue a media release with information about the position and seek earned media coverage of the impending vacancy and the Court's effort to fill it.

Here is proposed language for the legal notice:

> Travis County is seeking applications from qualified individuals to serve on the Board of Directors of the Central Texas Regional Mobility Authority, a partnership between Travis and Williamson Counties. One appointment to the Board becomes available on February 2, 2012.
>
> The Commissioners Court is looking for individuals who will represent the interests of the County as a whole. These individuals must supply exceptional vision, business and administrative skills, and a history of community involvement. They will have to work with all jurisdictions within the two counties, reflecting local sensitivities and ideals in their decision-making process.
>
> For further information, or to obtain an electronic copy of the application packet, please call Max Jones at (512) 854-4774 or email IGR@co.travis.tx.us.

ATTACHMENT C

TRAVIS COUNTY
COMMISSIONERS COURT

Appointment to the

CENTRAL TEXAS REGIONAL
MOBILITY AUTHORITY
BOARD OF DIRECTORS

Proposed Applications Documents
Wednesday, November 30, 2011
For Court Consideration and Action on
Tuesday, December 6, 2011

December 7, 2011

TO: Potential Applicants

FROM: Travis County Commissioners Court

SUBJECT: CTRMA Application Process, Timeline and Application

Attached is the Central Texas Regional Mobility Authority Application Packet. Included in the packet are:

1. a summary of the qualifications the County is seeking in its appointees;
2. an application form; and
3. an affidavit that must be completed and signed before a Notary Public.

The deadline for receipt of completed applications is 4:00 p.m. on Friday, January 13, 2012.

Applications may be submitted to:

Travis County Commissioners Court
Attn: Intergovernmental Relations Office
314 West 11th Street, Suite 535
Austin, Texas 78701

Applications may also be submitted electronically in PDF format to:
IGR@co.travis.tx.us

Electronic copies of this packet can be requested by calling Max Jones at (512) 854-4774 or emailing Max.Jones@co.travis.tx.us. Paper copies of the application packet can be picked up at the IGR Office address noted above.

Call for Applications to the Central Texas Regional Mobility Authority Board of Directors Representing Travis County

Travis County is seeking applications from qualified individuals to serve on the Board of Directors of the Central Texas Regional Mobility Authority, a partnership between Travis and Williamson Counties. Two appointments to the Board become available on February 2, 2012. Candidates must be residents of Travis County and not subject to a real or potential conflict of interest if they serve.

The Commissioners Court is looking for individuals who will represent the interests of the County as a whole. These individuals must supply exceptional vision, business and administrative skills, and a history of community involvement. They will have to work with all jurisdictions within the two counties, reflecting local sensitivities and ideals in their decision-making process.

Candidates must instantly command the confidence of not only the public but also the business, professional, and government communities. They must be able to generate a business plan that secures the confidence of the New York bond market. Therefore, they must possess outstanding business judgment and unquestioned integrity.

SKILL SET DESIRED:

Preference will be given to a candidate with a career history demonstrating skills and experience in more than one of the following:

- ✯ Outstanding business achievement. Candidates with a successful entrepreneurial or investment background are particularly attractive.
- ✯ Community involvement in multiple leadership roles
- ✯ Experience with transportation issues or enterprises
- ✯ Tenure in public service, particularly at the policy level
- ✯ History of participation in local, state and federal governmental processes
- ✯ Knowledge of finance

TRAVIS COUNTY
CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY
BOARD OF DIRECTORS
APPOINTMENT APPLICATION

(Applications must be submitted in this format. Please do not retype or reformat.)

Name:		
Spouse's Name:		
Home Telephone #	**Work Telephone #**	**Fax #**
Email Address	**Cellular # (Optional)**	
Present Job title & job description:		
Profession:		
Home Address (STREET/P.O. BOX, CITY, STATE, ZIP)	**Employer and Employer's Address**	
County:		

EDUCATION/TRAINING:

High School or equivalent (G.E.D.)	
Undergraduate School:	**Year Graduated:**
Graduate School:	**Year Graduated:**
Licenses/Certifications:	**Year Obtained:**

Exhibit B

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:

PUBLIC INFRASTRUTURE DEVELOPMENT EXPERIENCE AND/OR KNOWLEDGE:

BUSINESS ACHIEVEMENT (specifically entrepreneurial and investment):

NOTE: PLEASE ATTACH A RESUME.

TRAVIS COUNTY
CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY BOARD OF DIRECTORS
APPOINTMENT APPLICATION

Name:					
Date of Birth	**Driver's License # or DPS I.D. #**	**Are you a U.S. Citizen ☐ Yes ☐ No**			
Ethnicity: (Optional)	☐ **White**	☐ **African-American**	☐ **Hispanic**	☐ **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:
Travis County Commissioners Court
Attention: Intergovernmental Relations Office
314 W. 11th Street, Suite 535
Austin, Texas 78701

AFFIDAVIT

CTRMA BOARD MEMBER ELIGIBILITY

STATE OF TEXAS §
§
COUNTY OF TRAVIS §

On this day, _____, appeared before me, the undersigned notary public, and after I administered an oath, upon his/her oath, said:

"My name is _____. I am capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct. I am making this affidavit to establish that I meet all statutory and regulatory eligibility requirements for appointment to the Board of Directors of the Central Texas Regional Mobility Authority (RMA). Accordingly, I hereby affirm that all of the following statements are true:

1. I reside in Travis County, the geographic area encompassed by the RMA, as required by Transportation Code §361.003(b) and 43 Texas Administrative Code §26.26(h)(1).

2. I do not own an interest in real property that has been or will be acquired for an RMA project, as required by 43 Texas Administrative Code §§26.16(h)(2)) and 26.33(b)(3).

3. I am not an elected official, as required by 43 Texas Administrative Code §26.16(h)(4).

4. I am not an employee of the Texas Department of Transportation (TxDOT), as required by 43 Texas Administrative Code §26.26(h)(5).

5. I am not an officer, employee, or paid consultant, nor is my spouse an officer, manager, or paid consultant, of a Texas trade association involved in the field or road construction or maintenance, public transportation or aviation, as required by 43 Texas Administrative Code §26.33(b)(2).

6. I am not employed or engaged in a business or professional activity that might reasonably require or induce me to disclose confidential information acquired by reason of my position as an RMA director, as required by 43 Texas Administrative Code §26.33(a)(2).

7. I am not employed nor do I receive compensation that could reasonably be expected to impair my independence of judgment in the performance of my official duties as an RMA director, as required by 43 Texas Administrative Code §26.33(a)(3).

8. I have no personal investments that could reasonably be expected to create a substantial conflict between my private interests and the interests of the RMA, as required by 43 Texas Administrative Code §26.33(a)(4).

9. I have no personal interest in agreements that are or will be executed by the RMA, as required by 43 Texas Administrative Code §26.33(a)(6).

10. Neither I nor my spouse:

    a. work for or participate in the management of an organization (other than a political subdivision) that is regulated by or receives funds from TxDOT, as required by 43 Texas Administrative Code §26.33(b)(1)(A);

    b. directly or indirectly own or control more than 10% of the stock of a company that is regulated by or receives funds from TxDOT, as required by 43 Texas Administrative Code §26.33(b)(1)(B);

    c. use or receive a substantial amount of tangible goods from TxDOT, as required by 43 Texas Administrative Code §26.33(b)(1)(C); or

    d. are required to register as a lobbyist because of our activities for compensation on behalf of a profession related to the operation of TxDOT, as required by 43 Texas Administrative Code §26.33(b)(1)(D).

_____
Name:

SWORN TO and SUBSCRIBED before me by _____ on _____, 201__.

_____
Notary Public in and for
the State of Texas

Travis County Commissioners Court Agenda Request

Meeting Date: December 6, 2011
Prepared By/Phone Number: Melissa Velasquez, Judge's Office, x49557
Elected/Appointed Official/Dept. Head: Samuel T. Biscoe, County Judge
Commissioners Court Sponsor: Samuel T. Biscoe, County Judge

AGENDA LANGUAGE:

Consider and take appropriate action on the appointment of Adam King to fill the unexpired term of Shirene Garcia to the Sustainable Food Policy Board, effective immediately through February 28, 2013.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

Judge Biscoe has 2 appointees to the Sustainable Food Policy Board per Commissioners Court voting session January 27, 2009.
Our current appointee Shirene Garcia of Urban Roots regrettably must step down. Adam King applied for appointment in the spring of 2011 and continues to be eager to serve on the board. Resume is attached.

STAFF RECOMMENDATIONS:

Recommend approval.

ISSUES AND OPPORTUNITIES:

FISCAL IMPACT AND SOURCE OF FUNDING:

n/a

REQUIRED AUTHORIZATIONS:

n/a

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us **by Tuesdays at 5:00 p.m.** for the next week's meeting.

Sam Biscoe - Re: Sustainable Food Policy Board

From: Shirene Garcia <sgarcia@youthlaunch.org>
To: Sam Biscoe <Sam.Biscoe@co.travis.tx.us>
Date: 10/21/2011 5:51 PM
Subject: Re: Sustainable Food Policy Board

Judge Biscoe,
Thank you for your message and for your understanding. I know that there is a desire on the board to find someone else who can represent youths' perspective and who has some expertise in getting the community involved. I would like to ask you to keep this in mind as you search for someone else.

Next week is quite busy for me, so the following week will be much easier for me to meet. Currently, I can meet any time Monday, Oct. 31, Tuesday Nov. 1st, or Wednesday the 2nd.

Thank you,
Shirene

--
Shirene Garcia
Outreach Coordinator

Urban Roots
7756 Northcross Drive, Suite 203
Austin, Texas 78757
O: (512) 342-0424, x113 | C: (512) 750-8019
sgarcia@youthlaunch.org | www.youthlaunch.org

Urban Roots: Cultivating Young Leaders to Nourish Their Communities.

Directions to the Urban Roots farm are at:
http://youthlaunch.org/contact/urlocation.php

On 10/18/11 2:36 PM, "Sam Biscoe" <Sam.Biscoe@co.travis.tx.us> wrote:

> Ms. Garcia, the notice contained in your email is sufficient to trigger my search for a replacement.
>
> I greatly appreciate your willingness to serve on this board, and understand how personal circumstances often change in a way that makes future service very difficult. I am thankful for your willingness to serve a short time more.
>
> I am free to meet with you on Wednesday, Oct. 26 at 3 p.m. or Thursday, October 27 at 10 a.m., 1:30, 2:00 or 3 p.m. Let me know if one of these will work for you. If none of these is convenient, I am more available during the week after October 28.
>
> Thank you. Sam
>
> >>> Shirene Garcia <sgarcia@youthlaunch.org> 10/17/2011 3:47 PM >>>
> Dear Judge Biscoe,
>
> I hope this note finds you well. I am writing to ask to set up a time to meet so that I can update you on the Sustainable Food Policy Board's recent activities since you appointed me to serve on the board starting in May. We now have finished our annual report from last year, which I would like to show you. I'd also like to get your feedback about what you feel are important issues for the SFPB to focus on in the coming year. Please let me know what times work best for you in the next 2-3 weeks.
>
> On another note, I regret to inform you that I will need to step down from serving on the Sustainable Food Policy Board. I am very sorry that I am not able to serve my full term of service, as I generally take my commitments very seriously. Unfortunately, there are many things that have come up in my commitment to work, and in my personal life, that will require more of my time and energy for at least the next few months, so I will not have enough time to contribute to participation on the SFPB.
>
> Please let me know what the proper steps to take are in transitioning out of service on the board, and in having someone appointed to take my place. I have spoken to Paula McDermott, the chair of the board, and I am happy to serve on the board for the next couple of months, which will hopefully be enough time for new the appointment to be made.
>
> I look forward to your response and to meeting with you.
>
> Thank you,
> Shirene

A3. CONSIDER AND TAKE APPROPRIATE ACTION ON PROCESS FOR SELECTING TRAVIS COUNTY'S APPOINTMENTS TO CITY OF AUSTIN-TRAVIS COUNTY SUSTAINABLE FOOD POLICY BOARD. (COMMISSIONER ECKHARDT) (11:03 AM)

Motion by Commissioner Eckhardt **and seconded by** Judge Biscoe for each member of the Court to appoint one person, and for the County Judge to appoint two.

An Addition to the previous Motion was made by Commissioner Eckhardt to set a closing date for the application process of 5:00 PM, Friday, January 30, 2009.

Motion carried:	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Sarah Eckhardt	yes
	Precinct 3, Commissioner Karen Huber	yes
	Precinct 4, Commissioner Margaret J. Gómez	absent

Clerk's Note: The County judge noted that the Commissioners Court would approve the selections within the next two weeks.

Item A3 to be reposted on February 3, 2009 and February 10, 2009.

RESUME

Adam King
2100 Peach Tree St.
Austin, TX 78704
ph: (512) 712-0137
email: aking@wheatsville.com

Work Experience:

I am currently employed as produce manager for Wheatsville Food Co-op in Austin, Texas.

Responsibilities include:

- Ordering: Coordinating purchasing between national organic produce distributors (Whole Foods Southwest Distribution in Austin, Boulder Fruit Express in CO) and local farmers and producers

- Inventory: Monitoring product for quality control purposes to reduce shrink. Performing quarterly inventories.

- Managing staff: Hiring, performing periodic evaluations, recognizing positive job performance, taking disciplinary action when needed.

- Training employees: Developing systems for merchandising, rotation of product, and customer service. Empowering employees to make decisions and take control of their job.

- Public Outreach: Examples include educating staff and customers about healthy eating, recipe ideas, organic vs. conventional vs. local and examining the carbon footprint of food. I maintain Wheatsville produce department's Facebook page.

- Currently building a network of local farmers in Austin to partner with Wheatsville Co-op. My goal is to substantially increase the amount of local produce available at the co-op, thereby making locally grown produce more available for the public.

Produce manager for La Montañita Food Co-Op's Rio Grande Boulevard location, one of two stores located in Albuquerque, NM (July 2005 – Aug 2010)

Job responsibilities were similar to the ones listed above, additionally, I was part of a team of managers engaged in an ambitious Food Shed Project which aimed to support local agriculture by bringing together producers with markets including but not limited to La Montañita's stores.

Assistant produce manager, La Montañita Food Co-op (April 2003 – July 2005)

This position, while still supervisory, included many of the above responsibilities with the exception of hiring, disciplining, and evaluation of employees.

Other Skills:

- Comfortable speaking directly to the public about local, organic, sustainable agriculture.
- Comfortable working with farmers and small business owners.
- A good communicator and relish the opportunity to develop new working relationships both personally and professionally.
- Detail oriented and enjoy building new systems that provide the most efficient ways to meet goals set by myself, my supervisor, and my staff.
- Keen to pursue new challenges
- Well versed in organic and sustainable lifestyles: literature, current debates, blogs, papers, up-to-date books on the subject.

For references please contact:

Beth Caudill
Human Resources Director, Wheatsville Food Co-op
3105 Guadalupe St
Austin, TX 78705
Ph: (512) 478-2667
Email: bethc@wheatsville.com

Sharret Rose
Human Resources Director, La Montanita Food Co-op
3361 Columbia DR NE
Albuquerque, NM 87107
ph: (505) 217-2001 ext 107
email: hr@lamontanita.coop

Item C3

Travis County Commissioners Court Agenda Request

Meeting Date: December 6, 2011
Prepared By: Michael Hettenhausen **Phone #:** 854-7563
Division Director/Manager: Anna Bowlin, Division Director, Development Services

Department Head: Steven M. Manilla, P.E., County Executive-TNR
Sponsoring Court Member: Commissioner Eckhardt, Precinct Two

AGENDA LANGUAGE: Approve setting a public hearing on Tuesday, January 10, 2012 to receive comments regarding plat for recording: Raceway Single Family Subdivision Section Two Final Plat (A Small Lot Subdivision) (Resubdivision of Lots 16, 17, 24, and 25 Northridge Acres Number Two Subdivision - 69 Lots - Travesia Way - City of Austin ETJ) in Precinct Two.

BACKGROUND/SUMMARY OF REQUEST:
This resubdivision final plat consists of 69 single family lots on 10.576 acres. The proposed plat's boundaries are located within the previously-platted Northridge Acres Number Two subdivision, and the applicant proposes to resubdivide lots 16, 17, 24, and 25 of the Northridge Acres Number Two subdivision into the Raceway Single Family Subdivision Section Two Final Plat. There are 2,229 linear feet of public streets proposed with this final plat. Parkland fees in lieu of dedication have been paid to the City of Austin in the amount of $28,082.54. Fiscal surety in the amount of $239,189.00 has been posted with the City of Austin. Water and wastewater service to be provided by the City of Austin.

STAFF RECOMMENDATIONS:
As this resubdivision final plat meets all Travis County standards and is scheduled for approval at the City of Austin Zoning and Platting Commission meeting on December 6, 2011, Single Office staff recommends approval of the motion.

ISSUES AND OPPORTUNITIES:
Notification
Notification of this resubdivision final plat's hearing at the City of Austin's Zoning and Platting Commission (ZAP) as well as Commissioners Court was mailed to all current owners of property and all registered neighborhood associations within 500 feet of the proposed subdivision. These addresses were obtained from the Travis Central Appraisal District current tax rolls. Single Office records show that all property owners that are required to be notified under Title 30 were notified. The Single Office has registered no interested parties for this application.

As part of the requirements for a plat resubdivision, a notice of public hearing sign will be placed on the subject property to announce the date, time, and location of the public hearing. Should staff receive any inquiries from adjacent property owners as a result of the mailout or sign placement, an addendum to this back up memorandum will be provided to the Court prior to the public hearing.

FISCAL IMPACT AND SOURCE OF FUNDING:

N/A

ATTACHMENTS/EXHIBITS:

Precinct map
Location map
Existing final plat
Proposed final plat

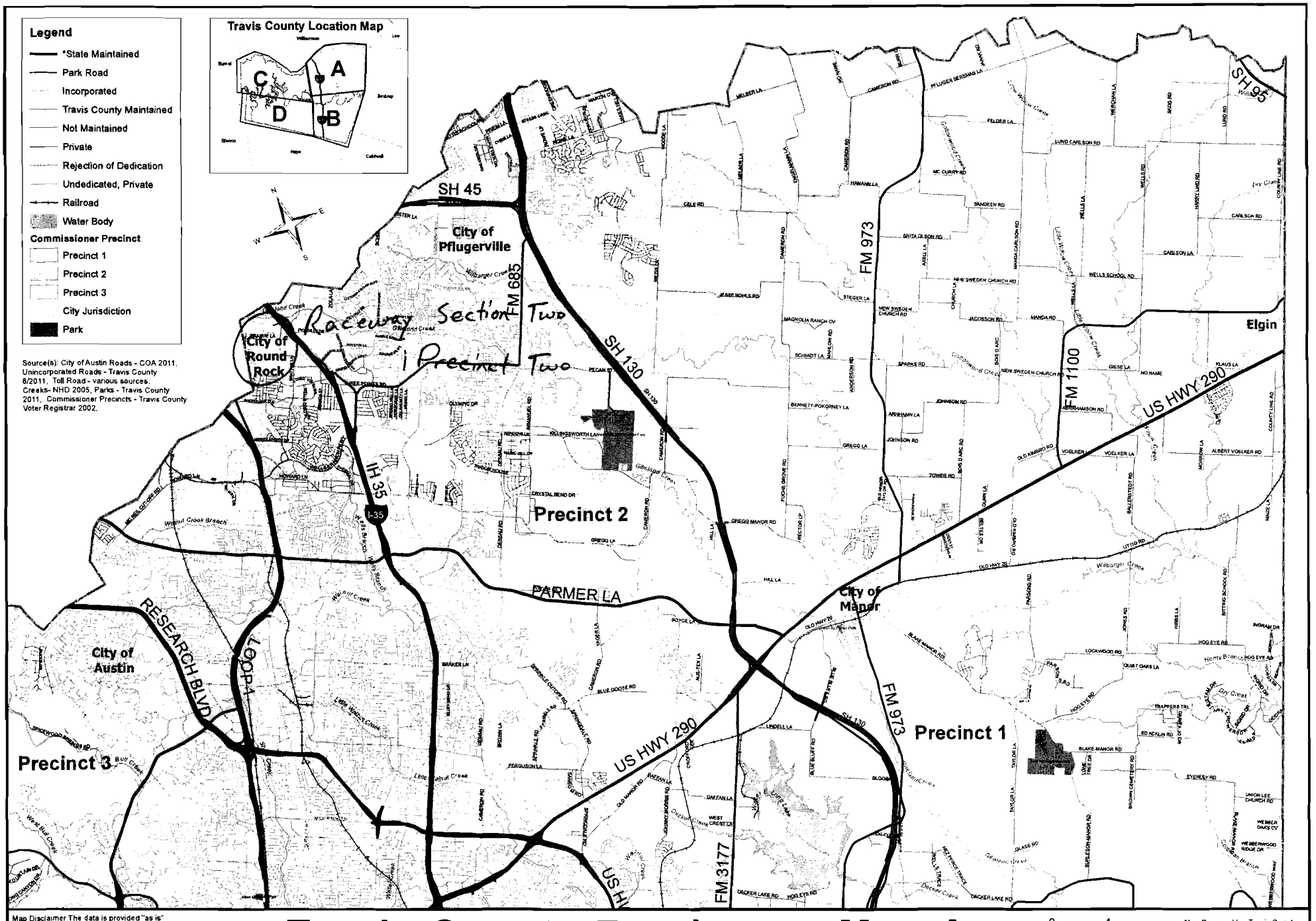
REQUIRED AUTHORIZATIONS:

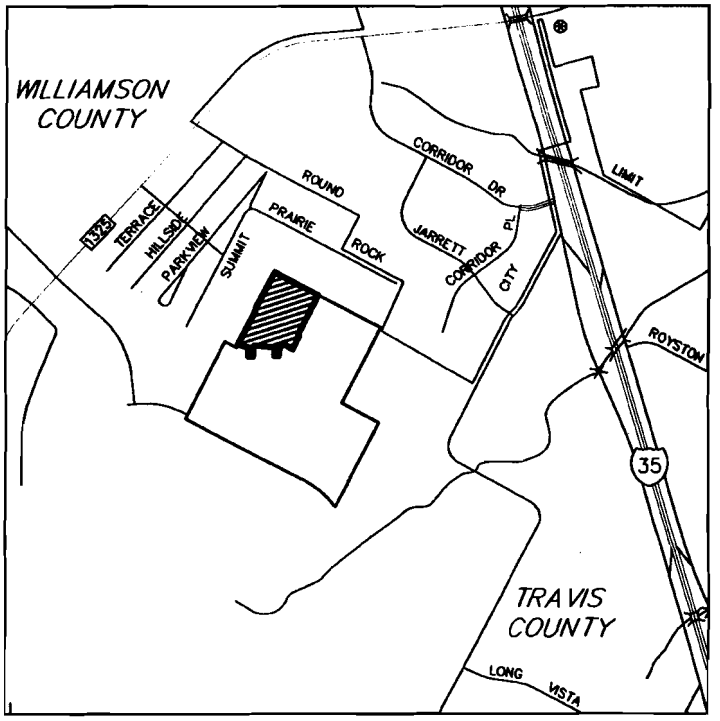
Cynthia McDonald	Financial Manager	TNR	854-4239
Steve Manilla	County Executive	TNR	854-9429

CC:

SM:AB:mh
1101 - Development Services -

Updated 12/1/11, 3:15 p.m.





RACEWAY CROSSING SECTION 2

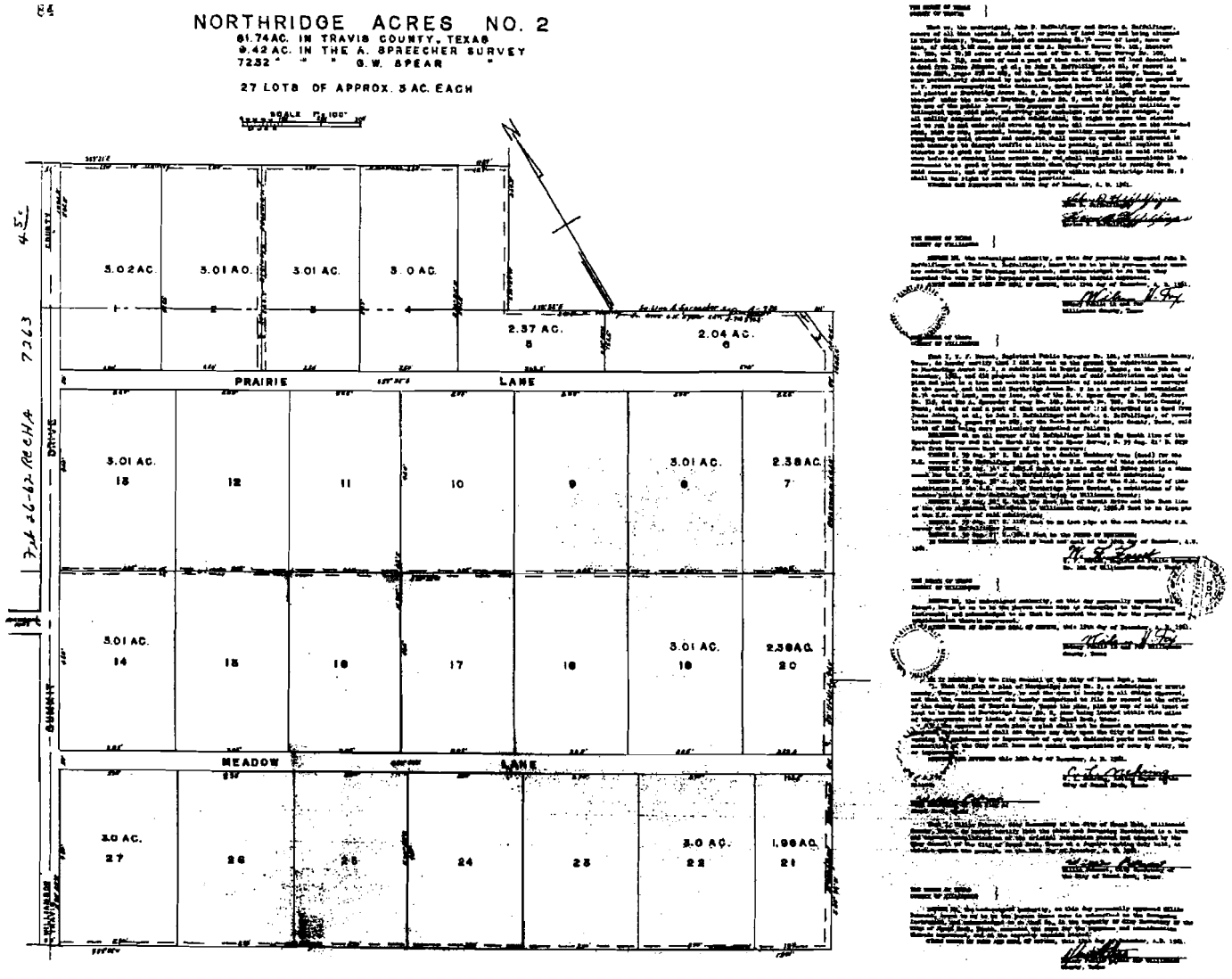
VICINITY MAP

JONES & CARTER, Inc.
ENGINEERS • PLANNERS • SURVEYORS
Texas Board of Professional Engineers Registration No. F-439
1701 Directors Blvd., Suite 400 Austin, Texas 78744 (512) 441-9493

SCALE:	1" = 2000'
DATE:	6/14/2011
JOB NO:	A598-003

Updated 12/1/11, 3:15 p.m.

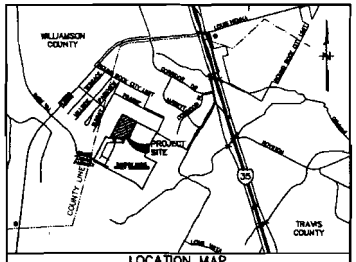
EXISTING PLAT



Updated 12/1/11, 3:15 p.m.

PROPOSED PLAT

RACEWAY SINGLE FAMILY SUBDIVISION SECTION TWO
(A SMALL LOT SUBDIVISION)
TRAVIS COUNTY, TEXAS



LOCATION MAP
N.T.S.

LEGEND

- 1/2" IRON ROD FOUND (UNLESS NOTED)
- P-K NAIL FOUND IN FENCE POST
- 1/2" IRON ROD SET W/CAP STAMPED "TERRA FIRMA"
- CONCRETE MONUMENT SET
- ( ) RECORD INFORMATION
- SIDEWALK

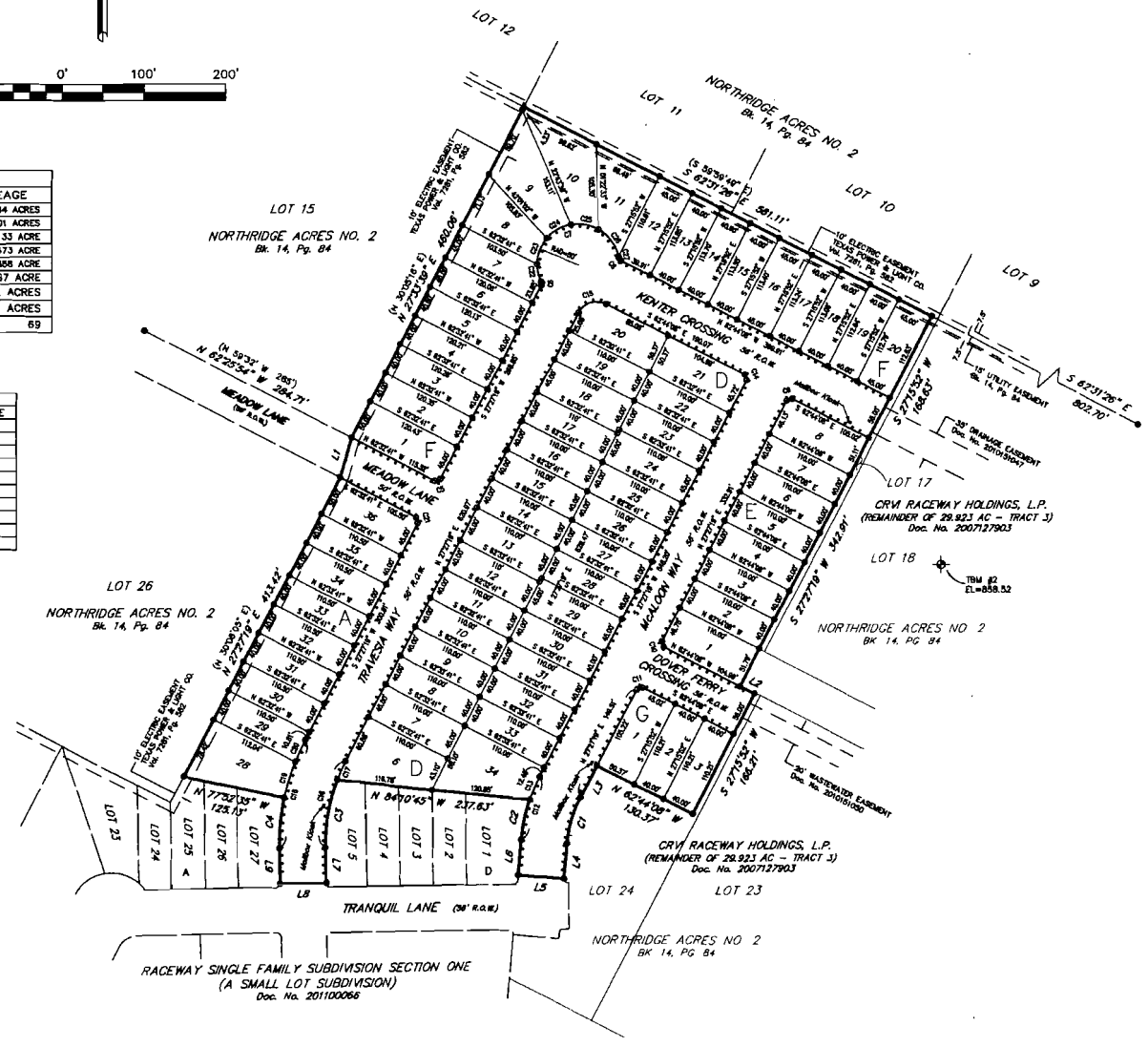
100' 0' 100' 200'

STREET NAMES	R.O.W. WIDTH	CENTERLINE LENGTH
TRAVESIA WAY	56 FT.	830 FT.
MEADOW LANE	50 FT.	143 FT.
KENTER CROSSING	56 FT.	403 FT.
McALOON WAY	56 FT.	695 FT.
DOVER FERRY CROSSING	56 FT.	158 FT.
TOTAL		2,229 FT.

LOT TABLE	
DESCRIPTION	ACREAGE
SINGLE FAMILY LOTS	7.744 ACRES
TRAVESIA WAY	1.201 ACRES
MEADOW LANE	0.133 ACRE
KENTER CROSSING	0.473 ACRE
McALOON WAY	0.858 ACRE
DOVER FERRY CROSSING	0.167 ACRE
TOTAL RIGHT-OF-WAY	2.832 ACRES
TOTAL AREA	10.576 ACRES
TOTAL NO. OF LOTS	69

CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	152.00'	59.50'	59.12'	S 16°14'27" W
C2	208.00'	50.24'	50.12'	N 11°56'45" E
C3	222.00'	84.62'	84.31'	S 09°58'20" W
C4	278.00'	62.48'	62.35'	N 05°27'55" E
C5	5.00'	7.85'	7.07'	S 72°27'19" W
C6	5.00'	4.64'	4.47'	S 00°53'25" W
C7	50.00'	171.10'	99.02'	S 72°21'35" W
C8	5.00'	4.64'	4.47'	N 36°10'14" W
C9	5.00'	7.84'	7.06'	S 72°21'35" W
C10	5.00'	7.87'	7.08'	S 17°38'25" E
C11	5.00'	7.84'	7.06'	N 72°21'35" E
C12	208.00'	81.42'	80.90'	S 16°14'27" W
C13	208.00'	31.18'	31.16'	S 23°09'37" W
C14	5.00'	7.87'	7.08'	N 17°38'25" W
C15	25.00'	39.19'	35.30'	S 72°21'35" W
C16	222.00'	110.15'	109.02'	S 13°14'27" W
C17	222.00'	25.33'	25.32'	S 24°11'12" W
C18	278.00'	137.94'	136.53'	S 13°14'27" W
C19	278.00'	46.21'	46.16'	S 18°39'58" W
C20	278.00'	29.24'	29.23'	S 24°26'30" W
C21	5.00'	7.85'	7.07'	S 17°32'41" E
C22	50.00'	22.63'	22.44'	S 12°42'25" E
C23	50.00'	35.00'	34.29'	S 20°18'51" W
C24	50.00'	35.00'	34.29'	S 60°25'17" W
C25	50.00'	35.00'	34.29'	N 79°28'18" W
C26	50.00'	41.89'	40.50'	N 35°31'47" W
C27	50.00'	1.78'	1.78'	N 10°37'24" W

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 16°09'11" E	51.12'
	(N 18°57'15" E)	(51.20')
L2	S 62°44'08" E	19.81'
L3	S 27°27'19" W	44.28'
L4	S 05°01'35" W	43.27'
L5	N 84°58'25" W	56.00'
L6	N 05°01'35" E	43.27'
L7	S 00°58'25" E	43.60'
L8	S 89°01'35" W	56.00'
L9	N 00°58'25" W	43.60'



BEARING BASIS NOTE:

HORIZONTAL DATUM BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, TEXAS CENTRAL ZONE. COORDINATES AND DISTANCES SHOWN ARE SURFACE VALUES. COMBINED SCALE FACTOR IS 1.0001116368.

BENCHMARK NOTES:

TBM #1 - TEMPORARY BENCHMARK FOR THIS SURVEY IS A COTTON GIN SPINDLE SET IN TOP BACK OF CURB AT EAST END OF MEXIKAN LOCATED ALONG THE CENTER OF GRAND AVENUE PARKWAY NEAR THE SOUTHWEST CORNER OF, RACEWAY SINGLE FAMILY SUBDIVISION SECTION ONE (A SMALL LOT SUBDIVISION), AS RECORDED IN DOC. NO. 201100066.
(ELEVATION=875.95) (NAVD 88 DATUM)

TBM #2 - TEMPORARY BENCHMARK FOR THIS SURVEY IS A COTTON GIN SPINDLE SET IN ASPHALT +/- 149' SOUTHEAST OF THE SHARED REAR PROPERTY CORNER OF LOTS 6 & 7, BLOCK E AND +/- 153' SOUTHEAST OF THE SHARED REAR PROPERTY CORNER OF LOTS 5 & 6, BLOCK E.
(ELEVATION=858.52) (NAVD 88 DATUM)

SHEET 1 OF 2

FILE: J:\Projects\A598\003\Survey\Drawing Files\Final Plat - Sec 2.dwg
J:\Projects\A598\003\Survey\Point Files\0A598-Final Plat Sec. 2.crd

JOB NO:	0A598-003-00/500	DRAWN BY:	MSC
DATE:	May 26, 2011	CHECKED BY:	JON
SCALE:	1"=100'	REVISED:	October 25, 2011

RACEWAY SINGLE FAMILY SUBDIVISION SECTION TWO (A SMALL LOT SUBDIVISION)

SURVEYOR:
terra firma LAND SURVEYING
1701 Directors Boulevard, Suite 400 Austin, Texas 78744 512/328-5573 Fax 512/448-2286

ENGINEER:
JONES & CARTER, INC.
ENGINEERS • PLANNERS • SURVEYORS
Texas Board of Professional Engineers Registration No. F-439
1701 DIRECTORS BLVD, STE. 400
AUSTIN, TEXAS 78744
(512) 441-9493 (Phone)
(512) 445-2286 (Fax)

COA CASE NO.: C8J-2010-0036.2A

RACEWAY SINGLE FAMILY SUBDIVISION SECTION TWO
(A SMALL LOT SUBDIVISION)
TRAVIS COUNTY, TEXAS

STATE OF TEXAS)(
COUNTY OF TRAVIS)(KNOW ALL MEN BY THESE PRESENTS:

That, Pulte Homes of Texas, L.P., a Texas limited partnership, acting herein by and through Pulte Nevada I LLC, a Delaware limited liability company, its General Partner, by Brent Baker, Vice President of Land, owner of 10.576 acres of land out of the George W. Spear Survey No. 100, Travis County, Texas, as conveyed to it by special warranty deed recorded in Document No. 2011_____ of the Official Public Records of Travis County, Texas, does hereby subdivide said 10.576 acres, being a portion of Lots 16, 17, 24 and 25, Northridge Acres No. 2, a subdivision as recorded in Book 14, Page 84 of the Plat Records of Travis County, Texas, together with a portion of Meadow Lane as vacated by order vacating a public road, as recorded in Volume 3175, Page 284 of the Deed Records of Travis County, Texas, said 10.576 acres having been approved for resubdivision pursuant to Section 212.014 of the Texas Local Government Code, does hereby resubdivide said 10.576 acres of land in accordance with the plat shown hereon, to be known as RACEWAY SINGLE FAMILY SUBDIVISION SECTION TWO (A SMALL LOT SUBDIVISION), and does hereby dedicate to the public the use of the streets and easements shown hereon subject to any easements, covenants or restrictions heretofore granted and not released.

WITNESS MY HAND, this the _____ day of _____ 20_____, A.D.

Pulte Homes of Texas, L.P., a Texas limited partnership
1501 Sun City Blvd.
Georgetown, TX 78633

By: _____
Brent Baker, Vice President of Land
Pulte Nevada I, LLC, a Delaware limited liability company
its General Partner

STATE OF TEXAS)(
COUNTY OF TRAVIS)(

Before me, the undersigned authority on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and he acknowledged to me that he executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

_____
Notary Public, State of Texas

_____
Print Notary's Name
My Commission Expires: _____

I, Jonathan O. Nobles, am authorized under the laws of the State of Texas to practice the profession of surveying, and hereby certify that this plat complies with Title 30 of the Austin City Code as amended, is true and correct to the best of my ability, and was prepared from an actual survey of the property made under my supervision on the ground.

Jonathan O. Nobles
Registered Professional Land Surveyor No. 5777
Date 11/8/2011

TERRA FIRMA LAND SURVEYING
1701 Directors Blvd., Suite 400
Austin, Texas 78744

FLOOD PLAIN NOTE:

No portion of this tract is within the designated flood hazard area as shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) #48453C0260H, Travis County, Texas, dated September 26, 2008, Community #481026.

I, Gemeong N. Perry, am authorized under the laws of the State of Texas to practice the profession of engineering, and hereby certify that this plat is feasible from an engineering standpoint and complies with Title 30 of the Austin City Code as amended and is true and correct to the best of my knowledge.

Gemeong N. Perry
Registered Professional Engineer No. 99300
Date 11-8-2011

JONES & CARTER, INC.
1701 Directors Blvd., Suite 400
Austin, Texas 78744

This subdivision is within the 2-mile extraterritorial jurisdiction of the City of Austin, Texas, as of this the _____ day of _____ 20_____, A.D.

ACCEPTED AND AUTHORIZED FOR RECORD by the Director, Planning and Development Review Department, City of Austin, Travis County, Texas, this the _____ day of _____ 20_____.

_____
Greg Guernsey, Director
Planning and Development Review Department

ACCEPTED AND AUTHORIZED FOR RECORD by the Zoning and Platting Commission of the City of Austin, Texas, this the _____ day of _____, 20_____ A.D.

_____ Chairperson

_____ Secretary

In approving this plat, the Commissioners Court of Travis County, Texas, assumes no obligation to build the streets, roads, and other public thoroughfares shown on this plat or any bridges or culverts in connection therewith. The building of all streets, roads, and other public thoroughfares shown on this plat, and all bridges and culverts necessary to be constructed or placed in such streets, roads, or other public thoroughfares or in connection therewith, is the responsibility of the owner and/or developer of the tract of land covered by this plat in accordance with plans and specifications prescribed by the Commissioners Court of Travis County, Texas.

The owner(s) of the subdivision shall construct the subdivision's street and drainage improvements (the "improvements") to County Standards in order for the County to accept the public improvements for maintenance or to release Fiscal Security posted to secure private improvements. To secure this obligation, the owner(s) must post fiscal security with the county in the amount of the estimated cost of the improvements. The owner(s)' obligation to construct the improvements to County Standards and to post the Fiscal Security to secure such construction is a continuing obligation binding on the owners and their successors and assigns until the public improvements have been accepted for maintenance by the county, or the private improvements have been constructed and are performing to County Standards.

The authorization of this plat by the Commissioners Court for filing or the subsequent acceptance for maintenance by Travis County, Texas, of roads and streets in the subdivision does not obligate the County to install street name signs or erect traffic control signs, such as speed limit, stop signs, and yield signs, which is considered to be part of the Developer's construction.

STATE OF TEXAS)(
COUNTY OF TRAVIS)(

I, Dana DeBeauvoir, Clerk of the County Court of Travis County, Texas, do hereby certify that on the _____ day of _____, 20_____, A.D., the Commissioners' Court of Travis County, Texas passed an order authorizing the filing for record of this plat and that said order was duly entered in the minutes of said Court.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY COURT of said County, the _____ day of _____, 20_____, A.D.

Dana DeBeauvoir, County Clerk, Travis County, Texas

_____
Deputy

STATE OF TEXAS)(
COUNTY OF TRAVIS)(

I, Dana DeBeauvoir, Clerk of Travis County, Texas do hereby certify that the foregoing instrument of Writing and its Certificate of Authentication was filed for record in my office on the_____ day of _____, 2010, A.D., at _____o'clock ____M., and duly recorded on the _____ day of _____, 20_____, A.D., at _____o'clock ____M., in the Official Public Records of said County and State in Document No._____

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK of said County the _____ day of _____, 20_____, A.D.

Dana DeBeauvoir, County Clerk, Travis County, Texas

_____
Deputy

NOTES:

1. This subdivision is located within the Gilleland Creek Watershed classified as suburban.

2. In a suburban watershed, water quality controls are required for new development in accordance with the environmental criteria manual of the City of Austin Land Development Code.

3. All streets, drainage and sidewalks shall be constructed and installed to Travis County standards, water and wastewater lines and erosion controls shall be constructed and installed to City of Austin standards.

4. Prior to construction on lots in this subdivision, drainage plans will be submitted to the City of Austin and Travis County for review. Rainfall runoff shall be held to the amount existing at undeveloped status by ponding or other approved method.

5. All drainage easements on private property shall be maintained by the property owner or assigns.

6. Property owner and/or his/her assigns shall provide for access to drainage easements as may be necessary and shall not prohibit access by Travis County or other governmental authorities for inspection or maintenance of said easement.

NOTES (cont.):

7. Enclosed storm sewer pipes will be located in drainage easements a minimum of 15 feet wide. Easements for open channels shall be a minimum of 25 feet wide.

8. Erosion/Sedimentation controls are required for all construction on each lot pursuant to Land Development Code, and the Environmental Criteria Manual. It shall be the responsibility of the lot owner/builder to install and maintain temporary erosion controls (silt fence), revegetation and tree protection for all disturbed areas during the period of construction until disturbed areas are adequately stabilized against erosion pursuant to the City of Austin Land Development Code.

9. All disturbed areas within each phase of this project shall be revegetated and all permanent erosion/sedimentation controls completed prior to the issuance of occupancy permits for that phase. Temporary E/S controls shall be adjusted as needed prior to this release to ensure that subsequent phase disturbed areas are adequately covered. Additionally, any area within the limits of construction of the project which is not adequately revegetated shall be brought into compliance prior to the release of the final phase.

10. The owner/developer of this subdivision/lot is responsible for providing the subdivision infrastructure, including water and wastewater improvements, offsite main extensions, and system upgrades.

11. Water and wastewater service shall be provided by the City of Austin. No lot in this subdivision shall be occupied until the building is connected to the City of Austin's water and wastewater systems.

12. The water and wastewater utility system serving this subdivision must be in accordance with the city design criteria and standards. The water and wastewater utility plan must be reviewed and approved by the Austin water utility. The water and wastewater utility construction must be inspected by the city.

13. Electric service will be provided by Oncor Electric Delivery. Telephone service will be provided by AT&T.

14. This subdivision will be designed in accordance with 30-2-232 of the Land Development Code.

15. All corner lots shall be a minimum 4,500 square feet.

16. The owner of this subdivision, and his or her successors and assigns, assumes responsibility for plans for construction of subdivision improvements which comply with applicable codes and requirements of the City of Austin. The owner understands and acknowledges that plat vacation or replatting may be required, at the owner's sole expense, if plans to construct this subdivision do not comply with such codes and requirements.

17. No construction or placement of structures including buildings, sheds, pools, landscaping or gardens is allowed within a critical environmental feature buffer zone per the City of Austin's Land Development Code.

18. Maintenance of the water quality controls required above shall be according to City of Austin standards.

19. Water quality controls are required for all development with impervious cover in excess of 20% of the Net Site Area of each lot pursuant to Land Development Code.

20. Travis County Development Permit is required prior to site development.

21. No objects, including but not limited to, buildings, fences or landscaping shall be allowed in a drainage easement except as approved by Travis County (and other appropriate jurisdictions).

22. This subdivision will utilize offsite storm water conveyance, detention, and water quality controls. The offsite storm sewer line is within a drainage easement recorded in Document No. 2010151047 and water quality pond is within a drainage easement recorded by separate instrument Document No. 2010151046 of the Official Public Records of Travis County, Texas, and will be constructed with the subdivision infrastructure.

23. By approving this plat, the City of Austin assumes no obligation to construct any infrastructure in connection with this subdivision. Any subdivision infrastructure required for the development of lots in this subdivision is the responsibility of the developer and/or owners of the lots being occupied. Failure to construct any required infrastructure to City standards may be just cause for the City to deny applications for certain development permits including building permits, site plan approvals, and/or certificates of occupancy.

24. A ten foot (10') Public Utility Easement (PUE) is hereby dedicated adjacent to all right-of-way.

25. Public sidewalks, built to City of Austin standards, are required along the following streets and as shown by a dotted line on the face of the plat: TRAVESIA WAY, MEADOW LANE, KENTER CROSSING, McALOON WAY and DOVER FERRY CROSSING. These sidewalks shall be in place prior to the lot being occupied. Failure to construct the required sidewalks may result in the withholding of Certificates of Occupancy, building permits, or utility connections by the governing body or utility company.

26. No construction on Raceway Single Family Subdivision Section Two shall commence until the water quality infrastructure per Raceway Single Family Subdivision Section One (C8-2010-0036.1B) has been constructed and accepted.

27. It is declared that all of the property of the subdivision shall be held, sold and conveyed subject to the following restrictions, covenants and conditions contained in the deed restrictions on file in Document No. 2010188090 of the Official Public Records of Travis County, Texas.

SHEET 2 OF 2

SURVEYOR:
terra firma LAND SURVEYING
1701 Directors Boulevard, Suite 400 Austin, Texas 78744 512/328-8373 Fax 512/445-2286

ENGINEER:
JONES & CARTER, INC.
ENGINEERS • PLANNERS • SURVEYORS
Texas Board of Professional Engineers Registration No. F-439
1701 DIRECTORS BLVD, STE. 400
AUSTIN, TEXAS 78744
(512) 441-9493 (Phone)
(512) 445-2286 (Fax)

FILE:	J:\Projects\A598\003\Survey\Drawing Files\Final Plat - Sec 2.dwg J:\Projects\A598\003\Survey\Point Files\0A598-Final Plat Sec. 2.crd		
JOB NO:	0A598-003-00/500	DRAWN BY:	MSC
DATE:	May 26, 2011	CHECKED BY:	JON
SCALE:	1"=100'	REVISED:	August 16, 2011

RACEWAY SINGLE FAMILY SUBDIVISION SECTION TWO (A SMALL LOT SUBDIVISION)

COA CASE NO.: C8J-2010-0036.2A

Item C4

Travis County Commissioners Court Agenda Request

Meeting Date: December 6, 2011
Prepared By: Thomas W. Weber **Phone #:** 854-4629
Division Director/Manager: Jon A. White, Director, Natural Resources & Environmental Quality Division

Department Head: Steven M. Manilla, P.E., County Executive-TNR
Sponsoring Court Member: County Judge Samuel T. Biscoe

AGENDA LANGUAGE: Approve setting a public hearing on Tuesday, February 7, 2012 to receive comments regarding the adoption of proposed changes to the Travis County Code to update and strengthen water quality protection requirements, including the repeal of Chapter 108, the repeal of various provisions in Chapter 82, the revision of certain provisions in Chapters 82 and 64, the addition of new Subchapters H – K to Chapter 82, and the addition of new Chapter 104.

BACKGROUND/SUMMARY OF REQUEST:

In the recent past, the Travis County Commissioners' Court adopted rules and policies for the protection of the County's significant and unique water resources. These include requirements for the management of floodplains, the siting of solid waste facilities, the set-aside of lands for natural resource protection, the adoption of a joint development code with the City of Austin, and the setting of "interim" water quality requirements for areas outside of municipal Extra Territorial Jurisdictions (ETJs). Although this is substantial progress, gaps remain in County requirements both geographically and in terms of comprehensiveness. These regulatory gaps should be filled. Furthermore, federal and state requirements mandate that the County update its water quality protection requirements so that they are consistent with recent changes.

Elimination and abatement of polluted storm water runoff from private and public development construction sites has emerged as a regulatory priority across the country and Texas. The U.S. Environmental Protection Agency (EPA) adopted rules effective February 1, 2010 and current proposals by the TCEQ set new standards and expectations on all operators of a municipal separate storm sewer system (MS4). Travis County is a designated small MS4 due to its extensive urbanization and has entered the fifth and final year of implementing a required Storm Water Management Plan (SWMP). Travis County's MS4 permit and its SWMP establish August 12, 2012 as the latest date on which to adopt final rules to set the minimum standards and practices acceptable under the federal/state framework.

The County's MS4 permit sets out a broad mandate requiring the County to implement rules that:

- cover our entire jurisdiction;
- control construction sites disturbing more than one acre of land;
- ensure developments adequately manage runoff after being built;
- eliminate pollutant discharges into our storm sewers from industrial and commercial enterprises;
- reduce pollutants in runoff from road construction; and
- set out enforcement policies that will deter and correct violations.

For all these reasons, these proposed rules are comprehensive and time sensitive.

The components of the proposed rules include:

A. The addition of new Subchapters H – K into existing Chapter 82:
Subchapters H and I specify the requirements under which a plat application, a Basic Development Permit application, or a BMP Maintenance Permit application would be considered, to ensure an approval meets the water quality protection standards. Subchapter J would apply to permitted construction site owners and operators, to ensure Storm Water Pollution Prevention Plans (SWP3s) are carried out as designed. Subchapter K would apply water quality protection standards to County or private roadway and right of way construction projects. Exhibit 1 includes the text of the proposed new Subchapters H - K.

B. The addition of new Chapter 104 into the Travis County Code:
This chapter would specify requirements and prohibitions applicable to any person who discharges pollutants into the County MS4. The chapter describes allowable de minimus pollutant discharges. It also codifies and clarifies the existing enforcement policy TNR utilizes to address violation of water quality protection requirements. Exhibit 2 includes the text of the proposed new Chapter 104.

C. The repeal of Chapter 108 and the repeal of various provisions of Chapter 82:
Under the proposed rules, all of Chapter 108 (Tree Preservation Rules) would be repealed. The essential provisions are incorporated into the new Subchapter K. In Chapter 82, the following would be repealed: Sections 82.204(c)(25)(B), 82.209, 82.211, and 82.302(g). Each of these repealed provisions would be re-numbered as a new section that is either kept substantially the same or modified and updated. Exhibit 3 is a table that lists and describes each provision proposed for repeal and the new section that will replace it, including information on whether the existing provision is being modified.

D. The amendment of various provisions of Chapter 82 and Chapter 64:

1. Some definitions that pertain to water quality protection requirements would be modified or added,

2. Cross references would be added to pertinent standards in Subchapters H – K that apply to development proposals,

3. Development standards pertaining to water quality protection would be added,

4. Various provisions would be "cleaned up" for greater clarity,

5. A new Section 82.302(g) would update the County design standards for driveway approaches to R.O.W., and

6. Amendments to 82.401 would revise and expand construction fiscal security requirements to ensure construction site stabilization.

Exhibit 4 is a "legislative" version showing all proposed insertions and deletions comprising these amendments. Exhibit 5 shows four new construction drawing details proposed for driveway approaches.

STAFF RECOMMENDATIONS:

TNR recommends the setting of a public hearing at Commissioners' Court on February 7, 2012, to provide the public an opportunity to provide comment on the proposed rules. TNR took extensive steps to encourage and invite public comment on this rule making. Today's proposal resulted from significant changes to the rules, based upon internal and external comments received. On March 15, 2011, the Commissioners' Court approved a public participation process to vet the first draft proposal. This included creation of a website and a unique web address for receipt of comments. Due to the sheer volume of proposed changes, the rules were released in three parts in the timeframe of March through May and a schedule for submittal of comments was set. In response to queries, staff extended the timeframe for responding to the draft rules to accommodate stakeholders.

With each of the three releases, an e-mail was sent to a wide spectrum of local interested parties representing municipal and State agencies, advocacy groups for environmental protection, land developers, planners, engineering groups, mining interests, and trade organizations. The e-mail group contained approximately 110 stakeholders. TNR received numerous responses and recommended changes to the rules. TNR staff had several meetings with individual parties that facilitated the resolution of particular issues of concern.

In advance of today's proposal to the Commissioners' Court, TNR staff provided an e-mail to the same group of stakeholders to invite written comment on this proposal. If particular parties are interested, staff also stands ready to meet and discuss this proposal and any concerns with it over the next several weeks leading up to the January 10th public hearing.

ISSUES AND OPPORTUNITIES:

Collectively, the proposed rules would result in greater protection and maintenance of water quality in Travis County rivers, streams, and lakes. These proposals would

also expand consistency between jurisdictions in a manner that should make development design and approval processes more efficient and cost-effective.

The proposed rules would apply to all of Travis County, including all municipal ETJs, except for subdivision development proposals in the City of Austin ETJ, since water quality requirements are already in effect there under Title 30 of the Joint City/County Code. This represents an expansion of the 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 that lake's watershed.

In developing the proposed rules, TNR has reviewed rules of other jurisdictions, particularly the City of Austin (COA) and LCRA, and we have sought to harmonize requirements so that consistency is expanded to greater areas of Travis County. Significant examples include the proposed adoption of the following:

- Adopting the use of technical guidance manuals already prepared by LCRA for western watersheds and COA for eastern watersheds.
- Establishing the same water quality volume requirements as LCRA for western watersheds and the same as COA for eastern watersheds and and a western watershed in the COA ETJ.
- Implementing requirements for storm water personnel qualifications that are derived from COA (with an 18 mo. phase-in period).
- Adopting, in the western watersheds, critical environmental feature and waterway setbacks that are equivalent to existing LCRA requirements.
- Adopting requirements for submittal of an environmental assessment that were derived from COA requirements.
- Adopting fiscal security requirements for construction site stabilization that were derived from the LCRA Highland Lakes Watershed Ordinance (HLWO) requirements.
- Adopting a list of 23 “allowable non-storm water” discharges that are consistent with the TCEQ Storm Water General Permit and that take into consideration COA allowable discharges.

The proposed rules include requirements for water quality protection that are more protective than what the County currently has in place. We believe these more protective requirements requirements are justified based on TNR staff regulatory experience and professional judgment, local topographic challenges, the sensitivity of local aquatic ecosystems, the TCEQ’s construction general permit, TCEQ’s proposed MS4 general permit, new EPA requirements set forth in Title 40, Part 450 of the Code of Federal Regulations, and the EPA-approved Total Maximum Daily Load applicable to the Gilleland Creek watershed. These more rigorous requirements include:

- Additional environmental requirements to that must be included when fair notice of a master development plan is provided.
- A system for TNR issuance of Best Management Practice (BMP) Maintenance Permits that was derived from requirements of Harris County and LCRA, annual renewals, an annual fee, and an alternative method for a permittee to educate workers and residents on pollution prevention in lieu of paying an annual fee.
- Technical standards for control of storm water from construction activities based upon existing technical guidelines developed in Central Texas (LCRA, COA, Edwards Aquifer rules); standards are more rigorous and provide greater environmental protection for more difficult site conditions and larger areas of land disturbance.
- New requirements for the control of mining and quarrying, with an emphasis on site stabilization, post-mining reclamation, and fiscal security. This section is derived from local LCRA and COA requirements and review of rules established in Missouri and Wisconsin.
- Cut and fill requirements that include additional engineering design safeguards and standards relating to fill disposal and the quality of fill material.
- Setbacks from waterways in eastern watersheds that would provide greater protection of headwater streams draining 64 acres or more (existing rules are for 320 acres or greater).
- Subdivision plat notes that prohibit certain activities in setback areas near waterways and critical environmental features.
- Storm water construction site inspection requirements derived from TCEQ general permit requirements and a requirement that certain inspection reports be submitted to TNR program staff.
- Submittal format and construction plan sheet requirements for storm water management details that are on par with existing Chapter 82 standards for roads and drainage ways.
- Requirements for erosion and sediment control and post-construction water quality ponds that would apply to County roadway projects, private roadway and drainage easement projects, and construction of utilities.
- A requirement that as-built drawings be submitted at final inspection of a subdivision or site to facilitate County geo-referencing of structures for our MS4 map.
- Sustainable roadway standards that are alternatives to current practices (road designs without curbs, use of native/drought resistant seed mixes, and use of Low Impact Development techniques)
- A clear standard for unaccepted roadway responsibility.
- A requirement that requires notice of any spill of hazardous materials if the spill could affect a water supply or a county road.

FISCAL IMPACT AND SOURCE OF FUNDING:

Processes and enforcement of the proposed rules will likely challenge existing staff resources in the long-term. The current downturn in development activity greatly

reduces short-term impacts on staff resources. Simultaneous with this rule making, TNR is increasing its efficiency by establishing data systems to manage processing of development requests. The proposed new Section 82.918 would authorize fees payable annually and when re-inspection of a water quality control structure is necessary. A fee schedule will be proposed for Court consideration at the time this rule is adopted. Depending upon the schedule approved, the fees may cover additional staffing necessary to administer and enforce the new BMP Maintenance Permit program.

ATTACHMENTS/EXHIBITS:

Exhibit 1 - Proposed new Subchapters H - K, Chapter 82
Exhibit 2 - Proposed new Chapter 104
Exhibit 3 - Table showing disposition of repealed Code provisions
Exhibit 4 - "Legislative" version with proposed insertions and deletions to Chapter 82 and Chapter 64
Exhibit 5 - Construction drawing details proposed for driveway approaches

REQUIRED AUTHORIZATIONS:

Cynthia McDonald	Financial Manager	TNR	854-4239
Steve Manilla	County Executive	TNR	854-9429
Jon White	Division Director	TNR	854-7212
Julie Joe	Attorney	County Attorney	854-4835

CC:

Thomas Weber	Environmental Program Manager	TNR	854-4629
Dave Fowler	Environmental Project Manager	TNR	854-7590
Anna Bowlin	Development Services Division Director	TNR	854-7561
Teresa Calkins	Development Services Senior Engineer	TNR	854-7569

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Title VII. Improvements -- Subtitle A. Roads

Chapter 82. Standards for Construction of Streets and Drainage in Subdivisior

Subchapter H. Water Quality Protection – General.
82.910. Purpose.
82.911. Authority
82.912. Geographic Scope.
82.913. Applicability.
82.914. Environmental Review.
82.915. Pre-development Planning.
82.916. Other Environmental Authorizations Required.
82.917. BMP Maintenance Permit.
82.918. Fees.
82.919. Outreach in lieu of Fees.
82.920. Fiscal Security.
82.921. Variances.

Subchapter I. Submittal Requirements and Water Quality Protection Standards.
82.930. Applicability.
82.931. Minimum Requirements for Environmental Review.
82.932. Standards and Requirements for Technical Adequacy.
82.933. Technical Criteria.
82.934. General Storm Water Management Requirements for Construction Activities.
82.935. Storm Water Pollution Prevention Plan.
82.936. Erosion and Sediment Control Best Management Practices.
82.937. Other Controls and Pollution Prevention Measures for Construction Activities.
82.938. Erosion and Sediment Control Maintenance Requirements for Construction Activities.
82.939. Preliminary Storm Water Pollution Prevention Plan.
82.940. Effluent Quality. [Reserved]
82.941. Setbacks from Critical Environmental Features and Waterways.
82.942. Environmental Assessment.
82.943. Cut and Fill.
82.944. Permanent Water Quality Control.
82.945. Requirements for Quarries and Mines.
82.946. Subdivision Plat Notes.

Subchapter J. Storm Water Pollution Prevention Plan Inspections.
82.950. Pre-Construction Conference Required.
82.951. Owner and Primary Operator SWP3 Inspections.
82.952. Submittal of SWP3 Operator Inspection Reports.
82.953. Submittal of Engineer's Concurrence Letter.

Subchapter K. Roadways and Rights of Way.
82.970. Erosion and Sedimentation Control for Roadways and Drainage Easements.

82.971. Sustainable Roadways.
82.972. Native Vegetation.
82.973. Tree Preservation.
82.974. Responsibility for Unaccepted Roadways.

Subchapter H. Water Quality Protection – General

82.910. Purpose. The purpose of subchapters H - K is to provide the regulated community and the public a consolidated set of water quality requirements that apply to applications for Travis County development permits, preliminary plans, plats, and construction plans. This chapter includes requirements for the environmental review of applications. These subchapters include the substantive, minimum environmental technical standards and guidelines that can be approved during the application process. The scope of these subchapters includes requirements that will control, reduce, and eliminate the discharge of pollutants into the Travis County storm sewer system and water in the State through the proper management of storm water and drainage while achieving optimal management of floodplains to prevent loss of property and human life.

82.911. Authority

(a) Subchapters H – K are adopted under the authority granted to a County by Texas Local Government Code, Chapter 232, to adopt rules governing plats and subdivisions of land within the unincorporated area of the county to promote the health, safety, morals, or general welfare of the county and the safe, orderly, and healthful development of the unincorporated area of the county.

(b) Subchapters H – K are adopted under the authority granted to this County by Texas Local Government Code, Chapter 573, to take any necessary or proper action to comply with the requirements of the storm water permitting program under the national pollutant discharge elimination system (Section 402, Federal Water Pollution Control Act (33 U.S.C. Section 1342)). The storm water permitting program requires Travis County to develop and implement controls that will reduce or eliminate pollutant discharges in Texas waterways, for the protection of human health and the maintenance and protection of environmental quality.

(c) Subchapters H – K are adopted under the authority granted to a County by Texas Water Code, Chapter 16, to take all necessary and reasonable actions to comply with the requirements and criteria of the National Flood Insurance Program, to promote public health, safety, and general welfare.

82.912. Geographic Scope. Subchapters H – K apply to all unincorporated areas within Travis County, including areas within the ETJ of any municipality, except that requirements are not applicable to a subdivision development within the ETJ of any municipality that has an executed agreement with Travis County that provides for a single office review and where a joint city/county code of subdivision regulations exists pursuant to Section 242.001(d)(4) of the Texas Local Government Code. Requirements of other jurisdictions may be applied to a development beyond those specified in this chapter or in the Travis County Code. An applicant is responsible for determining the requirements of any other applicable federal, state, or local jurisdiction.

82.913. Applicability.

(a) Subchapters H – K apply to the processing of new applications for a preliminary plan, final plat, subdivision construction plan, residential development, single lot development, commercial development, or any development that requires a basic development permit.

(b) Subchapters H – K apply to the processing of applications to amend or propose revisions of an approved preliminary plan, final plat, subdivision construction plan, residential development, single lot development, commercial development, or any development that requires a basic development permit.

(c) Subchapters H – K apply to the construction, operation, and maintenance of roadways, including rights-of-ways.

82.914. Environmental Review.

(a) One complete copy of any application shall be provided when an application is submitted, in addition to any number of copies required by Chapter 64 of the Travis County Code for a basic development permit application, and in addition to any number of copies required by Section 82.201(b) of this chapter.

(b) Development within the Lake Travis Watershed is subject to the provisions of the Highland Lakes Watershed Ordinance promulgated by the Lower Colorado River Authority and the Travis County Code. A person who seeks to engage in development in the Lake Travis Watershed must:

(1) Submit any development application, including revisions to an application and required supporting information, to the Lower Colorado River Authority at the same time as it is provided to the County Executive; and

(2) If additional information is required to be provided to the County Executive as a part of the review process for a development application, submitted the same additional information at the same time to the Lower Colorado River Authority.

82.915. Pre-development Planning. Before submitting an application for a development permit for a Subdivision Development greater than 20 acres in area or a Commercial Development greater than three acres in area, an applicant shall arrange a pre-development/concept plan meeting. The meeting will focus on the proposed land plan, slopes, buffers, critical environmental features, and water quality management practices for construction activities and post-construction storm water management, and may include a site investigation.

82.916. Other Environmental Authorizations Required. The County Executive provides a checklist to assist applicants in determining some of the more typical requirements.

(a) Each applicant seeking a development permit shall submit documentation that demonstrates that the proposed development complies with the following statutes, rules, and regulations:

(1) the LCRA Highland Lakes Watershed Ordinance, if the application includes development in the Lake Travis watershed;

(2) the TCEQ Edwards Aquifer requirements at 30 Texas Administrative Code Chapter 213, if the application includes development that overlies the Edwards Aquifer Recharge Zone or Edwards Aquifer Contributing Zone;

(3) Section 10 of the federal Endangered Species Act;

(4) Section 10 of the federal Rivers and Harbors Act or Section 404 of the federal Clean Water Act;

(5) the requirements of a municipality within an extra-territorial jurisdiction;

(6) The TCEQ industrial or municipal solid waste management requirements under Chapter 361, Health and Safety Code;

(7) Texas Pollutant Discharge Elimination System (TPDES) requirements under Section 402 of the federal Clean Water Act, Section 26.027, Water Code, or Section 26.040, Water Code, including a TCEQ permit for waste discharge into or adjacent to water in the state, a Notice of Intent (NOI) along with a Storm Water Pollution Prevention Plan (SWP3) discharge of storm water from a construction or industrial activity; and

(8) The TCEQ Dam Safety requirements at 30 Texas Administrative Code Chapter 299, if the application includes a proposal to construct a dam to impound water in the State.

(b) If any of the statutes, rules, or regulations listed in Subsection (a) do not apply to the proposed development, an applicant must submit:

(1) documentation of that fact from the respective entity with enforcement authority over the statute, rule, or regulation, or,

(2) if documentation of that fact from the respective entity with enforcement authority over the statute, rule, or regulation is unavailable, *bona fide* documentation of that fact from a qualified professional along with supporting information.

(c) A copy of the SWP3 identified in paragraph (a)(7) of this section is not required with an application for a preliminary plan or final plat. It shall be submitted for review prior to approving a subdivision or non-residential site development construction plan.

82.917. BMP Maintenance Permit.

(a) Unless the County Executive has waived the requirement for a BMP Maintenance Permit pursuant to subsection (i) of this section, an owner, or to the owner's legally-authorized assignee, must upon completion of the infrastructure for each structural, permanent water quality control required for the authorized development, obtain a BMP Maintenance Permit from the County Executive.

(b) If a subsequent owner, maintenance association, or property owner's association does not accept the assignment of ownership of the permanent water quality control, the owner who developed the site shall remain subject to the terms of the BMP Maintenance Permit until an assignment occurs or until the subsequent owner, maintenance association, or property owner's association accepts responsibility for compliance with a BMP Maintenance Permit.

(c) Along with the engineer's concurrence letter required pursuant to Section 82.953, the owner, or to the owner's legally-authorized assignee shall submit a BMP Maintenance Permit application that includes a maintenance plan, the information necessary to verify that each water quality control is in proper operating condition. An applicant for a BMP Maintenance Permit must remit the required, nonrefundable fee pursuant to Section 82.918.

(d) The holder of the BMP Maintenance Permit must maintain the water quality control in proper operating condition in accordance with the approved Permit maintenance plan and the applicable technical criteria cited in Section 82.933.

(e) Whenever the Inspector determines there are inadequacies requiring corrective action, the permit holder must perform the necessary maintenance actions enumerated by the Inspector to bring the water quality control into proper operating condition.

(f) Not later than 30 days after a change in ownership or operation of a water quality control, the new owner or operator must submit an application for a new BMP Maintenance Permit. When issued, the responsibility for the water quality control transfers from the previous permit holder to the new permit holder.

(g) A BMP Maintenance Permit will be issued for a term not to exceed one year. The owner or operator of record has the continuing obligation to apply for renewal of the BMP Maintenance Permit at least 30 days prior to the permit term's expiration. It is the obligation of the owner or operator to specify in the renewal application whenever any necessary changes in maintenance or operation of the water quality control occur.

(h) Pre-existing Water Quality Control. The owner or operator of a water quality control authorized or completed prior to [insert effective date of this rule] and after August 12, 2007, shall submit an application for a BMP Maintenance Permit no later than

February 28, 2013. If received by February 28, 2013, the initial application fee will be waived.

(i) The County Executive may waive the requirement for a BMP Maintenance Permit in instances when:

(1) a jurisdiction overlaps with the jurisdiction of Travis County and requires a similar permit or authorization from the owner or operator, including an authorization under 30 Texas Administrative Code Chapter 213 (Edwards Aquifer) or the HLWO;

(2) a municipality, including a district, maintains the permanent water quality control; or

(3) the permanent water quality control is within the City of Austin ETJ.

82.918. Fees.

(a) Except as provided by subsection (c), a BMP Maintenance Permit fee is required along with each permit application, including for the initial or renewal application. The fee amount for each application type that shall be remitted is established by the Commissioners Court.

(b) A re-inspection fee is required from the permit holder after on-site inspection of the water quality control whenever it is determined the water quality control has not been maintained in substantial compliance with the maintenance plan provided pursuant to 82.917(c), or when the water quality control is inoperable. The re-inspection fee amount is established by the Commissioners Court. The re-inspection fee shall be remitted within 30 days of notice of the inspection result. Failure to pay a re-inspection fee within the required timeframe or to complete the necessary corrective actions may result in enforcement remedies allowable by law.

(c) A BMP Maintenance Permit renewal fee will be waived when a complete renewal application is submitted along with the required documentation of employee and public outreach as described in Section 82.919.

82.919. Outreach in lieu of Fee.

(a) A person who has been issued a BMP Maintenance Permit pursuant to Section 82.917 of this chapter is encouraged to publish and disseminate information to inform and educate the general public on day-to-day practices that will prevent the deterioration of water quality from sources that drain, or have the potential to drain, to the storm sewer system.

(b) The format of the outreach may be a brochure, newsletter, attachment or hyperlink in an e-mail, or similar method, so long as it is received by each residential owner within a subdivision and, in the case of a commercial development, by all owners, tenants, and employees of the establishments therein.

(c) In a residential subdivision, the information provided should focus on activities and practices of residential households that may cause water pollution if done improperly, such as motor vehicle maintenance, use of lawn and garden chemicals, trash and waste management, painting, and home repair. The information should give advice on proper methods that will prevent runoff of pollutants and the proper disposal methods that prevent pollution.

(d) In a commercial development, the information should focus on activities specific to the establishments that are being operated in the development.

(e) In both residential subdivisions and commercial developments, the outreach materials should describe the maintenance and operation responsibilities of the permit holder, the drainage relationship of individual households or establishments to the permanent water quality control structure, and the responsibility of all to minimize adverse impacts on storm water that is discharged from the control structure.

(f) A renewal fee for a BMP Maintenance Permit will be waived each year that complete documentation of employee or residential outreach is submitted along with a renewal application.

(g) Documentation must include:

(1) A copy of the outreach material disseminated, consistent with the guidelines of this section;

(2) A signed statement from the permit holder certifying the date(s) within the prior twelve month period (permit term) when the materials were disseminated;

(3) A listing of the persons and business owners, as applicable, who were provided the information and the method by which each received it;

(4) For a commercial development, documentation of materials being provided to each business owner or business manager will be adequate, so long as multiple copies are provided, so that the business owner can provide one copy to each employee.

(h) After review and if determined not to be adequate, the permit applicant shall either provide the required fee within 14 days to complete the renewal application, or will be provided 30 days to remedy the deficiency through additional outreach.

82.920. Fiscal Security. Approval of a permit application for a commercial site and for a subdivision development is contingent upon the execution of fiscal security in accordance with the requirements of section 82.401 of the Code.

82.921. Variance.

(a) Any applicant for a permit or plat may apply for a variance from the requirements of this chapter. A variance may be sought only on the basis that the imposition of the requirements of

this chapter for the issuance of a permit to the applicant constitutes an exceptional hardship. Any variance from this chapter's requirements that would also require a variance from the requirements of Chapter 64 of the Code must be considered as separate decisions, even if at the same time, and in addition to the requirements of this section.

(b) An applicant may file a request for variance at any time. However, no variance may be granted after an applicant has complied with the provisions of this chapter. An applicant shall file the application with a written request, must include all information necessary to allow the Commissioners Court to make the findings specified in subsection (c) of this section, and shall additionally include:

(1) The particular requirement from which a variance is sought;

(2) The nature of the hardship presented by the imposition of the requirement;

(3) The proposed alternative method or procedure to be utilized in lieu of the required method, practice or procedure that is proposed;

(4) A justification that describes how the alternative method or procedure will provide at least an equivalent level of environmental protection;

(5) The estimated cost in dollars of complying with the requirement;

(6) The estimated cost in dollars of construction by the proposed alternative method or procedure;

(7) The size, in acres, of the land area or the number of lots affected by the proposed alternative method or procedure;

(c) The Commissioners Court may grant a variance from a requirement of this chapter after determining that:

(1) the requirement will deprive the applicant of a privilege or the safety of property given to owners of other similarly situated property with approximately contemporaneous development;

(2) the variance:

(A) is not based on a condition caused by the method chosen by the applicant to develop the property, unless the development method provides greater overall environmental protection than is achievable without the variance;

(B) is the minimum change necessary to avoid the deprivation of a privilege given to other property owners, to allow a reasonable,

economic use of the entire property, and to allow a reasonable use of the entire property; and

(C) does not create a significant probability of harmful environmental consequences; and

(3) development with the variance will result in environmental protection that is at least equal to the environmental protection achievable without the variance.

(d) Mere economic or financial hardship alone does not constitute an exceptional hardship that justifies the granting of a variance.

Subchapter I. Submittal Requirements and Water Quality Protection Standards.

82.930. Applicability. The standards and requirements of this subchapter apply to the following development application proposals:

(a) An application for development that proposes 10,000 square feet or greater of impervious cover or where one acre or more of land would be disturbed;

(b) An application for development that would disturb less than one acre or more of land but is a part of a common plan of development where the overall development would disturb one acre or more of land;

(c) An application for subdivision development that proposes 10,000 square feet or greater of impervious cover or where one acre or more of land would be disturbed;

(d) Other development applications, including for utility placement, right of way construction, single lot or parcel construction, a driveway, or an OSSF, that propose less than 10,000 square feet of impervious cover or where less than one acre of land would be disturbed must comply with Section 82.934(a) and (b)(3) – (4), as a minimum, including following technical guidelines for ESC provided by Travis County; and

(e) An amendment or revision of an approved commercial development, subdivision development, or a single lot that includes substantive changes or any application for development that is not defined as redevelopment.

82.931. Submittal Requirements for Environmental Review. In addition to any other requirement of the Code, an application must include the information specified in this section.

(a) For a preliminary plan or a commercial site development plan, the application must include:

(1) Except for small construction projects, an environmental assessment as specified in Section 82.942 including a survey of critical environmental features, waterways, and proposed setbacks that comply with applicable standards;

(2) For a preliminary subdivision plan of ten acres or greater or a commercial site development plan of three acres or greater, a storm water management plan consisting of:

i. Permanent water quality controls and a summary that describes how the proposed permanent water quality controls comply with applicable water quality standards and are compatible with drainage plan standards; and

ii. A preliminary SWP3, in accordance with Section 82.939 , that includes a summary describing how the storm water controls will comply with applicable SWP3 standards for the proposed construction;

(3) Standard subdivision plat notes for a long form final plat that conform to Section 82.946; and

(4) For a commercial site development plan proposing a mine or quarry, an application must include the information specified in paragraphs (1) and (2) and the information required by Section 82.945(c)(4).

(b) For a short form final plat, an application must include the information specified in subsection (a), except that the storm water management plan need only be a general description of the future improvements planned for the site, if no construction improvements are included in the proposal.

(c) For a long form final plat, the plat must show:

(1) Subdivision boundaries, configuration, and extent and lot and easement locations and sizes, all of which must comply with all applicable standards, including all applicable standards regarding critical environmental features;

(2) The location of all critical environmental features and waterways with required buffers and easements in accordance with Section 82.941 of this subchapter;

(3) The location of any required permanent water quality controls, consistency with the drainage plan, and compatibility of the plat with proposed SWP3 controls for construction; and

(4) Standard plat notes required for the applicable site features and design as required by Section 82.946.

(d) For a subdivision or commercial site development construction plan:

(1) The application must include general construction notes that reference the SWP3 and storm water management controls for the project in accordance with Section 82.935(g)(1) and (2) and Section 82.946;

(2) Except for small construction projects, the application must include SWP3 description information in standard format plan sheets or pages in accordance with Section 82.935(a) - (f) and (h) and Section 82.946;

(3) Except for small construction projects, the application must include SWP3 ESC site plan and detail sheets, in accordance with Section 82.935(g)(3), including other BMPs as appropriate, and Section 82.946;

(4) Except for small construction projects, the application must include permanent BMP Plan Sheet(s) showing the design and details of permanent water quality controls compatible with drainage plan standards, in accordance with Section 82.935(g)(4) and Section 82.946;

(5) Except for small construction projects, the application must include fiscal surety documentation for erosion and sediment controls in accordance with Section 82.401 of the Code; and

(6) For a commercial site development that will use an OSSF, the application must include documentation by the applicant that the OSSF construction area will be included in the erosion and sediment controls and SWP3 coverage for the site development project.

(e) Residential construction submittal.

(1) For residential construction on one lot or land parcel with one or more acres of land disturbance:

(A) An applicant must submit a SWP3 Summary prepared in a format approved by the County Executive that includes:

i. The name, signature, and contact information of the primary operator, the owner, and their authorized representatives;

ii. the location, address, and legal description of each parcel or lot where construction disturbance will occur;

iii. the location where the SWP3 will be kept for inspection;

iv. contact information and qualifications of the person(s) who prepared the SWP3 and who will perform the SWP3 inspections;

v. the estimated start and end dates of the construction activities; and

vi. if the applicant is proposing to share coverage using an existing SWP3, the SWP3 Summary must include a statement of eligibility for such coverage from the primary operator and documentation that the authorized representative of the existing SWP3 accepts this arrangement.

(B) A copy of the SWP3, or an approval of the SWP3, is not required to be submitted if the SWP3 Summary is provided in accordance with Subparagraph (A), except that for the following projects the SWP3 must be submitted for approval:

i. a project that includes critical site improvements as that term is defined in Section 82.936(c)(1);

ii. a project proposing a yard, hiking trail, or a recharge basin in a critical environmental feature setback listed in Section 82.941(e);

iii. a project along Lake Travis or the Colorado River downstream from Lady Bird Lake to provide necessary access and appurtenances to a boat dock, pier, wharf, or marina, if the project complies with Section 82.941(j)(2) and is approved by the County Executive; and

iv. a low impact park development if it complies with Section 82.941(j)(3) and is approved by the County Executive.

(C) An applicant must submit a Construction Site Notice (CSN), if construction is to commence within 30 days of permit approval;

(D) An applicant must provide a copy of the Notice of Intent (NOI) to the Texas Commission on Environmental Quality if the land disturbance will be five acres or greater and if construction will commence within 30 days of permit approval; and

(E) The County Executive may waive the requirement for a copy of a CSN and NOI at submittal if the County Executive finds that adequate SWP3 Summary information is provided.

(2) For residential construction on one lot or land parcel with less than one acre of land disturbance, an applicant must submit a County form that specifies that the applicant will implement the proper use of ESC and BMPs to minimize water quality impacts associated with the land disturbance and include with the form a plan for addressing project attributes identified in Section 82.931(e)(1)(B) with appropriate ESC measures.

(3) For residential construction on one or multiple lots located in a common plan of development, an applicant must submit the information specified in Section 82.931(e)(1)(A) – (B), except that if less than one (1) acre of land will be disturbed and there is a single owner or operator, the applicant may request an exemption from the requirements of Section 82.931(e)(1)(A) if the applicant provides adequate documentation of exemption status and the information specified in Section 82.931(e)(2) .

(4) For single lot residential construction of any size within the HLWO area or at any location proposing to add 10,000 square feet or greater of impervious cover within the HLWO area, an applicant shall provide the applicable ESC plan or SWP3 submittal specified in Section 82.931(e)(1)-(3), plus a proposal for any additional permanent BMPs that are necessary to meet the requirements of Section 82.933(c).

(f) Utility or Construction in Right-of-Way Permit:

(1) For a project with less than one acre of land disturbance or a project scope defined as a small construction project, the applicant shall specify use of standard ESC plan BMPs and standard construction details to be used in the construction process, in conformance with Section 82.934(a) and (b)(3) – (4) and Sections 82.970 – 82.974.

(2) For a project with one or more acres of land disturbance, the applicant shall submit information equivalent to that provided with a site development construction plan (pursuant to Subsection (d) of this section), along with a tree assessment, in compliance with Section 82.973.

(g) Driveway Approach Permit:

(1) For a Rural Design Driveway, an applicant must submit documentation specifying use of approved standard details.

(2) For a Curb and Gutter Driveway, an applicant must submit documentation specifying use of approved standard details.

(3) For a Site Development or Commercial Driveway, an applicant must submit the application materials as part of the subdivision or site development construction plan.

82.932. Standards and Requirements for Technical Adequacy. Sections 82.933 – 82.946 and Sections 82.970 – 82.974 describe the standards and requirements that apply to applications under environmental review pursuant to the Code.

82.933. Technical Criteria.

(a) In addition to the other requirements of this chapter, the following technical criteria manuals apply, except that any changes to the manuals subsequent to the effective date of this subsection shall not take effect until approved by the Commissioners Court:

(1) Technical criteria for best management practices and water quality controls in eastern watersheds and in the ETJ of the City of Austin are those contained in the City of Austin Environmental Criteria Manual (effective [insert date of rule adoption]). Alternate technical criteria and standard details may be required, on a case-by-case basis, in consideration of site-specific conditions.

(2) Technical criteria for best management practices and water quality controls in western watersheds, except within the ETJ of the City of Austin, are those in the LCRA HLWO Water Quality Management Technical Manual (effective July 1, 2007), provided that to the extent of any conflict, in watersheds contributing to the Edwards Aquifer the owner may use any equivalent or more stringent technical criteria in TCEQ's Complying

with the Edwards Aquifer Rules: Technical Guidance and Best Management Practices (RG-348).

(b) The County may require alternate technical criteria and standard details may be required, on a case-by-case basis, in consideration of site-specific conditions.

(c) The County may approve alternate technical criteria proposed by an applicant if it finds that the applicant has presented data that demonstrates that the alternative technical criteria are justified by the site constraints and other similar factors and provide equivalent water quality protection to the criteria described in Subsections (a) and (b).

82.934. General Storm Water Management Requirements for Construction Activities.

(a) Temporary and permanent best management practices shall be employed to prevent polluted storm water runoff from all construction and development activities from entering water in the State during the construction process until final site stabilization is complete.

(b) Responsibilities of an Owner and Operator.

(1) An owner and a primary operator of a property where construction activity occurs are each responsible for implementing approved site plans, construction plans, and specifications, maintaining day-to-day operational control of construction activities, developing and implementing SWP3s, if required, and implementing BMPs in accordance with this section.

(2) An SWP3 must be developed and implemented in accordance with this section for:

(A) Any construction activity or common plan of development for which a Travis County development permit is required and that disturbs one or more acres of land;

(B) An individual lot in a common plan of development that disturbs less than one acre of land; and

(C) any commercial development project that disturbs less than one acre of land.

(3) In those instances where there is less than one acre of land disturbance and neither the owner nor primary operator is required to develop and implement an SWP3, the owner and the primary operator must still implement BMPs appropriate to the scope of the construction activities in compliance with this section.

(4) If sediment escapes a project site, the owner or operator must remove any accumulations that adversely affect off-site property and water in the State. Accumulations must be removed at a frequency that eliminates or minimizes to the maximum extent practicable any adverse impacts, and the removal must be accomplished prior to the next rain event whenever feasible. If the owner or operator does not own or operate the off-site conveyance, the work must be accomplished by working with the owner or operator of the

property to remove the sediment. The removal and remediation work for any off-site sediment impacts proposed by the owner or operator of the construction site must be approved by the off-site property owner and the County Executive, prior to such work being done. The proposal must demonstrate that no further adverse environmental impacts will result from the remediation work.

(5) The primary operator and secondary operator of a property where construction activity occurs are responsible for complying with the conditions outlined in Part III, Section B of TPDES General Permit TXR150000 issued by the TCEQ on February 15, 2008, and these conditions as described in a subsequent renewal or amended permit.

(c) Qualifications for SWP3 Design and Inspection. For any project being constructed after [18 months from effective date] that requires a Travis County development permit and an SWP3, the SWP3 must be designed, certified, inspected, and approved only by individuals with the proper qualifications and certifications, as described below:

(1) Only a Texas-registered professional engineer or a Certified Professional in Erosion and Sediment Control ("CPESC") may design and approve an SWP3.

(2) For projects required by this chapter to prepare a SWP3 and to have an engineer certification of the construction plans, only a Texas-registered professional engineer may seal any engineering calculations that may be required for the SWP3.

(3) Only a CPESC, a Certified Erosion, Sediment, and Storm Water Inspector ("CESSWI"), and a Certified Inspector of Erosion and Sediment Control ("CIESC") may perform SWP3 inspections and sign SWP3 Inspection Reports required by Section 82.951.

(4) An individual who can demonstrate to the County that the individual has experience or certification equivalent to that of a CPESC, CESSWI, or CIESC may perform the SWP3 inspection and sign each SWP3 Inspection Report required by Section 82.951 for a residential project meeting the scope of Section 82.931(e)(1)(A) i. – v. or residential lots in a common plan of development of three acres or less, when the lots are not constructed concurrently.

(d) Each owner and primary operator must comply with all applicable requirements for Storm Water Pollution Prevention Plans (SWP3s) and Best Management Practices (BMPs) for construction activities, as described in Sections 82.935 – 82.940 and Sections 82.970 – 82.974.

82.935. Storm Water Pollution Prevention Plan.

(a) The contents of the SWP3 that must be submitted to the County Executive for approval as part of an application for a development permit must be equivalent to or provide greater environmental protections than the contents required by TPDES General Permit TXR150000 issued by the TCEQ on February 15, 2008 (and any subsequent renewal or amended permit issued by TCEQ) . The contents of the SWP3 must also meet all additional technical standards

specified in Sections 82.936 – 82.940, Sections 82.970 – 82.974, and shall be prepared in the format(s) specified in this section. The SWP3 contents shall be placed within a standard construction plan sheet format or other standard format(s) developed and made available by the County. Until the County SWP3 format is made available, the County will accept the TCEQ and City of Austin ECM SWP3 formats if they include the additional technical standards specified in this section and Sections 82.936 – 82.940. The SWP3 shall include the contents specified in this section.

(b) Site and Project Description. Each SWP3 must include the following general site and project description information:

(1) A description of the nature of the construction activity and a summary of the primary and secondary construction project types and operations planned, including the major construction improvement site features planned;

(2) A summary list or table of potential pollutants, including sediment from runoff, sediment from non-storm water discharges, solid wastes from miscellaneous construction activities, petroleum hydrocarbons from vehicle and equipment maintenance and asphalt operations, and pollutants from miscellaneous industrial and construction materials, their sources, and proposed controls,. For each pollutant and source, the summary or table must specify the section or location in the SWP3 where the controls for the pollutant are listed and described

(3) A description of the intended schedule or sequence of construction activities that will disturb soil for major portions of the site, including the construction sequencing information required in Section 82.301(c)(2)(C) and the following additional information:

(A) Each construction project and each discrete major phase of a multi-phase construction project or common plan of development shall have a detailed sequence of construction and BMP implementation listed in the SWP3;

(B) The detailed sequence of construction and BMP implementation for each project or discrete major project phase shall list major construction operations and site improvements summarized in paragraph (1) of this subsection and the implementation, phasing, and scheduling of all the SWP3 ESC and BMPs required for these operations and improvement features. These include all the erosion source controls, sediment controls, temporary and permanent stabilization controls, and other controls and pollution prevention measures in the approved plans; and

(C) The total months estimated from the start of construction to the completion and final stabilization shall be included for the project, including each discrete major phase, if applicable.

(4) The total number of acres of the entire property and the total number of acres within the entire property where construction activities will occur, including off-site material

storage areas and stockpiles of fill, spoil, and borrow areas that are authorized under the same TCEQ NOI or CSN and Travis County development permit;

(5) The approximate, estimated cubic yards of excess fill material (soil, subsoil, rock) that will be generated by the project cut and fill operations that will require permanent off-site disposal, if any.

(6) A description of existing and post-construction site conditions, including:

(A) The existing soil types at the site, including soil information describing the principal, most extensive soil types in the areas to be disturbed, using reference information from *The Soil Survey of Travis County, Texas*, by the U.S. Dept of Agriculture;

(B) A short, summary description of existing site conditions, including any existing land development features and the approximate percentage of existing grass cover and tree canopy; and

(C) For a SWP3 prepared for a subdivision or commercial site development required to provide a drainage plan, a summary of slope gradients present, including the approximate percentage of the total site acreage proposed to be disturbed from paragraph (4) that is a zero to five percent grade, a five to ten percent grade, and a greater than ten percent grade. As an alternative, composite slope gradients for the individual drainage areas in the site drainage plan may be added on the ESC sheet drainage areas maps required by Subsection (g)(3)(G).

(7) Any existing critical environmental feature and water in the State to which runoff or a pollutant discharge would be conveyed, either on or adjacent to the construction site;

(8) The name, and segment number, if applicable, of receiving waters at or near the site covered by the SWP3 that may receive discharges from disturbed areas of the project, including the USGS stream type: ephemeral, intermittent, or perennial. If any receiving water is on the TCEQ List of Impaired Waters (relating to the CWA section 303(d)), indicate this and the pollutant parameter(s) and designated or presumed use that does not meet the water quality standard;

(9) The location, description, and authorization number or identifier of any support activity authorized under the owner or primary operator NOI or CSN for this project or Travis County development permit, including an asphalt or concrete batching operation, temporary or permanent fill or staging area, and other activities providing support to this construction site that is authorized under the TCEQ general permit; and

(10) Information on whether the SWP3 and construction plans are in compliance with other applicable approved state and local regulations and permitting requirements in addition to the requirements of the County Executive under the Travis County Code, including those authorizations identified in Section 82.916(a).

(c) ESC and BMPs Description. Each SWP3 must include a summary that:

(1) describes all of the ESC and BMPs selected for the project that meet all applicable standards in Sections 82.933 and 82.936;

(2) includes each erosion source control, sediment control, and permanent erosion and soil stabilization control for the project;

(3) lists the individual controls selected and specifies where in the construction plan sheet(s) the details, specifications, schedule of implementation, site plans, and other relevant information for the controls are located;

(4) includes calculations for sediment basins; and

(5) if requested by the County, calculations for sediment controls other than sediment basins.

(d) Each SWP3 must include a summary that:

(1) describes any permanent storm water control or BMP required by this subchapter that will be installed to control pollutants in a storm water discharge that may occur after construction has terminated; and

(2) lists each individual control selected and specifies where in the construction plan sheet(s) the details, specifications, schedule of implementation, site plans, drainage plans, and any other relevant information for the controls are located.

(e) Each SWP3 must include a summary that:

(1) includes a description of any controls and pollution prevention measures selected for the project that meet all applicable requirements in Section 82.937;

(2) addresses:

(A) each non-storm water discharge control;

(B) solid waste and hazardous substance management;

(C) staging and stockpile area management;

(D) fill and spoils management and disposal;

(E) materials inventory and management;

(F) spill prevention and control; and

(G) construction support activity control.

(3) includes the standard requirements and the custom controls selected for the project; and

(4) specifies where in the construction plan sheet(s) any additional details, specifications, schedule of implementation, and site plans are located.

(f) Maintenance and Inspection Description. Each SWP3 must include a summary that describes how the maintenance, training, and inspection requirements for the SWP3 meeting the applicable requirements of this chapter. The summary shall include at least the following:

(1) The general SWP3 implementation and maintenance responsibilities of each responsible primary and secondary operator, including the name and contact information of the responsible part(ies) for the primary operator(s);

(2) The name, qualifications, and contact information of the qualified individual who has been designated by the owner to conduct SWP3 inspections;

(3) The schedule for SWP3 monitoring inspections and reports;

(4) The maintenance and inspection procedures for SWP3 inspection milestones, including: pre-construction, site monitoring, post-rainfall, SWP3 revisions, permanent drainage and water quality system inspections, complaint response, non-compliance, final inspection and final stabilization; and

(5) When the name and contact information for the primary operator with day-to-day operational control of the construction site and the qualified SWP3 inspector are not available at the time of permit application review, it shall be provided at or before the pre-construction conference required under Section 82.950, and included in the SWP3 Site Notebook.

(6) The applicable training requirements for the site personnel who are responsible for implementing the various requirements of the SWP3 during construction, including each person to be trained on their roles and responsibilities, the type and content of the training to be received by each person, and the training schedule and records for each person.

(g) ESC and BMP Site Plan Construction Sheets. Construction plan sheets shall show each site plan, specifications, plan details, and implementation requirements for the ESC and other BMPs selected for the project and be included as part of the SWP3. The construction sheets shall be consistent with Section 82.301(c), relating to Engineer's Construction Plan Requirements, and shall also include the following additional items in order to meet all SWP3 requirements:

(1) Cover Sheet, including a site location map that meets the TCEQ General Permit requirements;

(2) General Notes Sheet:

(A) Travis County General Construction Notes for subdivision and site development construction, and special notes when necessary, shall be consistent with the SWP3 and include standard notes and references to SWP3 plan sheets, implementation, and inspection requirements as specified.

(B) The sequence of construction and BMP implementation shall meet all the requirements listed in paragraph (b)(3) of this section. The sequence of construction may be located in the general notes sheet and referenced in the SWP3 sheets, or *vice versa*, but it must be identical.

(3) ESC and BMPs Sheets. In addition to items listed in Section 82.301(c)(3), the following items shall be included in ESC BMP Sheets in order to meet all applicable requirements of Sections 82.933, 82.936 – 82.940, and Sections 82.970 – 82.974:

(A) A Limits of Construction (LOC) line, clearly showing the areas where soil disturbance will occur;

(B) Existing and proposed slope contours before and after major grading and permanent site construction improvements;

(C) The name and location of each surface water either at, or adjacent to the site that receives storm water discharges from the disturbed areas of the site;

(D) Each structural erosion source control proposed and the location, a description of the site phasing and implementation schedule, and relevant plan notes and plan details, including drainage diversion and dissipation details. Non-structural erosion source controls applicable to the ESC and BMP sheets shall be included in plan notes, descriptions, and details.

(E) Each sediment control proposed and the location, a description of the site phasing and implementation schedule, and relevant plan notes and plan details, including each sediment pond with design information, sediment trap, perimeter controls, and interior control;

(F) Each permanent erosion and soil stabilization control proposed and the location, a description of the site phasing and implementation schedule, and relevant plan notes and plan details, including: temporary stabilization measures, permanent vegetative stabilization measures, and permanent structural erosion control measures;

(G) Drainage area boundaries, the acreage of each drainage area, and flow arrows from the project's proposed drainage plan must be included on the site plan maps for structural erosion source controls, temporary sediment controls, and permanent erosion and soil stabilization controls;

(H) Each permanent water quality control, other permanent BMPs, areas of waterway or critical environmental feature setbacks, and permanent site improvement proposed for the project;

(I) Other controls and pollution prevention measures proposed for which a location on the site plan is necessary and a description of the implementation schedule, plan notes, and plan details as applicable, including each stabilized construction entrance, concrete wash out area, vehicle maintenance and washing area, fuel tankage; dewatering controls for any pond, stream crossings, excavations, and other non-storm water controls.

(J) Depiction of each construction support activity and associated controls on-site or directly adjacent to the site, including each staging and stockpile area, haul road, temporary storage and permanent disposal area for fill and spoil, and asphalt or concrete batching.

(K) Each storm water outfall (existing and planned) and other points, where discharges associated with the construction activities site will occur; and

(L) A complete legend for each symbol used on the plan sheet for the various controls and BMPs, and standard and special specification details and plan notes.

(4) Drainage Layout, Plan and Profile, Detention Water Quality Control Structure, and Construction Detail Sheets. Plan sheets showing drainage layout, plan and profile, detention and water quality pond, and construction detail shall include additional technical standards, setback boundaries, notes, and details necessary for constructing all applicable permanent erosion controls, permanent storm water management and water quality BMPs required by this subchapter. Design details must incorporate the technical criteria requirements referenced in Section 82.933 when applicable.

(h) SWP3 Site Notebook.

(1) The SWP3 Site Notebook shall be maintained and updated by the owner or operator during the construction of a development project. The SWP3 Site Notebook shall be maintained on-site with a copy of the approved construction plans and County development permit, which together constitute the comprehensive SWP3 for the project.

(2) Required SWP3 contents listed in this section will be specified in a SWP3 format made available by the County in accordance with subsection (a) of this section. This format will also indicate which required SWP3 contents may be provided before the start

of construction in the SWP3 Site Notebook instead of within the construction plan sheets approved with the development permit.

(3) The SWP3 Site Notebook must include either an original or a copy of at least the following:

(A) the TCEQ General Permit, each TCEQ notice, signed SWP3 inspection reports, inspection and revision logs, and all adjustments, modifications, and official plan revisions to the approved SWP3 and ESC construction plan sheets and BMPs that occur after the start of construction.

(B) Day-to-day operator and secondary operator information; qualified inspector information; owner and operator SWP3 certifications or delegation letters, if executed; operator site personnel qualifications and training records, if required.

(C) Any additions or modifications to the SWP3's Other Controls and Pollution Prevention Measures, including: non-storm water discharge controls, site materials inventories and records, spill prevention and control procedures, and related records.

(i) For each SWP3, including any revision or change prepared by an owner or operator, a copy shall be submitted to the County in either paper, portable document format (pdf), or other approved electronic format. The SWP3 shall be provided in the format and with contents that conform with requirements of this section, prior to final approval of the applicable Travis County development permit or subdivision construction plan.

(j) Revision of the SWP3.

(1) An implementation schedule for revisions must be described in the SWP3 in accordance with this section and all revisions and adjustments must be documented by the operator's qualified SWP3 inspector in the SWP3 Site Notebook.

(2) The owner or operator must revise or update the SWP3 whenever one or more of the following circumstances occur:

(A) A change in design, construction, operation, or maintenance that has a significant effect on the discharge of pollutants and that has not been previously addressed in the SWP3;

(B) A change in site conditions based on updated plans and specifications, amendment of an approved development permit, a new operator, a new area of responsibility for an operator, or a change in a BMP;

(C) A result from an investigation or inspection by the operator, as required by Section 82.951 that indicates the SWP3 is proving ineffective in eliminating or significantly minimizing pollutants in discharges; or

(D) A result from an investigation or inspection by an Inspector that indicates the SWP3 is proving ineffective in eliminating or significantly minimizing pollutants in discharges.

(3) Revisions to the SWP3 must be completed within seven calendar days following an inspection or within a shorter timeframe as specified by the Inspector.

(4) Revisions and adjustments to the SWP3 may be approved in the field by the Inspector during construction.

(5) SWP3 revisions which require formal County plan review and approval include those which require additional engineering calculations or engineered design changes, although the County Executive reserves the right to require formal plan revisions on construction plan changes or SWP3 changes, based upon site-specific characteristics, ESC and BMP performance issues, or similar factors.

82.936. Erosion and Sediment Control Best Management Practices.

(a) General. Temporary and permanent ESC and BMPs implemented in an SWP3 must include both structural runoff controls and non-structural management practices, and must comply with the design standards described in this section. All control measures must be properly selected, installed, and maintained according to the manufacturer or designer specifications and the approved Travis County development permit, plans, and SWP3. The SWP3 and construction plans must identify the locations, specifications, and timing or sequence for BMP implementation within the schedule of the construction activities.

(b) Design Storm Standards for the SWP3. ESC and BMPs must be developed and implemented in the SWP3 to prevent and minimize off-site discharge of sediment and other pollutants. The design must ensure retention of sediment and other potential pollutants associated with the construction activity on-site, in accordance with the required design storm standard, to the maximum extent practicable.

(1) A sediment basin must provide sufficient storage to contain a calculated volume of runoff from a 2-year, 24-hour storm until final stabilization of the site.

(2) Flows from stabilized areas and on-site or off-site undisturbed areas are not required to be included in the basin calculations if the flows are diverted around the disturbed areas of the site and the sediment basin.

(3) Design of ESC and BMPs must be consistent with the approved technical criteria established for the site location as set forth in Section 82.933.

(c) Site Specific Criteria for ESC Plan Design. The site specific factors identified in paragraphs (1) – (5), where applicable, must be given primary consideration and priority in selecting the types and amounts of the three primary categories of ESC listed in subsection (d)

of this section and applicable BMPs from section 82.937 of this subchapter and Section 82.970 of this chapter for each construction site:

(1) Special Definitions. In this Chapter:

(A) "Critical Site Characteristics" means the primary site-specific topographic factors that must be evaluated and considered in the design of an ESC plan and must be addressed with suitable measures and BMPs; these factors include the total area disturbed in combination with the slope steepness, the slope lengths, the soil erosiveness, the run-on drainage, the total drainage area size, and the proximity to water in the State.

(B) "Critical Site Improvements" means specific improvements on a construction site that are prone to greater erosion and sediment discharge and therefore require greater amounts and types of ESC for sediment control and final stabilization in the ESC plan design; these include: construction site features in areas with increased levels of critical site characteristics, cut slopes and fill embankment slopes exceeding ten percent (10%) grade, side slopes of permanent storm water ponds, designed drainage channels, drainage swales and concentrated flows, bridges and culverts and their approaches, storm water outfalls, and areas with seed and topsoil installed undergoing re-vegetation with grades greater than five percent (5%).

(2) Critical Site Characteristics. ESC plan design measures must address and correspond to critical site characteristics of a disturbed soil area. The ESC plan design must minimize the potential adverse off-site discharge impacts to the maximum extent practicable, and at the very least, must address the priority areas described in subparagraphs (A) – (C) of this paragraph.

(A) For all disturbed soil areas, as the level and combination of the critical site characteristic factors increase, erosion and off-site sediment discharge potential also increases, requiring increased amounts and types of ESC in the ESC plan design.

(B) Disturbed soil areas with slopes greater than five percent, and disturbed channels with slopes two percent or greater require increased amounts and types of ESC than comparable areas of lesser slope. ESC amounts necessary for these areas must further increase as drainage area, slope length, and slope steepness increase.

(C) Stream crossings to water in the State (including intermittent or perennial surface water, or a groundwater recharge conduit) and disturbed areas and outfalls located within 150 feet of water in the State or a critical environmental feature, are areas where increased amounts and types of erosion and sediment controls will be necessary in the ESC plan design.

(3) Construction Project Type. The type of project being constructed must guide the applicant in the selection of the ESC and BMP controls that are the most effective for the characteristics of the site and typical industry practices common to each primary type of construction project type. Primary construction project types include: site construction including buildings and parking areas, residential homes, construction support areas, construction maintenance activities, and linear construction, including streets, drainage, and underground utilities.

(4) Construction Features and Critical Site Improvements. Construction features that must be considered in the ESC plan design include: all disturbed areas, fill embankments, cut slopes, temporary and permanent stream crossings, roadways, underground utilities, residential lots, bridges, culverts, storm sewer systems, channels, inlets, basins, outfalls; temporary entrances, roads, and stockpiles. All critical site improvements must be addressed as required in the ESC Plan design.

(5) Construction Duration, Phasing, and Sequence. The length of time from start of construction to final stabilization, the construction site phasing, and the construction sequence for each phase must be considered for each construction project. Projects extending over longer periods of time will typically require increased site phasing and construction sequence considerations in the ESC plan design, especially larger and more complex construction projects, and projects with increased levels of critical site characteristics and critical site improvements.

(d) Primary ESC Categories and Functions. Each SWP3 ESC plan must include the three primary types of ESC. Erosion Source Controls, Sediment Controls, and Permanent Erosion/Soil Stabilization Controls. All ESC plans shall be designed to include a combination of all three primary types of ESC in order to control storm water volume and velocity within the construction site, minimize the discharge of sediment and other pollutants, and effectively perform the following functions.

(1) Erosion Source Controls. Each SWP3 ESC plan must include structural and non-structural erosion source controls in order to minimize the amount of soil particles that can potentially become mobilized by erosion during construction activities. The erosion source controls listed in (A)-(E) must be included in the ESC Plan, where feasible, and implemented to the maximum extent practicable to reduce erosion and increase the effectiveness of the sediment controls and permanent erosion/soil stabilization controls in the ESC Plan:

(A) Minimize Soil Disturbance and Compaction. Soil disturbance shall be minimized in areas with critical site characteristics. Required setbacks for protection of all streams, floodplains, and critical environmental features shall remain undisturbed. Within a developed or disturbed area of the site, existing vegetation and desirable environmental features should be preserved where feasible. Disturbance of steeper and longer slopes should be minimized. Soil compaction should be minimized and surface roughening or texturing should be undertaken in disturbed soil areas where appropriate.

(B) Phase Soil Disturbance and Stabilization. The total amount of disturbed soil exposed at one time shall be limited through phasing of major portions of the construction project, to the maximum extent practicable. Temporary protection or permanent stabilization of disturbed soil areas must be accomplished as required by paragraph (3) of this subsection, and as specified in the detailed construction sequence for each project or project phase.

(C) Managing Staging Areas, Site Grading, and Fill Material. The staging and stockpile area management requirements listed in Section 82.937(b)(3) must be used to minimize discharges from such areas during the construction process. The fill and spoils management and disposal requirements listed in Section 82.937(b)(4) must be used to effectively manage the soil material excavated, transported, and placed on or off the construction site to minimize it as a source of sedimentation. During the site grading process, the operator shall implement placement of temporary soil grades, sumps, and berms that will act to inhibit runoff and promote infiltration on site to the maximum extent practicable, in addition to required structural controls.

(D) Drainage Diversion. Run-on drainage to disturbed soil areas shall be diverted around disturbed areas, whenever feasible through temporary or permanent structural diversions, or through the use of other BMPs, including construction of all or parts of the permanent drainage conveyance systems and structures designed for the site as early as possible in the sequence of construction.

(E) Drainage Dissipation. Storm water discharges, including both peak flow rates and total storm water volume, shall be controlled to dissipate drainage flow, minimize erosion within the site and at drainage outlets, and to minimize downstream channel and stream bank erosion. Velocity dissipation devices are to be used as site interior controls and must slow velocities, spread out flows, and promote sedimentation. Velocity dissipation devices at drainage discharge locations and along the length of any outfall channel must provide a non-erosive flow velocity from the structure to a water course. Velocity dissipation devices must prevent degradation of natural physical and biological characteristics and functions.

(2) Sediment Controls. Structural sediment controls must be designed to protect all disturbed soil areas from discharging sediment off of the construction site. Sediment control structures must capture and temporarily detain the required storm water runoff volume and must effectively retain sediment from the range of soil particle sizes expected to be present at the construction site, to the maximum extent practicable. In addition, sediment controls must meet the following standards:

(A) Drainage volume calculations for sediment controls shall be prepared in accordance with the guidelines in the Austin Drainage Criteria Manual.

(B) Sediment control structures are to be redundant and placed at perimeter and interior locations within the construction site to maximize sediment trapping areas and temporary runoff capture volume to maximize sedimentation and address all applicable site factors and priorities described in subsection (c) of this section.

(C) Each structural sediment control shall be designed and placed so that runoff flows, including flows exceeding the design storm, will discharge or overtop the structure in a controlled manner at planned outlet points, without breaching of the sediment control structure, without causing uncontrolled discharge, and without causing flooding of adjacent property. Longer lengths of structural sediment controls will typically require perpendicular dissipation structures, especially when such controls cannot be placed along the contour. Low points in the sediment control structure which develop into runoff outlet points must be further redesigned or reinforced as necessary before the next runoff event to prevent breaching and uncontrolled discharges. Where feasible within the limits of construction, storm water should be directed to vegetated areas to increase sediment removal and maximize infiltration.

(D) Primary Types of Structural Sediment Controls. The primary types of Structural Sediment Controls include:

(i) Sediment basin. Unless a sediment basin is not feasible due to the factors listed in Sub-clause a., a sediment basin is required for disturbed drainage areas of five or more acres in order to minimize sediment discharges. If a site design includes a permanent water quality control pond, the pond must be used as a temporary sediment basin during construction, unless it is not feasible due to the factors listed in Sub-clause a.

a. Feasibility. Factors in determining whether a sediment basin is necessary or appropriate include critical site characteristics, as well as the available area, public safety, precipitation patterns, site geometry, site location, site vegetation, infiltration capacity, geotechnical factors, depth to groundwater, and other similar considerations. If a sediment basin is not feasible, the applicant shall document the reason and utilize equivalent control measures, which may include a series of smaller sediment basins or traps, increased perimeter and interior sediment controls, and other ESC BMPs.

b. A sediment basin and outlet shall be designed to maximize sedimentation, including sedimentation of the finest sediment particles to the maximum extent practicable and shall have a reinforced spillway for overflow discharges. Sediment must be removed from the sediment basin no later than the time that design

volume has been reduced by greater than ten percent. Basin de-watering must comply with section 82.937(b)(1)(c).

c. Disposal of sediment removed from a basin may require special handling, in accordance with TCEQ requirements, when coagulants, flocculants, or other treatment chemicals are used.

d. Sequence. A temporary sediment basin or permanent water quality control pond serving initially as a construction sediment basin, must be installed first during the sequence of construction.

(ii) Sediment traps. A sediment trap is a small sediment basin or impoundment area located at strategic areas on the construction site where the runoff volume can safely be temporarily detained to increase capture volume, to maximize sedimentation effects, and to retard runoff velocity.

(iii) Perimeter Sediment Controls. Silt fencing or equivalent sediment controls are required for all down slope boundaries of the disturbed construction site area where runoff can discharge off-site.

(iv) Interior Sediment Controls. Structural sediment controls of various types shall be placed at locations within the construction site interior to address critical site characteristics, construction project type, construction site features and critical site improvements, and construction length, phasing, and sequence.

(v) Temporary sediment control structures must be maintained in accordance with the plans and specifications throughout the construction process and removed along with accumulated sediment when final site stabilization is completed for the entire site or the site phase.

(3) Permanent Erosion and Soil Stabilization Controls. Each permanent structural and vegetative erosion control design plan must prevent long term erosion of site improvements, reduce runoff velocities; and achieve full, permanent vegetation coverage and final site stabilization, including prioritizing the stabilization of critical site improvements. When phasing and implementing site stabilization in the SWP3, the operator must adopt the following priorities and meet the following standards and minimum schedule of initiation and completion:

(A) The operator must give first priority for stabilization to portions of the construction site that have critical site improvements. These critical site improvements will typically require greater amounts of permanent erosion control measures to achieve effective final stabilization, such as mulch, soil blankets, or riprap, as appropriate. If feasible, the operator must implement stabilization of other portions of the construction site early in the sequence of construction and

initiate and complete re-vegetation of the remainder of the construction site as soon as practicable before submittal of the engineer's concurrence letter.

(B) Topsoil meeting the applicable technical criteria in Section 82.933 and the approved plans shall be placed as required prior to permanent seeding and mulching activities for re-vegetation. Existing native site topsoil shall be stockpiled and reused for this purpose whenever it is feasible.

(C) Seed, mulch, soil retention blanket, fertilizer, irrigation for vegetation establishment, and other measures used for re-vegetation of disturbed areas shall meet the applicable technical criteria in Section 82.933 and shall be specified in the approved plans. The primary operator must follow irrigation schedules and methods that will result in successful and rapid germination and growth of the seeded or planted vegetation, and take advantage of optimum seasonal, time-of-day, and temperature conditions.

(D) Stabilization of disturbed areas must, at a minimum, be initiated by the primary operator immediately whenever an applicable milestone in the approved sequence of construction has been reached, or whenever any clearing, grading, excavating, or other earth disturbing activities have permanently ceased on any portion of the site, or temporarily ceased on any portion of the site and will not resume for a period exceeding 14 calendar days. The primary operator may not delay final stabilization of completed site sections or critical site improvements solely for the purpose of mobilizing re-vegetation operations for the entire site at a later date.

(E) The primary operator must take advantage of optimum seasonal planting dates, times-of-day, and temperatures to the greatest extent practicable to complete permanent re-vegetation of required site areas in a timely manner. The primary operator shall plan for early spring as the first priority planting date for required permanent vegetation, to the maximum extent practicable, unless otherwise specified in the approved plans

(F) When the irrigation water supply and irrigation schedule are restricted as a result of drought conditions, vegetative stabilization measures must be initiated by the primary operator as soon as practicable but no later than the 14th day after construction activity has temporarily or permanently ceased in portions of the site.

(G) Successful stabilization initiated for a portion of the site identified in either the approved sequence of construction or by the actual cessation of earth disturbing activities described in subparagraph (D) of this paragraph must be completed by the primary operator within the following time periods from the required date of initiation, as identified during construction by the Inspector or the qualified SWP3 inspector and documented in the SWP3 Inspection Report:

(i) Initial Stabilization Activities. Non-vegetative stabilization controls and initial vegetative seeding activities in the identified portion of the site must be substantially completed within seven days of the required date of initiation.

(ii) Temporary stabilization must be substantially completed either in accordance with the approved sequence of construction, if applicable; within seven days after the date of initiation for non-vegetative controls, such as mulch; or within 60 days after the date of initiation for temporary vegetation growth from seeding.

(iii) Permanent final stabilization must be substantially completed either in accordance with the approved sequence of construction, if applicable; within ten days after the date of initiation for sodding; or within 120 days after the date of initiation for permanent seeding.

(iv) Extensions to the completion time periods listed in clauses (i) – (iii) will only be considered for approval if the operator can demonstrate that they are justified by the applicable technical criteria of Section 82.933 or by truly exceptional circumstances, including: time delays to reach optimal warm or cool season planting dates, exceptional characteristics of an individual site, extended periods of exceptionally severe heat or cold, official declaration of a water restriction of the primary irrigation water supply, or use of approved alternative vegetation or seed mixes. A request for a time extension must include interim stabilization or protection measures that will adequately prevent discharges during the extension period, including additional measures necessary for critical site improvements.

(H) The operator must achieve final stabilization of the entire site in accordance with the approved plans, specifications, and applicable technical criteria, including the required vegetation cover percentage, prior to submittal of the engineer's concurrence letter required by Section 82.953 and termination of the SWP3 permit coverage, unless the project meets the criteria described in paragraph (4) of this subsection for a developer's contract. Temporary stabilization measures may not be substituted for required final stabilization measures. The County may consider alternate final stabilization measures for future building pad areas of two percent grade or less if equivalent stabilization is achieved. Fiscal security for erosion control shall be refunded only upon completion of final stabilization, including removal of all temporary sediment controls and accumulated sediments.

(4) Developer's Contract.

(A) A separate, written agreement to ensure final stabilization known as a developer's contract may be executed between the County Executive and an owner if maintenance responsibility for constructed facilities is accepted for County maintenance, if the County approves an owner's or temporary use or occupancy of

a project, facility, building, or commercial septic system before the required re-vegetation coverage is complete.

(B) A developer's contract, unless extended in writing by the County Executive, is effective for up to 120 days after the date it is executed by the County Executive and the owner, and must be secured by fiscal surety that the County will use for final site stabilization if the owner fails to achieve final stabilization within the contract period.

(C) To be considered for a developer's contract, an owner must have:

(i) followed the approved plan for phasing and sequence of construction;

(ii) followed the approved plan for temporary and permanent stabilization;

(iii) substantially completed all permanent water quality controls and other inspection punch list items;

(iv) initiated permanent re-vegetation in all required areas; and

(v) submitted the engineer's concurrence letter required by Section 82.953.

82.937. Other Controls and Pollution Prevention Measures for Construction Activities.

(a) In addition to ESC and BMPs for construction activities, an owner must design, install, implement, and maintain other controls and pollution prevention measures in accordance with this section. These controls and measures must eliminate and effectively minimize the off-site transport of pollutants from the construction site by means other than direct storm water runoff. An owner must address activities that can cause contamination on-site and increase the potential for subsequent pollutant discharge from runoff with other controls and pollution prevention measures.

(b) Other controls and pollution prevention measures include:

(1) Non-Storm Water Discharge Controls. Non-storm water discharge controls must be described in the SWP3 and be consistent with the following standards:

(A) Vehicle Tracking. Controls and measures must minimize the off-site vehicle tracking of sediments and the clean up of any public roads or off–site areas adversely affected.

(B) Dust Control. Controls and measures must minimize the generation and migration of dust.

(C) De-Watering. Controls and measures for de-watering must minimize the offsite transport of suspended sediments and other pollutants if it is necessary to

pump or channel standing water from the site, including from sediment ponds. When discharging from a basin or impoundment, an outlet structure that withdraws water from the surface must be used whenever possible. A discharge from dewatering activities, including a discharge from dewatering of a trench or excavation, is prohibited unless effective sedimentation, collection and disposal, or a similarly effective treatment occurs prior to discharge.

(D) Work in Surface Waters. Controls and measures for working in or directly adjacent to a waterway must prevent and minimize discharges into such water, including the location of a temporary or permanent stream crossing.

(E) Concrete Wash-out. Controls for wastewater discharges from concrete washout and water well drilling operations must contain wash outs on land surfaces without discharge to water in the State. Concrete wash out without appropriate pollution prevention measures is prohibited.

(F) Wash Water. Controls must completely prevent the discharge of wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials. Pollution prevention measures must include collection, storage, and off-site disposal of these wastes in accordance with all TCEQ requirements.

(G) Vehicle Washing. Controls for vehicle washing must minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge; discharges of soaps or solvents used in vehicle and equipment washing are prohibited.

(H) Any additional, anticipated non-storm water discharges must be listed in the SWP3 with specified ESC and BMP measures. All non-storm water discharges are subject to the requirements of Chapter 104 of the Code and TCEQ discharge requirements.

(2) Solid Waste and Hazardous Substance Management. A description must be provided in the SWP3 of construction solid waste and hazardous substances expected to be generated or stored on-site. Controls and measures must be implemented to eliminate and prevent pollutant discharges from solid waste and hazardous substance handling, including recycling and disposal as appropriate. In preparing the SWP3, an applicant shall consider how to eliminate and prevent pollutant discharges from materials such as the following: trash, litter, construction or demolition debris, residual or surplus construction materials of all types, surplus containers of chemical or hazardous substances, soil contaminated from an oil or hazardous substance spill, cut or uprooted vegetation such as trees and brush, and waste from sanitary facilities provided for personnel.

(3) Staging and Stockpile Area Management. Staging areas include all areas necessary for equipment, materials, fill storage and stockpiles, temporary offices, vehicle

parking, vehicle maintenance, and the associated haul roads for these areas and the construction site. Controls and measures for these areas shall include:

(A) Restricting the size of these areas to the minimum necessary for the operator to perform the typical industry practices necessary and appropriate to the primary construction project type, in accordance with approved construction plans and as revised and approved during construction by the Inspector;

(B) Locating the area(s) within the approved limits of construction and not within setback areas for waterways and critical environmental features, floodplains, tree drip lines, areas with pass-through drainage, and steep slopes; and

(C) Using structural controls such as run-on drainage diversion and sediment controls and appropriate non-structural BMPs.

(4) Fill Management and Disposal. In addition to the cut and fill requirements of Section 82.943, designated areas for excavated soil fill and spoils material from the construction site (topsoil, subsoil, rock) shall be planned, designed, and described in the SWP3. The owner must use a reasoned estimate of the quantity of net cut and fill balance to determine how much and how many areas to reserve on site for temporary storage and permanent disposal and to plan for any necessary off-site fill disposal or the importing of any necessary fill material required for the site. Excavated fill material must be handled using the following minimum controls and practices:

(A) Temporary Stockpiling. Fill material temporarily stockpiled in place as excavation occurs shall be located in areas protected by sediment controls and shall use erosion source controls whenever feasible, such as fill placement using existing topography and excavated features to minimize erosion and runoff potential. Applicable temporary stabilization requirements described in Section 82.936(d)(3) must be implemented for temporary stockpiles.

(B) Removal and Disposal. Fill material must be removed from the point of excavation to the designated temporary storage or permanent disposal area described in the approved plans and SWP3 as soon as feasible after excavation occurs.

(C) Permanent Fill Disposal. Fill material shall be permanently disposed of as described in the approved plans and SWP3 and must comply with Section 82.943(d), which, among other things, prohibits solid waste from being mixed or buried with fill material. No person may engage in off-site disposal of fill material in Travis County unless the person has received a Travis County development permit that specifically authorizes the off-site disposal. Before engaging in off-site disposal of fill material, a person may have to obtain other applicable development or regulatory permits, an additional SWP3 or, revisions to an existing SWP3.

(5) Materials Inventory and Management. Measures are required to be developed and implemented to minimize the exposure of the following materials to precipitation and storm water runoff: building materials, building products, construction waste, landscape materials, fertilizers, pesticides, herbicides, detergents, petroleum products, automotive fluids, sanitary waste, and other construction and industrial materials present on the site.

(A) Each material and hazardous substance that will be on the site during the construction activities, from the start of construction to the final stabilization and final inspection release, must be listed and described along with the management practices to be followed for each. These material management practices shall include: limiting inventory to the minimum necessary, storage in a secure site location with compatible materials, storage in original containers, proper disposal of surplus materials and containers, inspection monitoring, and training of personnel handling the materials

(B) A description of storage, management, and maintenance practices is required for each petroleum product at a construction site, including: on-site fuel, oil, other motor vehicle fluids, and asphalt. Discharges of fuels, oils, and other pollutants used in vehicle and equipment operation and maintenance are prohibited

(6) Spill Prevention and Control. The SWP3 shall include a description of spill prevention measures, and spill response, clean-up, and reporting procedures to prevent and minimize the discharge of pollutants, to the maximum extent practicable, from spills and leaks of oil and hazardous substances on the site. The plan must follow all TCEQ and local regulations. Spill response procedures must include training, product and safety information, and be adjusted as necessary for improvement and to prevent particular types of spills from reoccurring. Spill clean-up materials must be used, spills must be cleaned up, and waste residue must be properly disposed of. Reporting must occur whenever a spill threshold quantity is exceeded.

(7) A description of potential pollutant sources from areas on the project site, other than construction areas, is required in the SWP3. These other sources include construction support and maintenance areas and activities dedicated to construction site operations, including dedicated asphalt and concrete batch operations. A description of controls and measures that will be implemented for these activities shall detail how pollutant discharges will be prevented and eliminated.

82.938. Erosion and Sediment Control Maintenance Requirements for Construction Activities.

(a) All ESC, BMP, and protective measures identified in the approved plans and SWP3 must be maintained by the primary operator in effective operating condition. If, through inspections or other means, the owner, primary operator, or Inspector determines that a BMP is not operating effectively, then the owner or primary operator shall perform maintenance as necessary to make the storm water controls effective.

(b) The owner or primary operator shall carry out the inspection requirements of Section 82.951 to ensure the ESC and BMPs are implemented and maintained in compliance with the approved plans and SWP3 throughout construction.

(c) The owner or operator must promptly take any corrective action specified in the Inspector's findings to ensure proper maintenance of ESC and BMPs. Items requiring corrective action must be corrected by the owner and operator within timeframes specified by the Inspector. If corrective actions are not performed as required, the County Executive will consider use of further measures, including a stop work order and progressive enforcement.

(d) Necessary corrective actions must be accomplished within seven days or as specified in the inspection report prepared by the Inspector. When consecutive runoff events occur within 24 to 48 hours, corrective actions must be accomplished prior to the next rain event, to the maximum extent practicable. If maintenance prior to the next anticipated storm event is impracticable, the reason shall be documented in the Operator SWP3 inspection report and maintenance must be scheduled and accomplished as soon as practicable. ESC that have been intentionally disabled, run-over, removed, or otherwise rendered ineffective must be replaced or corrected immediately upon discovery.

(e) Whenever it is discovered that a control or BMP has been used incorrectly, is performing inadequately, or is damaged, then the owner or primary operator must immediately replace or modify the control or BMP. Revisions to SWP3 controls and BMPs must be coordinated with the Inspector and performed in accordance with Section 82.935.

82.939. Preliminary Storm Water Pollution Prevention Plan. The storm water management plan required pursuant to Section 82.931(a)(2)(ii) for a preliminary plan or commercial site development plan shall include a SWP3 summary describing the proposed construction phase of the project. The summary must be consist with the ESC and BMP technical standards described in Sections 82.936 – 82.938, 82.940, and 82.970. The SWP3 summary shall describe the following items, with a plan view map where applicable:

(1) The design storm standard required by Section 82.936(b).

(2) The ESC and BMPs to be used to address site specific considerations including critical site characteristics; construction project type; the construction site features and critical site improvements; and the construction length, phasing, and sequence, as required in Section 82.936(c).

(3) The ESC measures and BMPs to be used in the ESC plan to meet the requirements for erosion source control, sediment control, and permanent erosion and soil stabilization control for the construction activities, as required in section 82.936(d) and applicable standards required in Sections 82.940 and 82.970.

(4) The other controls and pollution prevention measures as required in Section 82.937, to be used to limit the off-site transport of pollutants that have the potential to

discharge by means other than direct storm water runoff, and activities that can cause on-site contamination and increase the potential for pollutant discharge from runoff.

(5) The actions to be taken during construction to ensure full SWP3 implementation and address water quality concerns as they occur, including: self-monitoring, inspection, inspection reports, BMP maintenance, evaluation of BMP effectiveness, SWP3 revisions and updates, recordkeeping, and other applicable items as specified in Subchapter J.

(6) A plan view map of the proposed site improvements with the location and description of applicable proposed measures, including drainage area boundaries, acreage, flow paths, and outfalls.

82.940. Effluent Quality. [Reserved]

82.941. Setbacks from Critical Environmental Features and Waterways.

(a) Drainage patterns for a development must be designed to protect all critical environmental features and waterways from the effects of runoff from developed areas, and to maintain the catchment areas of recharge features in a natural state. Controls shall be sufficient to avoid the effects of erosion, sedimentation, and high rate of flow.

(b) Setbacks for critical environmental features and waterways shall be included within protective, platted easements and shall not be within areas disturbed by construction activities.

(c) The following minimum setbacks are established around each critical environmental feature:

(1) For a cave, sinkhole, spring, and wetland, the minimum width of the setback is 150 feet from the edge of the critical environmental feature.

(2) For a point recharge feature, the required setback coincides with the topographically defined contributing surface drainage area to the feature, except that the width of the setback from the edge of the critical environmental feature must not be less than 150 feet and the setback need not extend greater than 300 feet, depending on the boundaries of the surface drainage area.

(3) For a bluff or canyon rimrock feature, the minimum setback must be 50 feet.

(d) Except as provided in subsection (e) below, within a critical environmental feature setback:

(1) the natural vegetation cover must be retained to the maximum extent practicable;

(2) construction and related activities are prohibited; and

(3) wastewater disposal or irrigation is prohibited.

(e) Subsection (d) does not apply to a yard, hiking trail, or a recharge basin designed to discharge to a point recharge feature without polluting ground water if the yard, hiking trail, or recharge basin is located at least 50 feet from the edge of the critical environmental feature.

(f) The setback from a bluff or rimrock shall not apply adjacent to the Pedernales River if:

(1) all lots fronting the Pedernales River have a minimum frontage of 200 feet and a minimum size of one acre and best management practices are employed to achieve a level of water quality and environmental protection equivalent to the 50 foot setback; or

(2) the County Executive grants an exception allowing a setback of no less than 25 feet based on a demonstration that a level of water quality and environmental protection equivalent to the 50 foot setback will be achieved through enhancement of natural vegetative cover within the setback, low impact site design, or other best management practices.

(g) Waterway Setbacks in an Eastern Watershed. The following setbacks apply in an eastern watershed, except as specified in subsection (j):

(1) Waterways are classified as follows:

(A) A minor waterway has a drainage area of at least 64 acres and not more than 320 acres;

(B) an intermediate waterway has a drainage area of more that 320 acres and not more than 640 acres;

(C) a major waterway has a drainage area of more than 640 acres

(2) A protected zone is established along each classified waterway as a waterway setback. A setback for a waterway shall be included within protective, platted easements.

(A) For a minor waterway, the boundary of the setback is located 100 feet from the centerline of the waterway.

(B) For an intermediate waterway, the boundary of the setback is located 200 feet from the centerline of the waterway.

(C) For a major waterway except for the Colorado River downstream from Lady Bird Lake, the boundary of the setback is located 300 feet from the centerline of the waterway.

(D) For the Colorado River downstream from Lady Bird Lake, setbacks of 300 feet are established along and parallel to the shorelines of each bank of the river, beginning at the ordinary high water mark, as defined by Title 33, Code of Federal Regulations, Section 328.3. The setbacks also include the inundated areas that constitute the Colorado River.

(h) Waterway Setbacks in a Western Watershed. The following setbacks apply in a western watershed, except as specified in subsection (j):

(1) Except as described in paragraph (2), a waterway setback shall comply with either option 1 or option 2, as described in subparagraphs (A) and (B).

(A) Option 1: Distance-Based Setback.

(i) Creeks or swales draining 40 or fewer acres but more than five acres, excluding roadside swales, shall have a minimum setback width of 25 feet from the centerline of the creek or swale.

(ii) Creeks or swales draining 128 or fewer acres but more than 40 acres shall have a minimum setback width of 75 feet from the centerline of the creek or swale.

(iii) Creeks draining 320 acres or fewer acres but more than 128 acres shall have a minimum setback width of 100 feet from the centerline of the creek or swale.

(iv) Creeks draining 640 or fewer acres but more than 320 acres shall have a minimum setback width of 200 feet from the centerline of the creek or swale.

(v) Creeks draining more than 640 acres shall have a minimum setback width of 300 feet from the centerline of the creek or swale.

(B) Option 2: Floodplain-based Setback.

(i) For creeks or rivers draining 40 square miles or less but more than five acres, excluding roadside swales, the setback shall extend a minimum of 25 feet from the 100-year floodplain boundary paralleling each side of the creek or swale. The 100-year floodplain shall be based on the fully developed conditions using the LCRA Technical Manual standards.

(ii) For creeks or rivers draining more than 40 square miles, the setback shall be considered equal to the 100-year floodplain as designated by Federal Emergency Management Agency or by an engineered

floodplain study approved by LCRA, using the LCRA Technical Manual standards.

(2) The shoreline boundary of the waterway setback for Lake Travis coincides with the 681.0 foot mean sea level contour line. The width of the setback, measured horizontally inland, is 100 feet, or, for a detached single-family residential use, 75 feet.

(i) Limitation of Activity in Waterway Setbacks. The following requirements apply to waterway setbacks established in subsections (g) – (h) of this section:

(1) Setbacks shall remain free of construction, development, and other alterations except for approved utility and roadway crossings.

(2) Wastewater collection lines and lift stations are prohibited from running along the setback zone parallel or sub-parallel to the waterway. A wastewater collection line may cross the setback zone in a perpendicular or similar orientation, when necessary for optimal system function. The depth of a wastewater line crossing shall be calculated using the City of Austin Erosion Hazard Zone determination methodology.

(3) No golf courses, on-site wastewater systems or wastewater irrigation shall be located in a waterway setback.

(4) Before reaching a setback area, drainage patterns from a development shall be designed to prevent erosion, maintain infiltration and recharge of local seeps and springs, attenuate the harm of contaminants collected and transported by storm water, and dispersed into a sheet flow pattern. When possible, the natural drainage features and patterns should be maintained.

(5) No part of a residential lot with a lot size of 5,750 square feet or less may be located within a waterway setback.

(j) Exceptions to the Waterway Setbacks. A request for an exception to a waterway setback must be included as a part of the application submittal required by Section 82.931. Exceptions that may be approved include:

(1) Limited utility and roadway crossing may be approved by the County Executive. The number of crossings through a setback zone shall be minimized according to the guidance located in the LCRA Technical Manual or City of Austin Environmental Criteria Manual, as applicable to the watershed.

(2) The County Executive may approve necessary access and appurtenances to a boat dock, pier, wharf, or marina, along the Colorado River downstream from Lady Bird Lake and along Lake Travis, except along the Lake Travis shoreline in the setback of a swale, creek, or river. The access and appurtenances must follow a

route through the setback area and a design that minimizes short-term and long-term erosion and runoff impacts, minimizes the clearing of vegetation, and minimizes additional impervious cover.

(3) The County Executive may approve a low impact park development that is limited to trails, picnic facilities, open space not used as a parking lot, and similar construction that does not significantly alter the existing vegetation, drainage patterns, or increase erosion. A low impact park development cannot include a stable or corral for animals.

(4) Drainage retention basins and floodplain alterations are permitted in a waterway setback if they comply with the requirements of Chapter 64 of the Code.

(5) In an eastern watershed:

(A) A reduction of the setback width, up to a minimum of 50 feet from a minor waterway, may be permitted so long as the overall surface area of the setback is the same or greater than the surface area that would be provided without this exception.

(B) Innovative water quality controls, as specified in Section 1.6.7 of the City of Austin Environmental Criteria Manual, may be placed within the outermost one-half of the setback of an eastern waterway.

(k) An application for development is also subject to the requirements of Chapter 64 of the Code.

82.942. Environmental Assessment.

(a) An applicant shall submit an environmental assessment for any proposed development that is:

(1) a residential or non-residential subdivision development of ten acres or greater;

(2) a commercial development of three acres or greater;

(3) not a small construction project, but:

(A) includes land within the existing FEMA 100-year flood plain; or

(B) the development includes land with a gradient of more than 15%.

(b) An environmental assessment provided by an applicant must:

(1) identify critical environmental features and propose protection measures for the features;

(2) identify any habitat of a federally-listed endangered species or Texas-threatened species within the area to be developed as well as within 500 feet outside the property line;

(3) provide an environmental justification for spoil disposal locations and roadway alignments;

(4) propose methods to achieve overland flow and justify enclosed storm sewers;

(5) include a hydrogeologic report that:

(A) describes the topography, soils, and geology of the site;

(B) identifies springs and significant point recharge features on the site;

(C) demonstrates that proposed drainage patterns will protect the quality and quantity of recharge at significant point recharge features; and

(D) includes a water well survey of the site and properties adjacent to the site for a radius of 150 feet, inclusive of recorded water wells and a field survey of the area.

(6) include a vegetation report describing existing site vegetation, the site's dominant plant communities (such as grassland, riparian, woodland, palustrian, or savanna), a list of the scientific and common names of the dominant species of identified communities, demonstrating that the proposed development preserves to the maximum extent practicable the significant trees and vegetation on the site and provides maximum erosion control and overland flow benefits from the vegetation; and

(7) include a wastewater report that provides an environmental justification for any sewer line proposed to be located in a waterway setback described in Section 82.941, and describes construction techniques and standards for wastewater lines.

(c) If an applicant is required to prepare a tree assessment pursuant to Section 82.973, the applicant shall submit it as a part of the environmental assessment required by this section.

82.943. Cut and Fill.

(a) Land Balancing. Except as provided by subsection (b) of this section, a proposal for cut and fill land balancing must meet the following requirements:

(1) All cut and fill land balancing is limited to a maximum of eight vertical feet. This includes eight vertical feet maximum of excavated cut, eight vertical feet maximum placement of fill, or an eight vertical feet maximum combination of cut and fill.

(2) Applicable fill containment, temporary controls, and permanent stabilization standards specified in Sections 82.936, 82.937, and 82.970 must be followed.

(3) A retaining wall shall not exceed one foot above the material being retained.

(4) A retaining wall over five feet in height shall be detailed in construction plans or plans sealed by a Texas registered professional engineer and submitted with the application for the site development permit. For residential construction, it is the responsibility of the owner to ensure a retaining wall over five feet in height is engineered, constructed, and permanently stabilized according to these standards, if plans for the retaining wall are not required to be submitted to the County for approval prior to issuance of the development permit.

(5) Cut or fill may not be located on a slope with a gradient of more than 15 percent.

(6) Cut and fill may not be located within 100 feet of a waterway classified in Section 82.941.

(7) Any cut or fill proposal must be designed so that it complies with the requirement in Chapter 64 of the Code that flood plain storage must not be reduced.

(8) Design plans and specifications for the fill areas shall be prepared by a Texas-registered professional engineer if the proposal exceeds 10,000 square feet in surface area and there is a change in grade that is four feet or greater.

(b) There are no limitations to the maximum height of cut or fill for the construction of permanent water quality controls, storm water detention ponds, streets, a building or parking structure's footprint, or driveways. Applicable fill containment, temporary controls, and permanent stabilization standards contained in Sections 82.936, 82.937, and 82.970 must be followed. Additional TCEQ requirements for the construction of a dam may apply.

(c) Fill Disposal.

(1) No fill or excess fill from a construction site may be placed on any lot or land parcel unless the placement of the fill is authorized in an approved subdivision construction plan or development permit.

(2) This subsection does not apply to the placement of fill or topsoil less than twelve inches deep as part of an existing residential home landscaping activity that does not:

(A) Alter existing on-site or off-site drainage or the FEMA 100-year floodplain; or

(B) Encroach upon or affect rights-of-way, easements, other platted setbacks, waterways, or adjoining properties.

(3) Temporary placement of fill shall be removed prior to acceptance of streets and drainage in a subdivision and in accordance with the approved construction plan, SWP3, and development permit.

(4) Before removing fill from a permitted construction site, the owner or operator shall notify the Inspector of the destination of the fill.

(5) A development permit that proposes temporary storage of fill material as the primary construction activity, and that is not associated with a separately permitted primary construction project underway with a coordinated projected completion date for both permits, expires twelve months after the date of issuance. A development permit for permanent fill disposal as the primary construction activity expires on the sooner date of either completion of the planned fill, or after 12 months of inactivity based upon documentation showing the dates of receipt of fill material. The County Executive has discretion as to whether to grant an applicant's request for renewal or extension of such permits for temporary or permanent fill storage, in consideration of the compliance history of the site with the development permit and the requirements of this section.

(6) Applicable fill containment, temporary controls, and permanent stabilization standards specified in Sections 82.936, 82.937, and 82.970 must be followed for all fill disposal activities.

(d) Quality of Fill material. Only uncontarninated earthen material or inert construction rubble may be used as fill. Protruding metal must be removed from concrete or rubble. The use of garbage, new asphalt, non-weathered asphalt, or soils containing non-weathered asphalt residue, or any material other than industrial solid waste that is Class 3 waste is strictly prohibited. All fill material must be inert and essentially insoluble. The applicant may be required to submit chemical analyses from a NELAC-certified laboratory to verify the fill material is inert, if the fill material has an odor, texture or appearance indicating that it is not inert and essentially insoluble.

82.944. Permanent Water Quality Control.

(a) Each development that is subject to the requirements of this subchapter must provide permanent water quality control for storm water in accordance with the standards applicable to its watershed location. Each application for a preliminary plan must include a storm water management plan that demonstrates permanent water quality structural and non-structural BMPs which will comply with this section and shows their locations and dimensions. The storm water management plan may be included as part of a drainage plan under Section 82.207.

(b) This subsection applies to development that is located in a western watershed and outside the ETJ of the City of Austin:

(1) Water Quality Volume. Each development project shall provide water quality volume in accordance with the approved BMPs found in the LCRA Technical Manual. The minimum required water quality volume is based on the one-year, three-hour storm runoff volume as defined in the LCRA Technical Manual. In addition, development projects can use low impact development methodologies as identified in the LCRA Technical Manual to reduce or avoid storm water storage volume.

(2) In the Lake Travis watershed, the owner of a project for which a Travis County development permit is required must also obtain a LCRA BMP Maintenance Permit in accordance with Section 4, Subchapter A, Paragraph (d) of the LCRA HLWO effective March 1, 2007.

(3) Alternate Standards. A subdivision development project that meets the criteria in (A) and a commercial development project subject to this section that meets the criteria in (B) need not comply with paragraphs (1) – (2), except as specified in paragraph (4).

(A) Subdivision Development.

(i) The gross impervious cover is 15 percent or less and the cluster development sections have 20 percent or less gross impervious cover, as defined in the LCRA Technical Manual.

(ii) A street and drainage network is designed to include the use of open-roadway sections, ribbon curb, maintenance of sheet flow, and employs the applicable permanent erosion control and stabilization standards specified in Sections 82.936, 82.937, and 82.970.

(iii) Impervious cover credit by use of porous pavement, rainwater harvesting, native landscaping and other methods will be considered during the application review to gain compliance as defined in the LCRA Technical Manual.

(B) Commercial Development.

(i) Projects less than three acres in area that use vegetated filter strips and flow spreading methodologies as identified in the LCRA Technical Manual.

(ii) Impervious cover credit by use of porous pavement, rainwater harvesting, native landscaping and other methods will be considered during the application review to gain compliance as defined in the LCRA Technical Manual.

(4) The County Executive may require that the water quality volume specified in paragraph (1) of this subsection be provided for a portion or portions of a development utilizing the alternate standards of paragraph (3), in consideration of a proposal that would create localized points of erosion or pollutant discharges sources, including lot sizes in the subdivision, location and proximity of impervious cover sections of the development to the 691 foot mean sea level contour line, extent to which the development site is able to preserve or achieve sheet flow and sustain effective permanent site stabilization and vegetative cover, and the intensity of slopes to be developed at a site.

(c) This subsection applies to development that is located in an eastern watershed or within the ETJ of the City of Austin:

(1) A water quality control must be designed in accordance with the City of Austin Environmental Criteria Manual.

(A) The control must provide at least the treatment level of a sedimentation / filtration system described in the City of Austin Environmental Criteria Manual.

(B) An impervious liner is required in an area where there is surface runoff to groundwater conductivity. If a liner is required and controls are located in series, liners are not required for the second or later in the series following sedimentation, extended detention, or sedimentation / filtration.

(2) A water quality control must capture, isolate, and treat the water draining to the control from the contributing area. A water quality control must be placed when 10,000 square feet or greater of impervious cover is proposed. The required capture volume is:

(A) the first one-half inch of runoff; and

(B) for each ten percent increase in impervious cover over 20 percent of gross site area, an additional 0.1 inch of runoff.

(3) The location of a water quality control:

(A) must avoid recharge features to the greatest extent possible; and

(B) must be shown on the slope map, preliminary plan, site plan, subdivision construction plan, or development permit application, as applicable.

(d) Operation and Maintenance. In both an eastern and a western watershed, the owner or operator shall be responsible for maintaining and shall maintain all permanent water quality controls in a proper manner and consistent with County and other applicable standards, including the BMP Maintenance Permit requirements of Section 82.917.

82.945. Requirements for Quarries and Mines.

(a) This section applies to proposals to develop land for the purpose of mining or quarrying. This section addresses best management practices for the control of pollutants discharged in storm water as a result of mining or quarrying activities. The following activities are exempt from the requirements of this section, but such activities must comply with all other applicable requirements of this Chapter and Chapter 64 of the Code:

(1) Excavations or grading solely for domestic or farm use when carried out at a residence or farm;

(2) Excavations or grading conducted for the construction, re-construction, maintenance, or repair of a roadway, railroad, airport facility, or other transportation facility where the excavation or grading is entirely within the property boundaries or easement of the facility;

(3) Excavations for building construction purposes conducted on a building site; and

(4) Quarry or mine sites where less than one acre of total affected acreage occurs over the life of the quarry or mine.

(b) An applicant must schedule a pre-proposal concept plan meeting with the County regarding any quarry or mine proposal that will disturb five or more acres of land surface. The meeting must focus on potential disturbed areas, slopes, buffers, water diversions, and water quality management practices, and may include a site investigation. If the proposal is within the geographic boundary of a groundwater conservation district, the applicant should notify the district of the plan prior to initiating a quarry or mining facility.

(c) Water Quality Management. A permit application shall address each of the following requirements and standards of this subsection.

(1) For a project area not discharging to a pit:

(A) For the protection of water quality, mine and quarry projects subject to these performance standards shall provide water quality volume in accordance with the requirements of Section 82.944.

(B) The water quality volume requirements of Section 82.944 apply to parking lots, drives, buildings, and other development similar to typical land development projects. In addition, mine and quarry projects can use low impact development methodologies as identified in the LCRA Technical Manual to reduce or avoid storm water storage volume requirements. A plan shall be prepared that describes the proposed operational and maintenance needs for the water quality control facilities.

(C) For areas of exposed material stockpiles and non-stabilized active areas not draining to the pit, the quarry or mine project shall provide water quality volume in accordance with the requirements of Section 82.944.

(2) For a project area discharging to the pit:

(A) An applicant for a quarry or mine development permit must demonstrate that each pit intended to be used as a permanent BMP is of sufficient size to contain the runoff volume of the10-year, 24-hour storm without discharge during such a rain event.

(B) The runoff volume is derived from contributing drainage area to the excavation.

(C) An applicant shall use drainage diversions or other BMPs as necessary to prevent sediment from discharging into karst features.

(D) Recharge features with a surface opening greater than 0.25 square feet in area that are located on the floor of a quarry or mine must be sealed or protected in order to prevent sediment from infiltrating with storm water runoff.

(3) Other Local, State, and Federal Regulations. An applicant must comply with Section 82.916 relating to other environmental authorizations required for the quarry or mine. In addition, the applicant must provide copies of, or access to all applicable plans, reports, and approvals from other regulatory agencies, for the following:

(A) A Spill Prevention Control, Containment, and Countermeasures Plan required by the U.S. Environmental Protection Agency.

(B) A Hazard Communications Plan as required by the Mine Safety and Health Administration (MSHA);

(C) A Marl, Sand, and Gravel Mining Permit required by the Texas Parks and Wildlife Department for mining in public water of the State, if applicable; and

(D) Documentation of compliance with groundwater conservation district requirements, if applicable.

(4) On a case-by-case and limited basis, the County Executive may waive the requirement for an applicant to submit one or more components of the following supplemental information. The determination will depend upon the significance of the site conditions, planned quarry or mine activities, size of the quarry or mine, and depth of excavation. Submittals that are waived will be determined in the pre-quarry/mine planning meeting specified in subsection (b) The determination will be based upon professional standards for the appropriate submittals and the project's potential impacts

on water quality. Unless waived by the County Executive, an applicant must submit the following:

(A) A hydrologic report prepared by a Texas-licensed professional engineer defining impoundments, streams, floodplains, and proposed drainage diversions including water quality BMPs within the proposed mine or quarry property boundaries.

(B) A hydrogeologic report prepared by a Texas-licensed professional geoscientist containing the aquifer identification, aquifer characteristics, DRASTIC classification, recharge zones, any karst features and depth to water on the site, well inventory, springs within one mile of the proposed mine or quarry property boundary, and identification of measures to protect groundwater recharge. The applicant must demonstrate compliance with setbacks from recharge features and public water supply wells in accordance with the TCEQ source water protection program and, if applicable, groundwater conservation district requirements.

(C) A surface water monitoring plan to supplement the TCEQ Industrial Multi-Sector General Storm Water Permit requirements. The owner or operator can use the TCEQ Multi Sector General Storm Water Permit as the plan, but shall monitor four events per year and provide data in the annual report. Parameters tested in the monitoring plan must include but are not limited to total suspended solids, pH, oil and grease, and total organic carbon.

(D) A groundwater monitoring plan in accordance with paragraph (7) requiring monitoring wells for water levels and water quality determinations including background and down-gradient conditions.

(5) Erosion and sedimentation shall be controlled by the owner and operator throughout the quarry and mine process and during closure and reclamation in accordance with Sections 82.934 – 82.940 and 82.970 – 82.974. Additional controls shall include best management practices that address operations related to potential storm water pollutants, such as vehicle washing, vehicle wash-out, particle washing, dust control, batch plant operation and building operations.

(6) The requirements for setbacks from critical environmental features and waterways specified in Section 82.941 apply to a mine or quarry proposal. An applicant who must obtain a Sand, Gravel, Shell, and Marl permit from the Texas Parks and Wildlife Department or authorization from the US Army Corps of Engineers may be eligible for a variance from the setback requirements in Section 82.941.

(7) Groundwater Monitoring. Depending on site conditions, proposed activity, hydrogeologic report, and the potential interrelationship of groundwater to surface water quality, the required monitoring of water wells for water levels and water quality

determination must include characterization of background and down-gradient conditions. As part of its application for a development permit, an applicant must propose a groundwater sampling plan that is based on professional practices regulated by the Texas Board of Professional Geoscientists or the Texas Board of Professional Engineers and that has parameters that include static water level, and levels of pH, nitrate-nitrogen, total suspended solids, volatile organic carbon, total organic carbon, and total dissolved solids. If a groundwater conservation district has jurisdiction, the sampling plan shall be designed to comply with the groundwater conservation district's guidelines

(8) Design Criteria.

(A) Excavation limits. All excavations may operate at a vertical slope but it is recommended that during excavation activities, side slopes not exceed a 2-horizontal to 1-vertical unit ratio on the portion of the site adjacent to or within a waterway setback in order to prevent a breach of a natural water body.

(B) Portions of haul roads that drain into resource extraction excavations do not require water quality controls.

(C) Temporary Stabilization Requirements. Any disturbed area that is observed to be the source of dust or sediment in runoff, including topsoil stockpiles, shall be re-vegetated to prevent erosion or runoff of sediment-laden storm water to natural water bodies, in accordance with Section 82.936(d)(3).

(9) Pit Backfill Requirements.

(A) All pit side slopes must be stabilized at a 3-horizontal to 1-vertical unit ratio slope for reclamation to prevent erosion and to maintain overland sheet flow. However, the County Executive may approve a steeper incline if an applicant can demonstrate through either a field plot that is approved as part of a reclamation plan or a site-specific engineering analysis performed by a Texas-licensed professional engineer that the steeper slope will be sufficiently stable to prevent erosion and maintain overland sheet flow.

(B) Fill material must conform to Section 82.943(d) and should be compacted from the bottom of the excavation to within five feet of final grade. The method of compaction must be in accordance with accepted engineering best practices and specified in the reclamation plan.

(C) If an open pit is partially backfilled, then the side slopes must be restored to a final slope of a 3-horizontal to 1-vertical unit ratio in order to provide a stable angle of repose for re-vegetation, to prevent erosion, and to maintain overland sheet flow.

(D) The final grade of backfilled areas may not exceed the pre-existing natural grade of the site prior to the initiation of extraction operations. An exception may be granted by the County Executive for future use as a roadway right-of-way or other fill that is outside of the 100-year floodplain and a waterway.

(10) Resource Extraction Plan. A resource extraction plan shall be prepared by a Texas-licensed professional engineer and submitted with the permit application. Each resource extraction plan must:

(A) Show the location and approximate depth of the proposed resource extraction in plan and profile view. Plan view must include two foot contour (or less) interval topography at a scale no greater than one inch equals 400 feet. The submittal shall be a 24-inch by 36-inch document.

(B) Include a general description of material to be extracted on a cross-section profile.

(C) Show the location of all haul roads, equipment, office and facilities, and materials handling areas.

(D) Describe all necessary measures and installations for diversion and drainage of runoff from the site to prevent pollutant discharges to water in the state and describe all runoff diversions that may drain to a neighboring property.

(E) Provide notes on operational storm water controls for all areas of land disturbance and a list of BMPs proposed for mined out areas that will be used as temporary sedimentation basins.

(F) Show proposed mine or quarry boundaries, property limits, mining limits, approximate mining depths, drainage plan, creek crossings, and diversions.

(G) Describe topsoil and topsoil substitute material management, including removal, determination of volumes relative to reclamation needs, storage, and containment procedures for accepting fill material and restoration methods.

(11) Reclamation Plan. Each application for a development application must include a reclamation plan prepared by a Texas-licensed professional engineer. The reclamation plan must describe how the site will be restored using final measures to protect water quality once the mining or quarrying activities are complete. The plan must address all areas affected by mining or quarrying, and show the steps that the applicant will take to restore the site to a condition that is stable, safe, and suitable for the applicant's proposed post-mining land use. Contemporaneous reclamation shall be conducted, whenever feasible, to minimize the area disturbed by mining or quarrying and to provide for

reclamation of the site while mining or quarrying continues on other portions of the site. Each reclamation plan shall describe:

(A) The overall plan for the mine or quarry reclamation activities including methods (such as contemporaneous reclamation), proposed phases of reclamation for particular areas of the site, and a time schedule, including interim milestones and final completion.

(B) The location of components of the proposed reclamation plan such as protected riparian corridor areas, restoration of disturbed areas, areas of re-vegetation, and areas where future development is planned.

(C) Specific methods to establish vegetative cover within one-year of completion of each phase of excavation to restore areas to conditions that existed prior to the excavation, except on quarry walls and flooded areas, including within one-year of final completion of all resource extraction at the permitted site.

(D) Specific methods for reclamation of all structures, haul roads, and storage areas within one-year of completion of each phase of excavation and within one-year of final completion of all resource extraction at the permitted site.

(E) A re-vegetation plan for the site that is consistent with the SWP3 requirements of Section 82.936 or a plan developed in accordance with the U.S. Department of Agriculture Natural Resources Conservation Service's Conservation Practice Standard entitled "*Land Reconstruction, Abandoned Mined Land*" and referenced as Code 543.

(F) ` The measures that will be used, such as re-seeding or placement of erosion blankets, temporary irrigation, and other soil stabilization practices.

(G) The source of uncontaminated material and the procedures to be used in accepting off-site material for backfill, in accordance with TCEQ guidance from TCEQ's Rule Interpretation Summary Form 330-4.001.

(H) The methods for placing backfill material, the methods for compaction of backfill material, and the methods for placing topsoil and topsoil substitute materials.

(I) When applicable, the restoration methods and materials for reclamation as a constructed wetland and migratory fowl habitat must follow the criteria of the U.S. Army Corps of Engineers Regulatory Guidance Letter No. 02-2, December 24, 2002, "*Guidance on Compensatory Mitigation Projects for Aquatic Resource Impacts Under the Corps Regulatory Program Pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899*".

(J) A detailed cost estimate for the construction that is necessary to completely implement the mine or quarry reclamation plan and that is consistent with the requirements of subsection (d).

(d) Fiscal Security. The following requirements are in addition to the requirements and procedures specified in Section 82.401.

(1) Filing. Following approval of the mine or quarry reclamation plan, and as a condition of the development permit, the applicant shall file fiscal security payable to Travis County. The fiscal security shall provide that the operator shall faithfully perform all requirements for construction of temporary erosion and sediment controls, permanent site stabilization, including complete implementation of the mine or quarry reclamation plan, in accordance with this Chapter.

(2) Amount and Duration. The amount of fiscal security shall equal as closely as possible the cost to the County Executive of hiring a contractor to complete either final reclamation or progressive reclamation according to the approved reclamation plan. The amount of the fiscal security will be reviewed periodically by the County Executive to assure it equals outstanding reclamation costs. The County Executive may accept a lesser amount if a permittee initiates a process to continuously increase the amount of fiscal security until it is adequate to complete reclamation. The period of fiscal security is dictated by the period of time approved of in the reclamation plan to establish the post-mining land use. The time period may extend beyond the development permit if required to accomplish successful and complete implementation of the reclamation plan.

(3) Certification of Completion and Release. The operator shall file a notice of completion with the County at the time the operator determines that reclamation of any portion of the mining or quarry site or the entire site is complete. The site, or portion thereof that was the subject of the notice of completion, shall be inspected by the County to determine if reclamation has been carried out in accordance with the reclamation plan. A partial release of the fiscal security can occur if the County determines that compliance with a portion of the reclamation plan has been achieved and requires no waiting period. After the County determines that reclamation is complete, a certificate of completion will be issued to allow release of the fiscal security

(e) Assessment of Reclamation Success.

(1) The criteria for assessing when reclamation is complete and, therefore, when the fiscal security may be released shall be specified in the reclamation plan. Criteria to evaluate reclamation success shall be quantifiable.

(2) Completion of the re-vegetation success standards in the approved reclamation plan shall be determined by on-site inspection, reports presenting results, data, photo documentation, and other evidence that the criteria approved in the reclamation plan to ascertain success have been met, or a combination of inspections and reports.

(3) In those cases where the post-mining land use specified in the reclamation plan requires a return of the mining site to its pre-mining condition, the operator shall obtain baseline data on the existing plant community prior to site development and mining. These data will be used in the evaluation of reclamation success.

(4) Re-vegetation success may be determined by comparison to an appropriate reference area, comparison to baseline data acquired at the mine or quarry site prior to its being affected by mining, or comparison to an approved alternate technical standard.

(f) Responsibilities of the Owner and Operator. The owner and operator have the continuing obligation to operate and maintain a mine or quarry in accordance with all approved plans, specifications, and permit conditions. All approved closure, reclamation, and re-vegetation must be implemented by the owner and operator once active mining is concluded. Any substantial change in an approved plan for closure, reclamation, and re-vegetation requires the approval of a revised development permit application.

82.946. Subdivision Plat Notes.

(a) The following plat notes related to requirements in this Subchapter shall be included on a final subdivision plat. Additional notes may be required to more accurately reflect individual subdivision plat conditions.

(1) No cut or fill on any lot may exceed eight feet, excluding driveways, a building structure's footprint, or a parking area footprint, in accordance with the Travis County Code.

(2) As depicted on the plat, each protective easement from a critical environmental feature, including a cave, sinkhole, point recharge feature, bluff, canyon rimrock feature, wetland, and spring must remain in its existing, undeveloped, natural state. Natural vegetative cover must be retained. Construction activities, wastewater disposal, and wastewater irrigation are prohibited within a protective easement. A residential lawn or hiking trail is allowable if it is a setback from a critical environmental feature in accordance with the Travis County Code.

(3) As depicted on the plat, the setback area identified for each waterway is a protective easement that must remain undeveloped and activities must be limited within the easement. The protective easement must remain free of construction, development, or other alterations except when specifically approved in a Travis County Development Permit.

(4) Before beginning construction activities on a subdivision lot, an owner or operator must be authorized under a Travis County Development Permit and a Storm Water Pollution Prevention Plan (SWP3). The SWP3 requires implementation of temporary and permanent Best Management Practices (BMPs), including erosion and sediment controls, for protection of storm water runoff quality, in accordance with the Travis County Code.

(5) The owner is responsible for maintaining and operating all permanent water quality controls in a proper manner consistent with all standards and requirements of the Travis County Code.

(6) Any activities that may adversely affect an existing tree of eight inches or more in trunk diameter in a County right-of-way must comply with all standards and requirements in the Travis County Code.

(b) The subdivision final plat must depict the following information related to the requirements of this chapter:

(1) Clearly marked and labeled, the location and dimensions of each protective easement pertaining to a setback from any critical environmental feature;

(2) Clearly marked and labeled, the location and dimensions of each protective easement pertaining to a setback from any waterway;

(3) Clearly marked and labeled, the location and dimensions of any waterway or karst buffer zone easement required by the Texas Commission on Environmental Quality, Edwards Aquifer Protection Program, pursuant to 30 TAC, Chapter 213;

(4) The location and dimensions of any permanent water quality control required by the Travis County Code, or permanent water quality control required by another jurisdiction;

(5) The easement locations listed in paragraphs (1) – (4) shall be integrated into the drainage, floodplain, and other easements.

Subchapter J. Storm Water Pollution Prevention Plan Inspections.

82.950. Pre-Construction Conference Required.

(a) Except as described in Subsection (i), this section applies when a development application that requires a SWP3 is approved.

This section is applicable to a development application that requires a SWP3, upon the approval of the application.

(b) The requirements of this section are in addition to the pre-construction conference requirements of Section 82.603(d) if those requirements also apply to the development project.

(c) The owner of a project, or owner representative, shall participate in a pre-construction conference with the designated Inspector before starting construction under an approved site plan or subdivision construction plan.

(d) An owner, or owner's representative, shall request to schedule the pre-construction conference when the owner determines that site construction will commence.

(e) The owner or owner's designated representative shall provide notice of the conference to the following persons or entities not later than the second business day before the conference:

(1) primary operator with operational control of the plans and specifications;

(2) designated Inspector(s);

(3) design engineer or representative for the approved plans and SWP3;

(4) contractor(s) and primary operator(s) with day to day operational control of the construction site;

(5) designated qualified inspector for the operator responsible for preparing the SWP3 inspection reports

(6) municipal development review representatives, as appropriate; and

(7) affected utility representatives.

(f) At least two business days before convening a pre-construction conference, the owner or owner's representative shall distribute approved plans for the development to each person identified in subsection (e) of this section receiving notice of the conference.

(g) The SWP3 pre-construction conference may be a discrete meeting or a subset of a larger project pre-construction conference, but must include an on-site inspection and approval of the installation of the first phase of the project's erosion and sediment controls before the construction activities can commence. The designated Inspector shall provide participants with a

SWP3 Operator Compliance Checklist which summarizes the storm water management tasks which must be performed by the operator during construction. The Inspector shall briefly explain and discuss the SWP3 requirements with the participants. The conference participants shall discuss as a minimum, the following items in the approved permit, plans, and SWP3:

(1) the approved phasing of the project, the non-structural erosion source controls, the detailed sequence of construction and BMP implementation, start dates, and schedule of events;

(2) sediment control installation, phasing of the various perimeter and interior controls throughout construction, including structural erosion source controls such as diversion and dissipation, and maintenance requirements;

(3) the adequacy of the initial installation and future control phases to address site conditions;

(4) temporary and permanent stabilization and re-vegetation requirements and phasing schedule throughout construction, including critical site improvements and priority re-vegetation areas;

(5) on or off-site temporary and permanent spoil and fill disposal areas, haul roads, and staging areas;

(6) permanent water quality structural controls and related grading and drainage construction;

(7) special conditions or provisions of plans or specifications, such as future homebuilding on lots, protection of waterways, critical environmental features, and trees to be saved;

(8) observation and documentation of existing site conditions adjacent to and downstream from the limits of construction prior to soil disturbing activities, including waterways and potential outfall discharge routes, rights-of-way and easements, buffer zones, and critical environmental features;

(9) site supervision of the SWP3 implementation by the Primary Operator's designated on-site project manager, including roles, responsibilities, and coordination when more than one operator is charged with tasks in implementing a shared SWP3;

(10) monitoring inspections of the SWP3 by the operator's qualified inspector, and SWP3 inspections by the Inspector, and a schedule for submittal of the SWP3 Inspection Reports;

(11) rain gage location or rainfall information source to be used during construction and reporting, when applicable;

(12) the potential necessity for adjustment and revision of ESC and SWP3 controls;

(13) exchange of telephone numbers and other contact information for the primary and secondary operators, designated qualified SWP3 inspector for the owner, and designated Inspector;

(14) final inspection and acceptance requirements; and

(15) publishing and distribution of minutes of the conference.

(h) The owner's consulting engineer shall prepare and distribute minutes of the preconstruction conference within three working days of completion of the conference.

(i) The requirement for a pre-construction conference does not apply to construction on a single family residential lot, unless so specified in the Travis County Development Permit, based upon the size or potential impact on water quality of the activities approved for construction.

82.951. Owner and Primary Operator SWP3 Inspections.

(a) General. The requirements of this section are in addition to the applicable technical criteria in Section 82.933 and the requirements in Section 82.601.

(b) Owner and Operator SWP3 Inspection Responsibilities. An owner or operator shall comply with the following requirements in the implementation and inspection of construction projects and associated recordkeeping subject to a SWP3 and County development permit:

(1) The owner or operator shall post at the construction site a copy of the TCEQ CSN and, if the project disturbs five or more acres a copy of the NOI. No later than seven days before the start of construction, the owner or operator must provide to the County Executive a copy of the TCEQ CSN and a copy of the NOI, if any.

(2) The owner or operator shall designate an on-site project manager and personnel with the necessary experience, qualifications, and training who will be responsible for performing and monitoring the SWP3 ESC, BMPs, and construction activities to ensure specified practices and structural controls are continuously implemented and maintained in effective operating condition throughout construction. The Owner or Operator must perform any ongoing inspections, monitoring, and actions necessary to maintain compliance, including preparing a signed SWP3 Inspection Report on the schedule described in paragraph (4) of this subsection. Any necessary corrective action identified shall be recorded on the SWP3 Inspection Report. The owner or operator shall ensure any corrective action is promptly performed in accordance with the SWP3 and requirements of this Chapter.

(3) The owner or operator shall designate a qualified inspector familiar with the SWP3 and possessing the required certification as specified in Section 82.934(c) to conduct an SWP3 inspection of the site and prepare the signed SWP3 Inspection Report. The

designated project manager and the qualified SWP3 inspector are to coordinate with the Inspector on a regular basis during construction to help ensure the SWP3 controls and measures are properly implemented.

(4) SWP3 Inspection and Report Schedule. From the start of construction site soil disturbing activity until the entire site is temporarily or finally stabilized, the SWP3 inspections shall be conducted at least once every seven calendar days on a specifically defined day. In addition, a SWP3 inspection shall also be conducted within 48 hours of the end of a storm event of 0.5 inches or greater, unless the seven day inspection falls within the 48-hour period. Information from this post-storm event inspection shall be included in the signed SWP3 Inspection Report required every seven calendar days.

(5) When the entire site has been finally or temporarily stabilized, inspections must be conducted at least once every month until final inspection release. This also applies to discrete areas or phases of a larger active site which are finally or temporarily stabilized. Unfinished sites finally or temporarily stabilized but inactive for three months or longer must be inspected once every two months as a minimum.

(6) Long, narrow, linear construction activities where access is limited may be inspected on an alternate schedule, with representative inspections in accordance with the TCEQ General Permit, when approved by Travis County following submittal of documentation in support of the alternative.

(7) In the event of flooding or other uncontrollable situations which prohibit access to the inspection sites, the inspection must be conducted as soon as access is practicable.

(8) The SWP3 inspection must include inspection of the site for compliance with all applicable SWP3 requirements. Areas of the construction site shall be inspected to determine whether ESCs and BMPs are in full operating condition and to determine if there is evidence of, or the potential for, pollutants entering the drainage system and discharging off-site. Areas to be inspected include each:

(A) disturbed area that has not been finally stabilized and the approved limits of construction, including any area undergoing permanent vegetation establishment or temporary stabilization measures, and evaluation of the compliance of these areas with the approved sequence of construction, stabilization, and cessation of construction activities;

(B) area used for storage of materials and equipment that is exposed to precipitation;

(C) temporary or permanent fill and spoil storage or disposal area;

(D) outfall discharge location and the area immediately downstream of each outfall location;

(E) structural control, including any sediment pond, sediment trap, and drainage diversion;

(F) perimeter and interior sediment control measure;

(G) haul road and location where vehicles enter or exit the site, and each adjacent roadway for evidence of off-site sediment tracking;

(H) waterway crossing and each area adjacent to a surface water or critical environmental feature; and

(I) concrete wash out area, non-storm water discharge control, and any other control or pollution prevention measure applicable, including control measures for dust, solid waste, de-watering, material spills, vehicle maintenance and washing, and wash water discharges.

(9) The SWP3 must be revised as necessary based on any inspection result by the primary operator or Inspector for Travis County, in a manner that will eliminate or minimize, to the maximum extent practicable, the discharge or potential discharge of pollutants in runoff. The owner or operator must revise the SWP3 as necessary in accordance with Section 82.935(j).

(10) Final Inspection and Certificate of Compliance. The owner or operator shall schedule a final inspection with the Inspector when all SWP3 and related construction plan requirements are completed. Completion of the SWP3 includes final site stabilization, removal and proper disposal of all sediment controls and accumulated sediment, and proper construction of each permanent storm water management control and drainage system. When required for the project, the final inspection must be preceded by submittal of the design engineer's concurrence letter, as required by Section 82.953.

(A) If the findings of the inspection demonstrate to Travis County that the SWP3 and construction plan requirements have been fully completed, a Certificate of Compliance will be issued for the project and any fiscal security for erosion and sedimentation controls or permanent storm water management facilities shall be released.

(B) If re-vegetation coverage is not fully completed, a Developers Contract as described in Section 82.936(d)(4) may be issued at the discretion of Travis County for eligible projects with fiscal security posted for erosion and sedimentation controls, as a conditional acceptance until the required vegetation coverage is attained.

(c) SWP3 Inspection Report Contents and Format.

(1) For each scheduled SWP3 inspection required by subsection (b) of this section, the designated, qualified inspector shall prepare and sign a SWP3 Inspection Report, certifying whether the site is in compliance with the SWP3, and describing any corrective actions necessary based on inspection of areas identified in paragraph (b)(8) of this section. The SWP3 Inspection Report shall contain notations on inspection findings as specified in this paragraph. The report contents shall include:

(A) all locations of discharge of sediment or other pollutants from the site and each disturbance beyond the approved limits of construction;

(B) all locations of a BMP that requires maintenance, including any BMP location identified in the previous SWP3 Inspection Report needing maintenance or revision that was not accomplished;

(C) all locations of a BMP that failed to operate as designed or proved inadequate for a particular location;

(D) all locations where an additional ESC or BMP is needed; and

(E) a notation of all other SWP3 inspection findings, including: the site's compliance status with: the approved phasing, sequence of construction, temporary and permanent stabilization schedule, areas where construction has temporarily or permanently ceased, temporary and permanent spoil and fill disposal areas, and all applicable other controls and pollution prevention measures.

(2) SWP3 Site Notebook and Records. The SWP3 Site Notebook and contents, as described in Section 82.935(h), shall be maintained by the primary operator or the qualified inspector at the construction site, and it shall be readily available upon request. All SWP3 records must be kept by the owner or primary operator for a minimum of three years after site completion.

82.952. Submittal of SWP3 Operator Inspection Reports. At the request of the Inspector, the owner or operator shall periodically submit each SWP3 Inspection Report that is required by this subchapter. Each submittal shall be in a format and at a frequency agreed upon by the owner or operator and Inspector.

82.953. Submittal of Engineer's Concurrence Letter. At the time of substantial completion of construction in accordance with the approved construction plan, SWP3, and Travis County development permit, the design engineer shall submit a concurrence letter to Travis County and the owner which states the project has been substantially completed in conformance with the approved plans and development permit. The concurrence letter shall request a final inspection and approval that the project is complete. The concurrence letter must address completion of final stabilization as required by Section 82.936(d)(3)(H). These requirements are in addition to any applicable requirements of Section 82.604.

Subchapter K. Roadways and Rights of Way.

82.970 Erosion and Sedimentation Control for Roadways and Drainage Easements. Temporary and permanent erosion control design for roadway right-of-way and drainage easement areas shall follow the technical criteria and standards in Sections 82.933, 82.936, 82.937, and 82.940 as a minimum, as well as the additional requirements outlined in this section. These standards apply to the construction of new roadways, improvements to existing roadways, and construction of utilities or other improvements within existing roadways.

(a) The temporary ESC plan during construction shall be sufficient to minimize the discharge of sediment and pollutants to prevent sedimentation of drainage structures, off-site areas, surface waters, adverse impacts to aquatic life, reduced flow capacity, excessive stream bank erosion, erosion around structures, or damage of adjoining property.

(b) The permanent erosion control and stabilization plan design shall be in conformance with the Austin Drainage Criteria Manual and Environmental Criteria Manual requirements for velocities to be below erosive values for the particular soil conditions. All structures must be designed and constructed to withstand the forces of the 25-year, 24-hour storm event.

(1) The plan must ensure permanent stabilization of all disturbed soil areas with permanent vegetation, including any slope and embankment including the following special considerations:

(A) Disturbed roadside slopes in excess of ten percent grade must be covered with temporary mulch or soil retention blanket or equivalent methods in addition to seeding to achieve permanent vegetative stabilization, whenever the slope's length and runoff volume have the potential to result in substantial erosion of the slope during or after the vegetation establishment period.

(B) The methods specified in (A) shall also be used on disturbed slopes around cross culvert and bridge crossings.

(2) The plan must prevent erosion from runoff velocity exiting at an outlet of a culvert, bridge, storm sewer, and channel through use of a dissipater, rip-rap, level spreader, lining, gabion, or similar BMP, and erosion control protection of the inlets to such structures where necessary;

(3) The plan must prevent gullying and scouring of a roadside or outfall channel from high shear stress, through vegetation, lining, soil retention blanket, retard, drop structure, or similar BMP, both during and after the vegetation re-establishment period;

(4) The plan must adequately address the slope of an open channel, as follows:

(A) An open channel with a flow line grade of two percent or greater must be protected from erosion using temporary or permanent soil cover measures in addition to seeding to achieve permanent soil stabilization.

(B) Adequate soil cover measures in addition to seeding must be used to achieve permanent soil stabilization in an open channel less than two percent grade where the channel geometry, volume, velocity, or shear stress will result in erosion during or after the vegetation establishment period.

(C) Open channels with flow line grades between two to five percent must also consider structural hardening for flow line protection in addition to the measures described in subparagraph (A), if flow volume, velocity, and shear stress will result in channel erosion both during and after the vegetation establishment period.

(D) The considerations of subparagraph (C) are mandatory when the open channel grade exceeds five percent.

(E) When uneven soil conditions or geometry are present in the open channel, such as exposed bedrock or subsoil layers of varying hardness, these additional measures or alternatives must be used to achieve effective final stabilization.

(F) Channel volume, velocity, or shear stress calculations may be performed by the engineer to propose alternate channel stabilization measures, and these calculations are mandatory for channels required to be designed using the Austin Drainage Criteria Manual.

(5) The plan must protect the integrity of any structural improvement and prevent excessive continuing sedimentation from an unstable right-of-way area into any drainage structure and roadside channel; and

(6) The plan must stabilize a driveway approach to prevent erosion and achieve proper drainage conveyance on a rural design roadside, using a standard driveway approach detail approved by the County Executive.

(c) A stream crossing design for a roadway shall employ spanning, bridging, structural containment, or similar design methods to the maximum extent practicable to minimize the amount and the proximity of erodible fill soil for roadside embankments, approaches, and slopes adjacent to the stream crossings. Design and alignment for a proposed crossing of a waterway through a waterway setback may require approval of an exception in accordance with Section 82.941. Sediment controls and permanent erosion control design considerations for all stream crossing construction shall follow the applicable standards of this section and Sections 82.936 and 82.937.

82.971. Sustainable Roadways.

(a) The County Executive may approve the use of alternative design criteria for selected roadside areas and local roadways to support the use of low impact development ("LID") techniques for enhanced water quality and runoff mitigation if the design can substantially meet the traffic safety and drainage conveyance design standards in Section 82.302 and can be maintained on a long-term basis. Design criteria and LID techniques shall use the applicable

technical standards in section 82.933. Alternate design criteria that may be approved include: ribbon curb without roadside drainage swales; grassed roadside drainage swale systems instead of curb and gutter; vegetative filter strips; storm water infiltration techniques; storm water wetlands; natural area preservation; reuse of native topsoil; native grasses and vegetation; and soil amendment and conservation landscaping. Alternative and LID designs must also demonstrate long-term maintenance feasibility.

(b) Applicability of Standards.

(1) Travis County improvements and maintenance to County-owned or leased land, easements, and rights-of-way shall follow the standards in this section where applicable. This includes capital improvement projects or any construction improvements to County roads, bridges, parks, drainage, utilities, buildings, and parking facilities. This also includes County road, park, or facilities operation and maintenance activities, including maintenance construction.

(2) Development permit and plat applications of any type that include proposed development activities in an existing or a proposed County right-of-way or easement shall follow the standards in this section.

(3) County right-of-way areas being regularly maintained by the property owners directly adjacent to such areas shall implement the native vegetation standards specified in section 82.972 whenever feasible, but may generally follow the landscape character and maintenance standards of the adjacent developed areas, or as agreed upon by local residents or neighborhood associations, or in accordance with any maintenance or license agreements entered into with Travis County.

82.972. Native Vegetation. The applicant should consider the use of native plants and grass cover for the re-vegetation of construction areas wherever it is feasible

(a) In determining whether to use native vegetation for re-vegetation and landscaping, an applicant shall consider the existing site conditions and planned uses of the area; the degree of urbanization versus the undeveloped, natural character of the area; the limitations of the available water supply for irrigation, and the owners and parties responsible for ongoing maintenance of the area

(b) An applicant should consider selected native vegetation and grass cover for areas that are more rural and natural in character, less urbanized and developed, and areas where regular landscape maintenance is less practicable are more suited to native vegetation, as well as any areas where it is desired to achieve a more natural, low-maintenance landscape condition.

(c) Seasonal native wildflowers should be considered for the roadsides and open spaces of Travis County, if it is feasible.

(d) An applicant should consider the use of sustainable designs with native plants to maintain or reduce long-term maintenance costs.

82.973. Tree Preservation.

(a) Applicability. This section applies to Travis County improvements and maintenance to County-owned or leased land, easements, and rights-of-way. This includes capital improvement projects or any construction improvements to County roads, bridges, parks, drainage, utilities, buildings, and parking facilities. This also includes County road, park, and facility operation and maintenance activities, including maintenance construction. This section also applies to applications for development permits and plats as described in subsection (c) below.

(b) County Project Implementation. The County is responsible for ensuring the design and implementation of an applicable project is completed in conformance with the requirements of this section. The person responsible for the County project must prepare and submit a tree assessment to the County Executive for review.

(c) Development Application Requirements. Development permit and plat applications of any type that include proposed development activities affecting trees in an existing or proposed County right-of-way shall follow the standards in this section. The applicant must prepare and submit a tree assessment in accordance with subsection (d), when applicable, as part of the development permit review process.

(d) Tree Assessment.

(1) The applicant or the applicable Travis County department proposing a development must submit a tree assessment that evaluates areas proposed for development on County-owned land, County-leased land, and County road right-of-way. The detailed tree survey area extent in the tree assessment must include the proposed right-of-way and easement areas on the site as a minimum. The assessment should include explanations of any alternate right-of-way corridor options considered to save any particularly valuable trees, and the rationale and feasibility of the corridor selected.

(2) The tree assessment must be consistent with the guidelines of the City of Austin *Environmental Criteria Manual, Section 3 – Tree and Natural Area Preservation* (effective [Insert effective date of rule]). The assessment must include a tree survey, identification of significant trees, proposed measures to preserve significant trees, and mitigation measures for significant trees that would not be preserved.

(3) The tree assessment must be prepared by a person qualified in the identification of trees and tree condition.

(4) When a tree assessment is required, a development permit applicant proposing activities affecting trees in a right-of-way or easement shall submit tree assessment information that includes: trunk location and diameter, tree species, proximity to the proposed construction activities to a tree(s), proposed pruning or removal activities, and proposed protection measures. Subdivision and commercial site development

construction shall include tree assessment information as part of the engineered, surveyed construction plan submittal.

(e) The tree assessment will be reviewed as a part of the application review process, or in response to a County departmental request. A determination will be made as to whether the tree assessment:

(1) is sufficiently complete and prepared consistent with the City of Austin Environmental Criteria Manual ("ECM") guidelines;

(2) identifies significant trees and sufficiently avoided them in the development design;

(3) includes an analysis of design constraints and alternatives; and

(4) proposes sufficient mitigation measures when necessary.

(f) The approved tree assessment, the design constraints, tree protection measures, and mitigation become a part of the approved development plan, and shall be implemented in accordance with the approved permit and construction plans.

82.974. Responsibility for Unaccepted Roadways.

(a) The use of any private property by the general public as a roadway is the responsibility of the owner and may be restricted or prohibited by the owner in any lawful manner.

(b) An owner of an unaccepted roadway is the person responsible for pollution or the discharge of pollutants, or excessive storm water drainage impacts that may be caused by the operation of the roadway.

(c) The owner of a roadway whose operation is observed to be causing pollution, the discharge of pollutants, or excessive storm water drainage discharge impacts must mitigate such effects. Erosion mitigation measures, if required, shall follow sediment control and permanent erosion control and stabilization standards contained in Section 82.970 and Sections 82.933 - 82.940.

Updated 12/1/11, 3:15 p.m.

EXHIBIT 2

Title VIII. Environmental

Chapter 104. Discharge Prohibitions and Enforcement.

104.001. Application.
104.002. Definitions.
104.003. Discharge Prohibitions.
104.004. Suspension of MS4 Access.
104.005. Industrial or Construction Activities Discharges
104.006. Requirement to Prevent, Control, and Reduce Storm Water Pollutants by the Use of Best Management Practices.
104.007. Watercourse Protection.
104.008. Spill or Discharge of a Hazardous Substance.
104.009. Right of Entry.
104.010. Enforcement.

Chapter 104. Discharge Prohibitions and Enforcement.

104.001. Application.

(a) This subchapter applies to any illicit discharge and to any discharge of a pollutant into a conveyance, water in the state, or into the Travis County Municipal Separate Storm Sewer. This chapter describes the prohibitions and standards that will eliminate the discharge of unauthorized waste into the Travis County storm sewer system and waters in the State.

(b) This subchapter is adopted pursuant to the authority granted by Sec. 573.002(a) of the Texas Local Government Code, which provides Travis County the authority to take any necessary or proper action to comply with the requirements of the storm water permitting program established under Section 402, Federal Water Pollution Control Act (33 U.S.C. section 1342) and the authority to develop and implement controls to reduce the discharge of pollutants from any conveyance or system of conveyance owned by the county and the authority

104.002. Definitions.

(1) "Best management practices" or "BMPs" means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of water in the state or the Travis County MS4. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. In the Lake Travis watershed, BMP means those practices, including but not limited to those described in LCRA's Technical Manual, that effectively manage storm water runoff quality and volume.

(2) "Conveyance" means curbs, gutters, man-made or natural channels and ditches, drains, pipes, and other constructed features designed or used for flood control or to otherwise transport storm water runoff.

(3) "Discharge" or "To discharge" means to either deposit, conduct, drain, emit, throw, run, allow to seep, or otherwise release or dispose of, or to allow, permit, or suffer any of these acts or omissions.

(4) "Hazardous substance" means any substance designated as such by the administrator of the Environmental Protection Agency pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. Sec. 9601 et seq.), regulated pursuant to Section 311 of the federal Clean Water Act (33 U.S.C. Sec. 1321 et seq.), or designated by the Texas Commission on Environmental Quality.

(5) "Illicit connection" means a man-made drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter a municipal separate storm sewer including but not limited to any conveyance which allows sewage, process wastewater, wash water, or cooling water to discharge to a municipal separate storm sewer

regardless of whether the connection had been previously allowed, permitted, or approved by an authorized enforcement agency or, any drain or conveyance connected from a commercial or industrial site to a municipal separate storm sewer which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

(6) "Illicit discharge" means any discharge to a conveyance or a municipal separate storm sewer that is not composed entirely of storm water except discharges pursuant to a TPDES permit (other than the TPDES permit for discharges from the municipal separate storm sewer) and discharges resulting from fire fighting activities.

(7) "Industrial activity" means manufacturing, processing, material storage, and waste material disposal areas (and similar areas where storm water can contact industrial pollutants related to the industrial activity) at an industrial facility described by the TPDES Multi Sector General Permit, TXR050000, or by another TCEQ or TPDES permit.

(8) "Municipal Separate Storm Sewer" means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

(A) owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to water of the United States;

(B) designed or used for collecting or conveying storm water;

(C) which is not a combined sewer; and

(D) which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

(9) "Non-storm water discharge" means any discharge to the Municipal Separate Storm Sewer that is not composed entirely of storm water.

(10) "Operator" means the person responsible for the overall operation of a site or facility.

(11) "Owner" means the owner of real property subject to a proposed or existing subdivision, site, parcel of land, or development.

(12) "Person" means an individual, association, partnership, corporation, municipality, state or federal agency, or an agent or employee thereof.

(13) "Person responsible" or "responsible person" means:

(A) the owner, operator, or demise charterer of a vessel from which a spill emanates;

(B) the owner or operator of a facility from which a spill emanates; or

(C) any other person who causes, suffers, allows, or permits a spill or discharge.

(14) "Pollutant" means dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, filter backwash, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into any water in the state. The term includes:

(A) tail water or runoff water from irrigation associated with an animal feeding operation or concentrated animal feeding operation that is located in a major sole source impairment zone as defined by Texas Water Code, Section 26.502; or

(B) rainwater runoff from the confinement area of an animal feeding operation or concentrated animal feeding operation that is located in a major sole source impairment zone, as defined by Texas Water Code, Section 26.502; and

(C) the term does not include tail water or runoff water from irrigation or rainwater runoff from other cultivated or uncultivated rangeland, pastureland, and farmland that is not owned or controlled by an operator of an animal feeding operation or concentrated animal feeding operation on which agricultural waste is applied.

(15) "Pollution" means the alteration of the physical, thermal, chemical, or biological quality of, or the contamination of, any water in the state that renders the water harmful, detrimental, or injurious to humans, animal life, vegetation, or property or to public health, safety, or welfare, or impairs the usefulness or the public enjoyment of the water for any lawful or reasonable purpose.

(16) "Premises" means any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

(17) "Storm water" and "storm water runoff" means rainfall runoff, snow melt runoff, and surface runoff and drainage.

(18) "Storm Water Pollution Prevention Plan" or "SWPPP" or "SWP3" means a document which describes the Best Management Practices and activities to be implemented by a person to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to Water in the State, a Conveyance or a Municipal Separate Storm Sewer to the Maximum Extent Practicable. The contents of the SWP3 shall include all practices and activities required by the relevant TCEQ permit as well as including additional requirements derived from the Travis County Code.

(19) "TCEQ" means Texas Commission on Environmental Quality or any successor agency.

(20) "Texas Pollutant Discharge Elimination System" or "TPDES" means the state program for issuing, amending, terminating, monitoring, and enforcing permits authorizing the discharge of pollutants to water in the State of Texas, and imposing and enforcing pretreatment requirements, under Clean Water Act §§ 307, 402, 318 and 405, the Texas Water Code and Texas Administrative Code regulations.

(21) "Waste" means sewage, industrial waste, municipal waste, recreational waste, agricultural waste, or other waste, as the terms are defined in Texas Water Code, Section 26.001.

(22) "Water" or "water in the state" means groundwater, percolating or otherwise, lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, wetlands, marshes, inlets, canals, the Gulf of Mexico, inside the territorial limits of the state, and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or non-navigable, and including the beds and banks of all watercourses and bodies of surface water, that are wholly or partially inside or bordering the state or inside the jurisdiction of the state.

104.003. Discharge Prohibitions.

(a) No person may cause, suffer, allow, or permit the discharge of any waste or of any pollutant, or the performance or failure of any activity other than a discharge, in violation of this subchapter.

(b) No person may discharge or cause to be discharged into the Municipal Separate Storm Sewer or into a water in the State any pollutant that causes or contributes to a violation of applicable water quality standards, other than storm water authorized by permit or similar authorization issued by the TCEQ. The commencement, conduct or continuance of any illicit discharge is prohibited except as described in subsections (c) and (d).

(c) The following discharges are allowed so long as they do not substantially contribute pollutants in storm water runoff:

(1) water line flushing, excluding discharges of hyper-chlorinated water, when the water is first de-chlorinated and discharges are not expected to adversely affect aquatic life;

(2) water line breaks, so long as sediment in the discharge is controlled such that there is no impact to aquatic life;

(3) water line hydrant testing, so long as rust deposits and chlorine levels do not result in an impact to aquatic life;

(4) runoff or return flow from landscape irrigation, lawn irrigation, and other irrigation utilizing potable water, groundwater, or surface water sources;

(5) discharges from a potable water source; diverted stream flow; rising ground water or spring;

(6) discharges from uncontaminated ground water infiltration;

(7) discharges from uncontaminated, pumped ground water;

(8) discharges from uncontaminated foundation and footing drains;

(10) discharges from air conditioning condensation;

(11) discharges from water pumped from an elevator sump or utility vault, so long as it is free of oil and visible sheen;

(12) discharges from individual residential exterior car washing with mild detergents only and when using no degreasers nor other chemicals;

(13) flows from a wetland, riparian habitat, or diverted stream flow;

(14) uncontaminated discharges associated with a de-chlorinated, residential swimming pool, spa, or ornamental fountain, excluding filter backwash wastewater and excluding saline water;

(15) uncontaminated discharges from the routine washing of pavement conducted without the use of detergents or other chemicals and where spills or leaks of oil, toxins, or other hazardous materials have not occurred (unless all spilled material has been removed), but does not include discharges of street sweeper wash water;

(16) discharges from fire fighting activities where foam or chemical agents are not used (and not including washing of trucks, runoff from training activities, and similar activities);

(17) discharges of uncontaminated fire test maintenance and fire sprinkler/suppression system water;

(18) discharges specified in writing by the County Executive as being necessary to protect public health and safety;

(19) discharges of uncontaminated water used for dust suppression;

(20) dye testing is an allowable discharge, but requires a verbal notification prior to the time of the test;

(21) discharges associated with dewatering of collected storm water in an above-ground storage tank secondary containment area, so long as the water is free of contaminants, oil, or visible sheen;

(22) discharges from dewatering of collected storm water in a construction pit, if free of silt, oil, or visible sheen;

(23) discharges of storm water from an authorized permanent water quality control;

(24) discharges of ballast water from a petroleum storage tank pit during installation; and

(25) discharges from a dumpster or similar receptacle, so long as it is water free of contaminants, oil, and visible sheen.

(d) The prohibition does not apply to any non-storm water discharge permitted under a TPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the federal Environmental Protection Agency and TCEQ, provided that the authorized person is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the Municipal Separate Storm Sewer.

(e) The construction, use, maintenance, or continued existence of an illicit connection to the Municipal Separate Storm Sewer is prohibited. This prohibition expressly includes, without limitation, an illicit connection made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection. A person is considered to be in violation of this ordinance if the person connects a line conveying a pollutant to the Municipal Separate Storm Sewer, or allows such a connection to continue

104.004. Suspension of MS4 Access.

(a) Travis County may, without prior notice, require a person to immediately stop an illicit discharge into either the Municipal Separate Storm Sewer or water in the state when such suspension is necessary to prevent imminent and substantial danger to environmental quality, or to the health or welfare of any person. If a person fails to comply with the suspension order, Travis County may take such steps as deemed necessary to prevent or minimize damage to the Municipal Separate Storm Sewer or water in the State, or to minimize danger to persons.

(b) After providing notice, Travis County may suspend a person's access to discharge into the Municipal Separate Storm Sewer or water in the state in violation of this ordinance if such termination would abate or reduce pollution caused by an illicit discharge.

(c) Travis County will notify a responsible person of the proposed termination of access to the Municipal Separate Storm Sewer. The violator may petition the authorized enforcement agency for a reconsideration and hearing.

(d) A person commits an offense if the person reinstates access to the Municipal Separate Storm Sewer, without the prior approval of the County Executive.

104.005. Industrial or Construction Activities Discharges. Any person authorized to discharge pollutants generated from an industrial or construction activity that is subject to a TPDES storm water discharge permit or similar authorization shall comply with all provisions of such permit. Proof of compliance may be required in a form acceptable to Travis County prior to allowing discharge into the Municipal Separate Storm Sewer.

104.006. Requirement to Prevent, Control, and Reduce Storm Water Pollutants by the Use of Best Management Practices.

(a) Travis County requires that Best Management Practices (BMPs) be identified and incorporated into any activity, operation, or facility which may cause or contribute to pollution or contamination of storm water, the Municipal Separate Storm Sewer, or water of the State.

(b) The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other waste into the Municipal Separate Storm Sewer or water in the state through the use of structural and non-structural BMPs.

(c) Any person responsible for a property or premise, which is, or may be, the source of an illicit discharge, may be required by the County Executive to implement, at said person's expense, additional structural and non-structural BMPs to prevent the further discharge of pollutants to the Municipal Separate Storm Sewer or water in the state.

(d) Compliance with all terms and conditions of a valid TPDES permit authorizing the discharge of storm water associated with industrial activity, along with any additional, more stringent requirements required by a Travis County development permit, shall be deemed in compliance with the provisions of this section. These BMPs shall be part of a storm water pollution prevention plan (SWP3) as necessary for compliance with requirements of the TPDES permit.

104.007. Watercourse Protection. Any responsible person, owning or leasing property through which water in the State passes, shall keep and maintain that part of the watercourse

within the property free of waste that would cause a condition of pollution to exist. In addition, a responsible person shall maintain privately owned structures within or adjacent to a watercourse (including but not limited to a dam or weir), so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

104.008. Spill or Discharge of a Hazardous Substance.

(a) The person responsible shall prevent the spill or discharge of any hazardous substance into the water in the state and to cause the removal of such spills and discharges without undue delay.

(b) Whenever an accidental discharge or spill occurs at or from any activity or facility which causes or may cause pollution, the responsible person for the activity or facility shall notify the TCEQ and each state and federal agency, as required by law, as soon as possible and no later than 24 hours after the occurrence.

(c) When the person responsible becomes aware or discovers that an accidental discharge or spill described by subsection (b) may adversely affect a public or private source of drinking water, or may adversely affect a Travis County road, including a right-of-way, the individual shall also immediately notify Travis County as soon as possible and no later than 24 hours after the occurrence.

(d) Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in an illicit discharge or pollutants discharging into storm water, the Municipal Separate Storm Sewer, or water in the State, the responsible person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release.

104.009. Right of Entry.

(a) In accordance with Texas Water Code, Sec. 26.171, an Inspector shall be permitted to enter and inspect the premises of any person to determine whether or not:

(1) the quality of the water meets the state water quality standards adopted by the TCEQ;

(2) a person discharging effluent into the public water located in an area of which Travis County has jurisdiction has obtained permits for discharge of the effluent;

(3) a person who has a permit is making discharges in compliance with the requirements of the permit; and

(4) the information provided in an application for permit, plat, or other authorization can be verified by an on-site evaluation.

(b) In accordance with Texas Water Code, Sec. 26.173, an Inspector shall be permitted the right to enter public and private property within its territorial jurisdiction to make inspections and investigations of conditions relating to water quality. The Inspector, in exercising this power, is subject to the same provisions and restrictions as the TCEQ in accordance with Texas Water Code, Sec. 26.014.

(c) An Inspector shall be permitted to enter and inspect premises as often as may be necessary to determine compliance with this chapter. If a person has security measures in force which require proper identification and clearance before entry into its premises, the person shall make the necessary arrangements to allow access to an Inspector.

(e) Facility operators shall allow the Inspector ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of a TPDES permit to discharge storm water, and the performance of any additional duties as defined by state and federal law.

(f) An Inspector shall follow all appropriate safety precautions and shall don personal protection equipment that may be applicable to an area of the premises being inspected.

(g) If the premises are occupied, the Inspector shall present credentials and request entry. If the premises are unoccupied, the Inspector shall attempt to contact a responsible person and request entry before entering.

(h) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected or sampled shall be promptly removed by the operator at the written or oral request of the Inspector and shall not be replaced.

(i) A delay of 30 minutes or more in allowing the Inspector access to a permitted facility is a violation of a storm water discharge permit and of this chapter. A person who is the owner or operator of a facility with a TPDES permit to discharge storm water associated with industrial activity commits an offense if the person denies the Inspector reasonable access to the permitted facility for the purpose of conducting any activity authorized or required by this ordinance.

(j) If the Inspector has been refused access to any part of the premises from which storm water is discharged, and is able to demonstrate probable cause to believe that there may be a violation of this subchapter, or that there is a need to inspect or sample as part of a routine inspection and sampling program designed to verify compliance with this subchapter or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the Inspector may seek issuance of a search warrant from any court of competent jurisdiction, in accordance with the enforcement policy adopted by the Commissioners Court on June 26, 2001.

104.010. Enforcement.

(a) Civil Remedies.

(1) In accordance with Texas Local Government Code, Sec. 573.003, whenever Travis County finds that a person has violated a prohibition or failed to meet a requirement of this chapter or subchapters H - K of chapter 82, that person is liable to the county for a civil penalty of not more than $1,000 for each violation. Each day a violation continues is considered a separate violation for purposes of assessing the civil penalty.

(2) Travis County may bring suit in a district court to:

(A) restrain a violation or threatened violation of a rule or requirement adopted by the county in this Code; or

(B) recover a civil penalty authorized by Subsection (a).

(3) Travis County may use means other than civil penalties and injunctions when necessary to enforce violations or requirements of the Code. Such means may include informal actions to deter non-compliance as described in enforcement policy adopted by the Commissioners' Court on July 26, 2001.

(b) Abatement of Violation and Remediation. Any person violating any of the provisions of this chapter or subchapters H - K of chapter 82 is liable for any costs of violation abatement or remediation of any property, land, water, or wildlife habitat negatively affected, damaged, or threatened as a result of any such violation. The cost of abatement or remediation is the responsibility of that person and not a cost borne by Travis County and any other affected entities.

(c) Injunctive Relief. It is unlawful for any person to violate any provision or fail to comply with any of the requirements of this chapter or subchapters H - K of chapter 82. If a person has violated or continues to violate the provisions, Travis County may petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

(d) Criminal Prosecution. Any person who has violated or continues to violate the requirements of this chapter or subchapters H - K of chapter 82 shall be liable to criminal prosecution to the fullest extent as allowed under applicable law, and shall be subject to any criminal penalty or imprisonment authorized under such applicable criminal law. Travis County may recover all attorney fees, court costs, and other expenses associated with enforcement of the Code, including sampling and monitoring expenses.

(e) Remedies Not Exclusive. The remedies listed in this chapter are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of Travis County to seek cumulative remedies.

EXHIBIT 3

Crosswalk for Proposed Repeals to Chapter 82 and Chapter 108

Affected Rule	Existing Requirement	Disposition of the Requirement
82.204(c)(25)(B)	Under this requirement, final plats can be approved only when the applicant submits information on environmental permits required by other jurisdictions.	These requirements have been supplemented with other environmental authorizations for which an applicant must show evidence of compliance. Together, these requirements are proposed in Section 82.916.
82.209(a)	This subsection specifies that the scope of the 2005-adopted water quality protection requirements is outside of all municipal ETJs.	Proposed Section 82.912 describes the scope of water quality protection requirements as being all unincorporated areas of Travis County, including all ETJs, except that the water quality requirements do not apply to subdivision proposals in the City of Austin ETJ processed through the Single Office of Review.
82.209(b)	This subsection identifies basic requirements to control pollutant discharges of construction site runoff and requirements for a pre-construction conference.	Proposed Sections 82.935 – 82.939 detail storm water quality measures for construction activities. Section 82.950 details requirements for a pre-construction conference.
82.209(c)	This subsection defines certain environmental features and establishes distance buffers between development and either an environmentally valuable feature or waterway.	The definitions are modified and proposed for addition to Section 82.002. The definition of bluff has been changed to characterize more formations as bluffs. The requirements for setbacks have been strengthened for eastern watersheds and waterways with adjacent bluffs, for rim rock, and these changes are proposed in Section 82.941.
82.209(d)	This subsection identifies restrictions on the use of cut and fill of land under development.	The requirements have been modified, clarified, and new requirements are proposed relating to the quality of fill material. These requirements are proposed for Section 82.943.
82.209(e) – (g)	These subsections describe the requirements for permanent, structural water quality controls.	The engineering standards for these controls are not proposed for change and are specified in Section 82.944.

Affected Rule	Existing Requirement	Disposition of the Requirement
82.209(h)	This subsection requires that permanent, structural water quality controls be maintained by the property owner.	The proposed requirement for a BMP Maintenance Permit requiring proper operation and maintenance for these structures and annual fees are proposed in 82.917 through 82.919.
82.209(i)	This subsection requires that a person submitting a preliminary plan shall provide information on how storm water will be managed to protect water quality once the construction phase commences.	These requirements are proposed for Section 82.939 and have been expanded with some additional detail.
82.209(j) and 82.211(j)	These subsections adopted 2009 City of Austin and 2007 LCRA technical criteria manuals as standards for review of development proposals to Travis County.	Use of the same criteria manuals are proposed in Section 82.933. The proposed rule references the latest City of Austin manual approved on the date the Commissioners' Court adopts 82.933.
82.209(k) and 82.211(k)	These subsections identify that water quality controls are subject to the same requirements as drainage structures and specify fiscal security requirements in the HLWO area.	These general statements are proposed to be replaced with more specific standards for storm water, including fiscal security (new 82.920 and amended 82.401), construction plans (82.935), and required inspections (82.951 – 82.952).
82.211(a)	This subsection identifies the purpose of rule amendments in 2010, which set out requirements for water quality protection in the HLWO area.	This specific purpose is no longer needed. The more broad purpose of proposed Chapter 104 is found in 104.001.
82.211(b)	This subsection defines best management practices (BMPs), commercial development, master plan, single family subdivision development, and single family residence.	In proposed amendments to 82.002, the definition of BMP has been modified to be consistent with the TCEQ and the LCRA definitions. The definitions of commercial development and master plan are also proposed for amendment in 82.002. The definitions of single family subdivision development and single family residence are supplanted with applicable Travis County terminology in 82.002.

Affected Rule	Existing Requirement	Disposition of the Requirement
82.211(d)	This subsection describes submittal requirements to Travis County and LCRA for applications subject to review by both entities.	The submittal requirements for applicants for environmental review are proposed in 82.914 and the environmental requirements for each application type are proposed in 82.931.
82.211(e)	This subsection adopted a standard for the LCRA HWLO area for pre-application meeting for certain large developments.	This requirement is proposed for the same class of large applicants, and has been expanded to apply to all parts of Travis County jurisdiction in proposed 82.915.
82.211(f)	This subsection establishes distance buffers between development and a waterway in the HLWO area.	In proposed 82.941, setbacks established for the HLWO area are proposed to be the same and to apply to all western watersheds of Travis County.
82.211(g) - (h)	These subsections principally cross-references other sections in Chapter 82.	Proposed 82.935 – 82.940 and 82.943 detail the requirements for storm water quality at construction sites and cut and fill, respectively
82.211(i)	This subsection describes the requirements for permanent, structural water quality controls in the HLWO area.	The engineering standards for these controls are not proposed for change and are specified in Section 82.944.
82.302(f)	This subsection identifies general standards to control construction-related impacts on water quality in the HLWO area.	Proposed 82.935 – 82.940 detail storm water quality measures for construction activities in all parts of Travis County jurisdiction.
82.302(g)	This subsection requires that development comply with USEPA general permits relating to construction and industrial activity.	The existing section is out-of-date and references a time before TCEQ assumed the NPDES program from USEPA in Texas. Proposed 82.935 – 82.940 detail storm water quality measures for construction activities. This section includes the specific requirements from the TCEQ-issued construction general permit. Proposed 82.916, 82.945, and new proposed Chapter 104 address discharges associated with industrial activity.
108.001 – 108.018	In 1995, this Chapter was adopted as the tree preservation policy that applies on County property and rights of way.	Proposed 82.973 would adopt very similar procedures and standards and would reference the use of the COA tree preservation guidelines adopted in the city's Environmental Criteria Manual.

EXHIBIT 4

Legislative Version of Rule Amendment Proposal
Chapters 82 and 64, Travis County Code

Reader's Guide

Text that is proposed for addition is shown in underline format, for example:

Underline format is proposed new text

Text shown in strike-through is proposed for deletion, for example:

~~Strike-through format is text proposed for deletion~~

Sections, subsections, paragraphs, etc. of the existing Code skipped or not shown in this document is not proposed fro revision

Section 82.002. Definitions. For the purposes of this chapter~~the Manual~~, the definition of various terms, phrases, words, and their derivations will have the meaning ascribed to them herein. When not consistent with the context, words used in the present tense include the future; words used in the singular number include the plural number; and words used in the plural number include the singular number. Any office referred to herein by title will mean the person employed or appointed for that position of his/her duly authorized deputy or representative. Definitions not expressly authorized herein are to be considered in accordance with customary usage. Additional definitions of words and phrases not defined in this section may be found in Section 64.031 of the Travis County Code. The definition of specific terms, phrases, ~~word~~words, and their derivations applicable to matter contained in this chapter ~~the Manual~~ are as follows:

The following definitions are proposed to be amended in this section, as follows:

"Best Management Practices" or "~~(~~BMPs~~)~~" mean schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of water in the state or the Travis County MS4. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. In the Lake Travis watershed, BMP means those practices, including those described in LCRA's Technical Manual, that effectively manage storm water runoff quality and volume. ~~Practices specified to prevent and abate nonpoint source pollution resulting from stormwater runoff. These can include, but are not limited to, site design guidelines, temporary and permanent erosion controls, stormwater treatment ponds, and land management practices.~~

"Commercial Development" means all development other than open space, a ~~single-family~~ residence, or a residential~~single family~~ subdivision development.

"County Executive" or "Executive Manager" means the county executive ~~manager~~ of the Transportation and Natural Resources Department of Travis County, a successor department, or a person designated by the county executive ~~manager~~.

"Erosion and Sediment~~Sedimentation~~ Controls" mean temporary ~~Temporary~~ and permanent Best Management Practices (BMPs) specified for preventing and abating accelerated soil erosion and sedimentation ~~control~~ to the maximum extent practicable during construction and are removed after completion of re-vegetation~~revegetation~~. Permanent practices remain permanently in place to prevent soil erosion.

"Master Development Plan" or "Master Plan" means a conceptual plan of a multi-phased development showing the order of phased development, boundaries, adjacent property, environmental features (such as creeks, tributaries, slopes, recharge features, etc.), roads, designated land uses, sites for special use, and proposed location of water quality protection measures for the development. ~~A reasonably detailed map or schematic drawing containing the following:~~

~~(A)The boundaries of the entire development;~~

~~(B)The names of adjacent platted subdivisions or the names of the record owners of adjoining unplatted property;~~

~~(C)The location, width, and names of all existing or platted streets or public rights-of-way and all existing easements within and adjacent to the development;~~

~~(D)The layout and width of proposed arterials, thoroughfares and collector streets and the general configuration of proposed streets and alleys;~~

~~(E)The general arrangement and designations of land uses, and any sites for special use (that is, for parks, open space, detention, or public facilities);~~

~~(F)The approximate location of the 25-year flood plain and the 100-year flood plain, the location and width of existing drainage channels, creeks and water courses within the development;~~

~~(G)~~(A) ~~The location of proposed drainage courses and any necessary off-site extensions.~~

"Owner" means the ~~The~~ owner of real property subject to a proposed or existing subdivision, site, parcel of land, or development. Also: Subdivider, Applicant, Developer.

~~Stormwater~~ "Storm Water Pollution Prevention Plan" or "SWPPP" or "SWP3" means a document ~~the plan required by the construction general permit issued by the Texas Commission on Environmental Quality (TCEQ)~~ which describes the best management practices and activities to be implemented by a person to identify ~~and address potential~~ sources of pollutants or contamination at a site and the actions to eliminate or reduce pollutant discharges to water in the state, a conveyance, or a Municipal Separate Storm Sewer to the maximum ~~that are reasonably expected to affect the quality of discharges from a construction activity, and that describes the implementation of practices that will be used to minimize to the~~ extent practicable. The contents of the SWP3 shall include all practices and activities required by the relevant TCEQ permit as well as including additional requirements specified in the Travis County Code~~the discharge of pollutants in storm water during the construction activities required during land development~~.

"Western Watershed" means the ~~The~~ Lake Travis, Lake Austin or ~~Town~~ Lady Bird Lake watersheds.

The following definitions are proposed additions to this section:

"Aggregate" means any commonly recognized construction material originating by the disturbance of the surface, including dirt, soil, rock asphalt, clay, granite, gravel, gypsum, marble, sand, shale, stone, caliche, limestone, dolomite, rock, rip rap, dimension stone, minerals, and other similar substance.

"Agricultural Development" means activities associated with the production of livestock or use of the land for planting, growing, cultivating, and harvesting crops, or participating in a wildlife management plan. Agricultural development does not include the processing of plant or animal products after harvesting nor the production of timber and forest products..

"Applicant" means a person who submits an application to Travis County.

"Bluff" means a feature that is adjacent to a waterway that has a vertical change in elevation of more than 40 feet and an average gradient measured from the base of the bluff to its crest greater than a 1 : 1 slope (greater than one (1) foot vertical for each one (1) foot horizontal).

"BMP Maintenance Permit" means an operating permit issued by the County Executive to maintain the permanent water quality controls associated with an established development.

"Canyon Rimrock" means a rimrock that is adjacent to a waterway that has a rock substrate with a gradient that exceeds 60 percent for a vertical distance of at least four feet, and that is exposed for at least 50 feet horizontally along the rim of the canyon.

"Certified Erosion, Sediment, and Storm Water Inspector" or "CESSWI" means a person who holds a valid certification issued by EnviroCert International, Inc., and who possesses the qualifications and experience necessary for the inspection of ESC and SWP3s.

"Certified Inspector of Erosion and Sediment Control" or "CIESC" means a person who holds a valid certification issued by CIESC, Inc., and who possesses the qualifications and experience necessary for the inspection of ESC and SWP3s.

"Certified Professional in Erosion and Sediment Control" or "CPESC" means a person who holds a valid certificate issued by EnviroCert International, Inc, who possesses the qualifications and experience necessary for SWP3 and ESC plan development, approval, evaluation, and inspection.

"Clean Water Act" or "CWA" means the federal Water Pollution Control Act (33 U.S.C. §§1251 - 1387 (1977, as amended).

"Common Plan of Development" means a construction activity that is completed in separate stages, separate phases, or in combination with other construction activities. A common plan of development (also known as a "common plan of development or sale") is identified by the documentation for the construction project that identifies the scope of the project, and may include plats, blueprints, marketing plans, contracts, building permits, a public notice or

hearing, zoning requests, or other similar documentation and activities. A common plan of development does not necessarily include all construction projects within the jurisdiction of a public entity (e.g., a city or university). Construction of roads or buildings in different parts of the jurisdiction would be considered separate "common plans," with only the interconnected parts of a project being considered part of a "common plan" (e.g., a building and its associated parking lot and driveways, airport runway and associated taxiways, a building complex, etc.). Where discrete construction projects occur within a larger common plan of development or sale but are located ¼ mile or more apart, and the area between the projects is not being disturbed, each individual project can be treated as a separate plan of development or sale, if any interconnecting road, pipeline or utility project that is part of the same "common plan" is not included in the area to be disturbed

"Construction Activity" means clearing, grading, and excavating that results in land disturbance of equal to or greater than one acre. Construction activity also includes the disturbance of less than one acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal or greater than one acre. Construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of a facility.

"Construction Support or Maintenance Area" means an area placed either on or in the proximity of a construction site or activity, used by the owner or operator of the construction site, for support activities associated with the development or construction, including areas for concrete or asphalt batch operations, material formulation or fabrication, construction or sales office, material storage, vehicle storage or maintenance, and similar activities.

"Contemporaneous Reclamation" means the sequential or progressive reclamation of the portions of a mining or quarrying site affected by mining or quarrying operations that is performed in advance of final site reclamation, but which may or may not be final reclamation, performed to minimize the area exposed to erosion, at any one time, by mining or quarrying activities.

"Conveyance" means curbs, gutters, man-made or natural channels and ditches, drains, pipes, and other constructed features designed or used for flood control or to otherwise transport storm water runoff.

"Critical Environmental Feature" means a feature that is of critical importance to the protection of environmental resources, and includes a bluff, canyon rimrock, cave, point recharge feature, sinkhole, spring, and wetland.

"Discharge" or "To Discharge" means to either deposit, conduct, drain, emit, throw, run, allow to seep, or otherwise release or dispose of, or to allow, permit, or suffer any of these acts or omissions.

"DRASTIC" means a classification system for comparing land units on the basis of their vulnerability to ground-water pollution, a detailed description of which is found in Appendix 1 of Title 30, Texas Administrative Code, Chapter 210.

"Fill" or "Fill Material" means material including, but not limited to rock, sand, soil, clay, concrete rubble with no exposed metal, and overburden or spoils from mining or other excavation activities. The term fill material does not include any material classified as a solid waste or any contaminated materials.

"Hazardous substance" means any substance that is designated as such by the administrator of the Environmental Protection Agency pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. Sec. 9601 et seq.), is regulated pursuant to Section 311 of the federal Clean Water Act (33 U.S.C. Sec. 1321 et seq.), or is designated as such by the Texas Commission on Environmental Quality.

"Inspector" means a representative of the County Executive who is responsible for making investigations, responding to citizen complaints or concerns, and conducting inspections of development projects, property, and facilities, to determine the compliance status of an activity with this chapter, other requirements of the Travis County Code, and state environmental code.

"Industrial Activity" means any of ten (10) categories of industrial activities included in the definition of "storm water discharges associated with industrial activity" as defined in 40 CFR Section 122.26(b)(14)(i) – (ix) and (xi).

"Linear Construction" means a construction activity with longitudinally oriented land disturbance, that is typical of infrastructure projects and which may include an excavation for burial of conduit, such as the placement of a drinking water, storm sewer, sanitary sewer, electrical, or telecommunication utility line, a drainage improvement, roadway, and similar activities.

"Mine" means an excavation in the earth from which ores, coal, limestone, or other mineral substances are being or have been removed by excavation or other mining methods. A mine includes an area of land or surface actively or previously mined for the production of dimension stone, crushed or broken stone, construction sand and gravel, clay, or industrial sand.

"Municipal Separate Storm Sewer" means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

(A) owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to water of the United States;

(B) designed or used for collecting or conveying storm water;

(C) which is not a combined sewer; and

(D) which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

"Non-Storm Water Discharge" means any discharge to the Municipal Separate Storm Sewer that is not composed entirely of storm water.

"Notice of Change" or "NOC" means a written notification to the TCEQ from a discharger authorized under a general permit, providing changes to information that was previously provided to the agency in a notice of intent form.

"Notice of Termination" or "NOT" means a written submission to the executive director of the Texas Commission on Environmental Quality from a discharger authorized under a general permit requesting termination of coverage.

"Operator" means the person responsible for the overall operation of a site or facility.

"Outfall" means a point source at the point where pollutants discharge to surface water in the state and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels, or other conveyances that connect segments of the same stream. In the context of this chapter, pollutants may discharge from a place of industrial activity, construction activity, other anthropogenic activities, or from a MS4. Sheet flow leaving a linear transportation system without channelization is not considered an outfall. A point source such as a curb cut, concrete traffic barrier with drainage slots that drain into an open culvert, roadside ditch, or not actually discharging into a water in the State is not considered an outfall.

"Permanent Water Quality Control" or "Water Quality Control" means a structure, system, or feature that provides water quality benefits by treating storm water run-off, including a water quality pond, water quality detention pond, commercial pond, or residential pond.

"Person" means an individual, association, partnership, corporation, municipality, state or federal agency, or an agent or employee thereof.

"Point Recharge Feature" means a cave, sinkhole, fault, joint, or other natural feature that lies over an aquifer recharge zone and that may transmit a significant amount of surface water into the subsurface strata.

"Pollutant" means dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, filter backwash, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into any water in the state. The term includes:

(A) tail water or runoff water from irrigation associated with an animal feeding operation or concentrated animal feeding operation that is located in a major sole source impairment zone as defined by Texas Water Code, Section 26.502; or

(B) rainwater runoff from the confinement area of an animal feeding operation or concentrated animal feeding operation that is located in a major sole source impairment zone, as defined by Texas Water Code, Section 26.502; and

(C) the term does not include tail water or runoff water from irrigation or rainwater runoff from other cultivated or uncultivated rangeland, pastureland, and farmland that is not owned or controlled by an operator of an animal feeding operation or concentrated animal feeding operation on which agricultural waste is applied.

"Pollution" means the alteration of the physical, thermal, chemical, or biological quality of, or the contamination of, any water in the state that renders the water harmful, detrimental, or injurious to humans, animal life, vegetation, or property or to public health, safety, or welfare, or impairs the usefulness or the public enjoyment of the water for any lawful or reasonable purpose.

"Primary Operator" means the person or persons associated with a construction activity that meets either of the following two criteria:

(A) The person or persons have operational control over a site plan, construction plan, and specifications, including the ability to make modifications to those plans and specifications; or

(B) The person or persons have day-to-day operational control of those activities at a construction site that are necessary to ensure compliance with a storm water pollution prevention plan (SWP3) for the site or other permit conditions (e.g., they are authorized to direct workers at a site to carry out activities required by the SWP3 or comply with other permit conditions).

"Quarry" means a site where aggregates are being or have been removed or extracted from the earth to form the pit or mine, including the entire excavation, stripped areas, haulage ramps, and the land under ownership, lease, or mineral rights immediately adjacent thereto upon which the plant processing the raw materials is located.

"Reclamation" means the process of removing structures and equipment and re-grading and re-vegetating as necessary to restore land affected by quarrying or mining to protect water quality in compliance with the purpose of this chapter.

"Registered Accessibility Specialist" means a person licensed by the Texas Department of Licensing and Regulation to inspect projects for compliance with the U.S. Americans with Disabilities Act (ADA) and Texas Accessibility Standards.

"Residential" means of or relating to structures and accessory uses of a single family, mobile home, or multi-family dwelling.

"Secondary Operator" means a person whose operational control is limited to the employment of other operators or to the ability to approve or disapprove changes to plans and specifications. A secondary operator is also defined as a primary operator and must comply with the permit requirements for primary operators if there are no other operators at the construction site.

"Sediment Basin" means a temporary pond where sedimentation of pollutants occurs which is used during site construction and then removed, or a permanent basin designed to be a permanent site structure but used for sedimentation during the construction phase of a site.

"Site" means the land or water area where any facility or activity is physically located or conducted, including adjacent land used in connection with the facility or activity.

"Site Construction" means a construction activity and land disturbance at a site, as distinguished from linear construction.

"Small Construction Project" means any proposed construction activity that is not a part of a common plan of development and does not:

(A) exceed 10,000 square feet of land disturbance;

(B) result in depositing more than two feet of earth fill;

(C) include construction in a FEMA 100 year floodplain;

(D) include a significant alteration of existing drainage;

(E) include construction within:

(i) 150 feet of a critical environmental feature;

(ii) a platted waterway setback; or

(iii) an area near a waterway that requires a setback; and

(F) exceed 3,000 square feet, if the construction is linear construction for utility placement.

"Small Municipal Separate Storm Sewer System" or "Small MS4" means a municipal separate storm sewer system which was not previously authorized under a National Pollutant Discharge Elimination System ("NPDES") or Texas Pollutant Discharge Elimination System ("TPDES") individual permit as a medium or large municipal separate storm sewer system, as defined at 40 CFR Sec. 122.26(b)(4) and (b)(7).

"Solid waste" means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant or air pollution control facility, and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, municipal, commercial, mining, and agricultural operations, and from community and institutional activities. The term:

(A) does not include:

(i) solid or dissolved material in domestic sewage, or solid or dissolved material in irrigation return flows, or industrial discharges subject to regulation by permit issued in accordance with Texas Water Code, Chapter 26 (an exclusion applicable only to the actual point source discharge that does not exclude industrial wastewater while it is being collected, stored, or processed before discharge, nor does it exclude sludge that is generated by industrial wastewater treatment);

(ii) uncontaminated soil, dirt, rock, sand, and other natural or man-made inert solid materials used to fill land if the object of the fill is to make the land suitable for the construction of surface improvements. The material serving as fill may also serve as a surface improvement such as a structure foundation, a road, soil erosion control, and flood protection.

(B) does include man-made materials exempted under (A)(ii) but where the land is sold, leased, or otherwise conveyed prior to the completion of construction of the surface improvements at a site where the man-made material is deposited.

"Storm Water" and "Storm Water Runoff" means rainfall runoff, snow melt runoff, and surface runoff and drainage.

"SWP3 Inspection Report" or "Storm Water Pollution Prevention Plan (SWP3) Inspection Report" means a report required under the terms of the TCEQ Construction General Permit and by this chapter as a part of a SWP3, that is prepared by a qualified individual for the owner or operator of a construction site after routine and periodic inspection of disturbed areas of land that have not been finally stabilized, to determine whether all sediment and erosion control measures are operating correctly.

"SWP3 Site Notebook" or "Storm Water Pollution Prevention Plan (SWP3) Site Notebook" means the on-site notebook and log associated with implementing the approved SWP3 that is maintained up-to-date at the construction site by the owner or construction site operator. The SWP3 Site Notebook is an integral part of the SWP3 and must contain all required SWP3 information not included in the approved construction plans at the time of development permit approval and all SWP3 information that is generated during the construction of a development project.

"TCEQ" means Texas Commission on Environmental Quality or any successor agency.

"Texas Pollutant Discharge Elimination System" or "TPDES" means the state program for issuing, amending, terminating, monitoring, and enforcing permits authorizing the discharge of pollutants to water in the State of Texas and imposing and enforcing pretreatment requirements under Clean Water Act §§ 307, 402, 318 and 405, the Texas Water Code and the Texas Administrative Code.

"Topsoil" means the surface layer of soil which is generally more fertile than the underlying soil layers, which is the natural medium for plant growth and which can provide the plant growth, soil stability, and other attributes necessary to meet the success standards approved in the reclamation plan.

"Topsoil Substitute Material" means soil or other unconsolidated material either used alone or mixed with other beneficial materials and which can provide the plant growth, soil stability, and other attributes necessary to meet the success standards approved in the reclamation plan.

"Waste" means sewage, industrial waste, municipal waste, recreational waste, agricultural waste, or other waste, as the terms are defined in Texas Water Code, Section 26.001.

"Water" or "Water in the State" means groundwater, percolating or otherwise, lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, wetlands, marshes, inlets, canals, the Gulf of Mexico, inside the territorial limits of the state, and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or non-navigable, and including the beds and banks of all watercourses and bodies of surface water, that are wholly or partially inside or bordering the state or inside the jurisdiction of the state.

"Waterway" means water in the state other than groundwater, percolating or otherwise, springs, or wetlands.

"Waterway Setback" means the surface area of a setback or buffer area parallel to both sides of a waterway established as a protective easement permanently managed for the purpose of surface water quality protection in which development is prohibited or limited.

"Wetland" means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do

support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetland boundaries are defined using the U.S. Army Corps of Engineer's protocol described in the 1987 Corps of Engineers Wetlands Delineation Manual.

82.103. Coordination with Other Jurisdictions.

(a) through (b) No change.

(c) Other Development.

In ~~additions~~ addition to compliance with the subdivision regulations of the County, a municipality, and~~/or~~ any other legislative created entities with subdivision authority, the development and use of real property in the County may be subject to regulation by other jurisdictions, such as the Lower Colorado River Authority, the Texas ~~Natural Resources Conservation~~ Commission on Environmental Quality, and the Barton Springs Edwards Aquifer Conservation District, as well as other County regulations~~, as provided in Section 82.101(c)~~.

82.106. Regulation of Land Excepted from the Platting Requirements.

(a) No change.

(b) The applicable portions of the County's current Rules and Private Sewage Facilities and Regulations for Flood Plain Management and Guidelines and Procedures for Development Permits; ~~and~~

(c) To the extent that engineering and traffic safety concerns are raised, the Travis County Driveway Permit Process; and

(d) The requirements of this chapter for permanent management of storm water, construction management of storm water, and setbacks for development from waterways and critical environmental features.

82.201 General Subdivision Procedures.

(a) General.

(1) The Commissioners Court will not approve a Final Plat for subdivision of land unless it complies with all applicable requirements ~~of these~~ and standards of this chapter.

(2) For subdivisions ~~with~~ within the ETJ of a municipality with which the County has entered into an agreement under 242.001(c) and (d), Local Government Code, County review, if any, shall be as provided in the agreement.

If any provision of the chapter cannot be reconciled with such and agreement in a manner consistent with Chapter 245, Local Government Code, the agreement shall control.

(a)(3) through (a)(4) No Changes.

(b) Applications.

(1) No Changes.

(2) The application for approval of a preliminary plan or Final Plat will be reviewed by TNR for completeness under the applicable requirements and procedures of ~~these Standards~~ this chapter.

(A) through (C) No Change.

(3) through (8) No Change.

(9) A Master Development Plan must be submitted for an applicant to meet "fair notice" requirements under Section 82.102(a). Otherwise, an applicant may voluntarily submit a master development plan as a non-binding planning tool, but it is not required and will not be approved by the County Executive ~~Manager~~ or the Commissioners Court. If submitted either voluntarily or to meet "fair notice" requirements, it shall consist of a written plan, supporting documentation, and a reasonably detailed map or schematic drawing, drawn to scale. The submittal must contain ~~containing~~ the following:

(A) No Change.

(B) The name~~names~~ of each adjacent platted subdivision~~subdivisions or~~and the name ~~names~~ of each~~the~~ record owner ~~owners~~ of adjoining unplatted property;

(C) through (D) No Change.

(E) The location, dimensions, ~~general arrangement~~ and designations of land uses, including all waterways, critical environmental features, and other land protected from development and proposed setbacks from waterways and critical environmental features;

(F) Any ~~any~~ sites proposed for special use, including ~~(e.g.~~, parks, open space, flood detention, permanent water quality controls, and ~~or~~ other public facilities~~)~~;

(G~~F~~) The ~~approximate~~ location of the 25-year flood plain and the 100-year flood ~~plan~~plain, the location and width of existing drainage channels, creeks, and water courses within the development;

(G)~~(H)~~A summary by a Texas-registered professional engineer or professional geoscientist:

(i) describing the proposed source of potable water and the wastewater service facilities for the subdivision; and

(ii) certifying the potable water source and wastewater service facilities will be of adequate capacity to serve all proposed lots of the subdivision; and

(I~~G~~) The proposed location of ~~proposed~~ drainage courses and any off-site extensions.

(c) Expiration and Extension.

(1) Preliminary Plan.

(A) No Change.

(B)

(i) No Change.

(ii) The expiration date of a preliminary plan may be extended administratively for a period of two years if neither the preliminary plan nor the regulations, including requirements of this chapter and Chapter 64, governing the original approval of the preliminary plan have significantly changed. No more than two such extensions shall be granted.

(iii) No Change.

82.204. Final Plat.

(a) Final Plat Approval. If the property proposed for a Final Plat is within the jurisdiction of any other governmental entity with platting authority, the Final Plat must be submitted concurrently to both jurisdictions. If the Final Plat application contains property currently within an existing recorded subdivision, see Section 82.201(d) for plat cancellation and revision procedures. A Final Plat must incorporate all the provisions of any Preliminary Plan for the property that has previously received approval from the Commissioners Court. A final plat proposal must comply with the water quality

protection requirements of Subchapters H – K. If changes are necessary, the approved Preliminary Plan must revised, unless the entire tract is being final platted.

(b) No Change.

(c) Final Plat Requirements Outside a Municipality's ETJ.

(1) through (24) No Change.

(25) Other Approvals.

(A) When a revision to a flood ~~plain~~ insurance rate map is initiated under Section 82.207, the owner must submit the evidence required by that section demonstrating~~of~~ the Federal Emergency Management Agency's receipt of the applicant's request for revision before approval of the final plat~~that request~~.

(B) Outside the ETJ, or for any single-family residential subdivision of a tract exceeding 20 acres and for all commercial subdivisions, the owner must provide evidence of compliance with the environmental requirements of other jurisdictions, in accordance with Section 82.916. ~~submit copies of any of the following permits that are required for the development of the tract, or if a permit is not required, documentation of that fact from the appropriate agency or, if documentation from the agency is unavailable, bona fide documentation of that fact from a qualified professional. In this subsection, areas in which Travis County has been granted exclusive jurisdiction pursuant to Chapter 242 of the Texas Local Government Code are considered outside the ETJ.~~

~~(i) If the development is subject to the LCRA Highland Lakes Watershed Ordinance or the TCEQ Edwards Aquifer rules at 30 Texas Administrative Code Chapter 213, or if the owner applies for an individual TPDES permit, any additional material that the owner submits to LCRA or TCEQ to obtain the permit, as well as the permit once it is issued.~~

~~(ii) Permits under Section 10 of the federal Rivers and Harbors Act and/or Section 404 of the federal Clean Water Act.~~

~~(iii) Permits under Section 10 of the federal Endangered Species Act.~~

~~(iv) The owner's proposed Stormwater Pollution Prevention Plan and Notice of Intent required to comply with Texas Pollutant Discharge Elimination System (TPDES) requirements under Section 26.040, Water Code, and Section 402 of the Clean Water Act. The final Plan and Notice must be submitted before approval of subdivision construction plans.~~

(C) through (E) No Change.

(d) Certifications and Acknowledgments.

(1) through (5) No Change.

(6) Plat Notes.

(A) through (D) No Change.

(E) The plat notes relating to water quality protection requirements, in accordance with Section 82.946 of this chapter.

(e) No Change.

82.206. Private Street Subdivision.

(a) General. A private street is privately owned and maintained, is not intended for use by the general public, and may have controlled or restricted access. Private streets normally serve residential properties on individual lots.

(1) through (2) No Change.

(3) Outside the ETJ of any municipality, private streets are subject to county regulations in order to ensure:

(A) through (D) No Change.

(E) Construction and post-construction operation of the private street does not cause or allow adverse impacts on water quality as a result of storm water runoff or other pollutant discharges.

(4) through (6) No Change.

(b) Creation of Private Streets in New Subdivisions.

(1) A homeowners or property owners association must be created to assume ownership and responsibility for the maintenance of the proposed private streets. Draft copies of the following documents are required to be submitted for review and approval during the preliminary review process, and approved copies must be recorded with the final plat:

(A) No Change.

(B) Association bylaws which outline membership, voting rights, and other items similar in nature; and

(C) Establishment of a contact person and mailing address for the association, along with a written procedure for continually updating and promptly communicating changes of contact person and mailing address, whenever it occurs.

(2) Prior to the issuance of a Basic Development Permit for the construction of the private street subdivision improvements, the developer must submit a copy of the association's ~~Homeowners' Association's~~ Certificate of Incorporation to the County Executive~~TNR~~.

(3) The following final plat notes are required:

(A) No Change.

(B) The undersigned owner does hereby subdivide ____ acres of land out of said _____ acres tract in accordance with this plat, to be known as "[subdivision's title]" subdivision, subject to the covenants and restrictions shown hereon, and hereby dedicates to the owners of the lots in the subdivision, public utilities serving the subdivision, emergency services providers with jurisdiction, and public service agencies, the use of all the private street and other easements shown hereon, subject to any easements and/or restrictions heretofore granted and not released. The maintenance and payment of real property taxes on such private streets are the responsibility of the owner(s) of the subdivision or any duly constituted homeowners association under that certain instrument of record at Volume ____ , Page ____ , of the Travis County Deed of Records or Doc# _____ of the Travis County Official Public Records. An express easement is hereby granted across said private streets and any common areas for the use of the surface for all governmental functions, vehicular and non-vehicular, including fire and police protection, solid and other waste material pickup, inspection or investigation of storm water management, and any other purpose any governmental authority deems necessary; and owner further agrees that all governmental entities, their agents or employees, shall not be responsible or liable for any damage occurring to the surface of the said private street and any common area as a result of any such use by governmental vehicles

(C) The private street shall be operated and maintained to prevent adverse impacts on water quality as a result of storm water runoff or other pollutant discharges. The __xxx_____ Association must manage the private street using appropriate structural and non-structural best management practices at all times to sufficiently prevent and address erosion and sedimentation. It is the continuing duty of the _____xxx_____ Association to operate and maintain any permanent water quality control and other best management practices associated

with the private street, to reduce or eliminate the discharge of pollutants to the maximum extent practicable.

(4) through ((9) No Changes.

(10) In accordance with Section 104.009 of the Code, the homeowners or property owner's association shall allow entry of a Travis County inspector for purposes of inspection or investigation relating to water quality protection.

(c) Conversion of Existing Public Streets to Private Streets.

(1) A homeowners or property owner's association must be in existence or created and must have the power to assess fees in order to own, pay applicable taxes, operate and maintain a permanent water quality control structure, and maintain the proposed private streets. Draft copies of the documents referenced at Section 82.206(b)(1)(A) and (B) are required to be submitted for review and approval during the review process. ~~Approved copies of the documents shall be recorded by the county at the time of abandonment and discontinuance.~~ In addition, a copy of the homeowners association's Certificate of Incorporation must be provided to TNR prior to the time of abandonment and discontinuance. Approved copies of the Order of the Commissioners Court shall be recorded by the county at the time of abandonment and continuance.

(2) through (4) No Change.

(5) If security gates are proposed, a Basic Development Permit application must be submitted that include plans ~~must be prepared~~ showing the location of the security gates. A minimum storage space of 40 feet must be provided between the gates and the nearest intersecting street right-of-way. The design of the gates must be approved by the County ~~county~~, the emergency service provider, and, where applicable, any other governmental entity with jurisdiction.

(d) through (e) No Change.

82.207 Storm Water~~Stromwater~~, Drainage, and Floodplains.

(a) A preliminary plan, final plat, or development permit may not be approved unless it includes storm water drainage facilities, permanent water quality controls, and measures that:

(1) through (3) No Change.

(4) ensure surface grades will not~~no~~ permit water to gather in a pool that may become stagnant;

(5) control, both temporarily during construction and permanently thereafter, erosion and sedimentation so as to reduce to the maximum extent practicable or eliminate the discharge of pollutants into ~~minimize siltation of~~ water courses, in accordance with the requirements of Subchapters I and K;

(6) through (8) No Change.

(b) through (o) No Change.

~~82.209 Storm Water Quality, Riparian Corridors, and Environment.~~

~~(a) Geographic Scope~~
~~In addition to the other requirements of this chapter, this section applies outside the ETJ of any municipality to any single-family residential development of a tract exceeding 20 acres on the date of the order adopting this section and all Commercial Developments, except any development in the unincorporated areas of Travis County in the HLWO area, as governed by Section 82.211. . In this Section, areas in which Travis County has been granted exclusive jurisdiction pursuant to Chapter 242 of the Texas Local Government Code are considered outside the ETJ.~~

~~(b) Water Quality Measures for Construction Activities.~~

~~(1) Temporary and permanent best management practices shall be employed to prevent polluted stormwater runoff from all construction and development activities from entering surface waterways or groundwater during the construction process until final site stabilization is complete.~~

~~(2) If the owner or Construction Site Operator is issued a TCEQ Edwards Aquifer permit, or individual TPDES stormwater permit, and if the owner's or Construction Site Operator's SWP3 and Notice of Intent comply with the applicable TCEQ general permit requirements, no additional best management practices shall be required to comply with Paragraph (1), except as provided in Paragraph (3).~~

~~(3) Construction best management practices may be required in addition to those in the owner's or Construction Site Operator's SWP3 or TCEQ permit if:~~
~~more than five acres will be disturbed at any one time;~~

~~the development will take place on any slope greater than ten percent;~~

~~(C) the development includes a road crossing of a waterway, including an intermittent or perennial stream; or~~

~~(D) after construction or development activities commence, the measures in the SWP3 or TCEQ permit are determined by the Executive Manager to be inadequate to~~

~~ensure that pollution of surface and ground water is prevented to Maximum Extent Practicable.~~

~~4. Additional best management practices under Paragraph (3) include:~~

~~(A) a pre-construction site meeting;~~

~~(B) construction disturbance phasing or sequencing to limit soil erosion, including final stabilization accomplished with each phase;~~

~~(C) stabilization measures including re-vegetation, mulching, soil retention blanket, or similar best management practices;~~

~~(D) temporary structural or non-structural best management practices at additional locations or in additional quantities;~~

~~(E) accelerated maintenance; and~~

~~(F) other best management practices, if appropriate, specified in the LCRA Technical Manual.~~

~~(c) Buffer Zones~~

~~(1) Buffer Zones for Environmentally Valuable Features.~~

~~(A) In this subsection, the following terms have the following meanings:~~

~~(i) "Bluff" means a bluff that is adjacent to a waterway that that has a vertical change in elevation of more than 40 feet and an average gradient greater than 400 percent (greater than four (4) feet vertical for each one (1) foot horizontal).~~

~~(ii) "Canyon Rimrock" means a rimrock that is adjacent to a waterway that has a rock substrate with a gradient that exceeds 60 percent for a vertical distance of at least four feet, and that is exposed for at least 50 feet horizontally along the rim of the canyon.~~

~~(iii) "Point Recharge Feature" means a cave, sinkhole, fault, joint, or other natural feature that lies over an aquifer recharge zone and that may transmit a significant amount of surface water into the subsurface strata.~~

~~(iv) "Environmentally Valuable Features" means features that are of critical importance to the protection of environmental resources, and include bluffs, canyon rimrocks, cave, point recharge features, sinkholes, springs, and wetlands.~~

~~(v) "Wetland" means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal~~

~~circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.~~

~~(B) Drainage patterns for development must be designed to protect environmentally valuable features from the effects of runoff from developed areas, and to maintain the catchment areas of recharge features in a natural state. Special controls must be used where necessary to avoid the effects of erosion, or sedimentation, or high rate of flow.~~

~~(C) Buffer zones for environmentally valuable features shall be included within protective easements.~~

~~(D) A buffer zone is established around each environmentally valuable feature.~~

~~(i) For a cave, sinkhole, spring, and wetland, the width of the buffer zone is 150 feet from the edge of the environmentally valuable features.~~

~~(ii) For a point recharge feature, the buffer zone coincides with the topographically defined catchment basin, except that the width of the buffer zone from the edge of the environmentally valuable feature is not less than 150 feet and not more than 300 feet.~~

~~For a bluff or canyon rimrock feature, the buffer zone is 50 feet.~~

~~(E) Except as provided in Subparagraph (F) below, within an environmentally valuable feature buffer zone:~~

~~(i) the natural vegetation cover must be retained to the maximum extent practicable;~~

~~(ii) construction is prohibited; and~~

~~(iii) wastewater disposal or irrigation is prohibited.~~

~~(F) If located at least 50 feet from the edge of the environmentally valuable feature, the prohibition of Subparagraph (E) does not apply to a yard, hiking trail, or a recharge basin designed to discharge to a point recharge feature without polluting ground water.~~

~~(3) Buffer Zones for Waterways.~~

~~(A) Waterways are classified as follows:~~

~~(i) Within a western watershed;~~

~~(1) a minor waterway has a drainage area of at least 64 acres and not more than 320 acres;~~

~~(2) an intermediate waterway has a drainage area of more that 320 acres and not more than 640 acres;~~

~~(3) a major waterway has a drainage area of more than 640 acres.~~

~~(ii) Within an eastern watershed:~~

~~(1) a minor waterway has a drainage area of at least 320 acres and not more that 640 acres;~~

~~(2) an intermediate waterway has a drainage area of more that 640 acres and not more than 1290 acres;~~

~~(3) a major waterway has a drainage area of more than 1280 acres.~~

~~(B) A buffer zone is established along each classified waterway. The boundaries of the buffer coincide with the boundaries of the fully developed 100-year flood plain for the waterway, except as follows. Buffer zones for waterways shall be included within protective easements.~~

~~(ii) For a minor waterway, the boundaries of the buffer zone are located not less than 50 feet and not more than 100 feet from the centerline of the waterway.~~

~~(iii) For an intermediate waterway, the boundaries of the buffer zone are located not less than 100 feet and not more than 200 feet from the centerline of the waterway.~~

~~(iv) For a major waterway, the boundaries of the buffer are located not less than 200 feet and not more than 400 feet from the centerline of the waterway.~~

~~(C) Notwithstanding Subparagraph (B), a waterway buffer zone does not extend beyond a rimrock or the crest of a bluff. A crest is a line along the top of a bluff beyond which the average slope has a gradient of not more than 50 percent for a distance of at least 40 feet.~~

~~(D) The shoreline boundary of the waterway buffer for Lake Travis coincides with the 681 foot mean sea level contour line. The width of the buffer, measured horizontally inland, is 100 feet, or, for a detached single-family residential use, 75 feet.~~

~~(E) Development within a waterway zone buffer is prohibited except as follows:~~

~~(i) A fence is permitted only if it does not obstruct flood flows,~~

~~(ii) A golf course or part of a golf course is permitted only if no fertilizers, pesticides, or herbicides are used within the buffer zone.~~

~~(iii) a park or similar open space use, other than a parking lot, is permitted only if a program of fertilizer, pesticide, and herbicide use is approved. Park development is limited to hiking, jogging, or walking trails and outdoor facilities, and excludes stable and corrals for animals.~~

~~(iv) Along Lake Travis, a boat dock, pier, wharf, or marina and necessary access and appurtenances, is permitted.~~

~~(v) A utility line may cross a waterway buffer zone.~~

~~(vi) Detention basins and floodplain alterations are permitted id the requirements of Section 82.207 and the other provisions of this chapter are met.~~

~~(vii) A minor waterway buffer zone may be crossed by a residential or commercial street or driveway if necessary to provide access to property that cannot otherwise be safely accessed.~~

~~(viii) An arterial street identified in the metropolitan transportation plan may cross a major waterway buffer zone.~~

~~(ix) An arterial or collector street may cross an intermediate waterway buffer zone only if it at least one mile from any other collector or arterial street crossing on the same waterway.~~

~~(x) An arterial or collector street may cross a minor waterway buffer zone, provided that a collector street crossing must be at least 2,000 feet from a collector or arterial street crossing on same waterway.~~

~~(xi) Street and utility crossings shall be aligned to be perpendicular to the waterway buffer zone.~~

~~(xii) The Executive Manager may grant exceptions to the requirements of clauses (ix) through (xi) where strict compliance is impracticable.~~

~~(xiii) All street and utility crossings shall be designed and constructed to minimize pollution of the waterway to the greatest extent practicable.~~

~~(d) Cut and Fill.~~

~~(1) Land Balancing.~~

~~(A) All cut and fill land balancing shall be limited to a maximum of 8 feet.~~

~~(B) Retaining walls shall not exceed one foot above the material being retained.~~

~~(C) Retaining wall over 5 feet in height shall be detailed in construction plans or plans submitted with the application for the site development permit.~~

~~(2) Detention and Water Quality Ponds.~~

~~There are no cut or fill limitations for the construction of water quality basins, stormwater detention ponds, streets, or driveways.~~

~~(3) Spoils Disposal.~~

~~(A) No fill shall be placed on any lot unless authorized in approved subdivision construction plans or a sit development permit.~~

~~(B) Temporary spoils shall be removed prior to acceptance of streets and drainage in a subdivision.~~

~~(C) Prior to removal of spoils from a site, the owner shall notify the Executive Manager of the destination of the spoils.~~

~~(e) Post-Construction Water Quality Controls~~

~~Permanent water quality controls meeting the requirements of Subsection (f) for western watersheds and Subsection (g) for eastern watersheds shall be employed to prevent polluted stormwater runoff from developed sites from entering surface waterways or ground water after construction is complete.~~

~~(f) Post-Construction Water Quality Controls for Western Watersheds~~

~~(1) For development in areas with slopes up to 10 percent, 70 percent of the additional pollutant load in the stormwater runoff for total suspended solids, total phosphorus, and oil and grease shall be removed. For such development with 500 feet of the 691 foot mean sea level contour line, 75 percent of the additional pollutant load in the stormwater runoff for total suspended solids, total phosphorus, and oil and grease shall be removed.~~

~~(2) For development on slopes greater than 10 percent but less than 20 percent, 80 percent of the additional pollutant load in the stormwater runoff for total suspended solids and 75 percent of the additional pollutant load in the stormwater runoff for total phosphorus and oil and grease shall be removed. For such development within 500 feet of the 691 foot mean sea level contour line, 90 percent of the additional pollutant load in the stormwater runoff for total suspended solids and 85 percent of the additional pollutant load in the stormwater runoff for total phosphorus and oil and grease shall be removed.~~

~~(3) For development on slopes greater than 20 percent, 90 percent of the additional pollutant load in the stormwater runoff for total suspended solids and 85 percent of the~~

~~additional pollutant load in the stormwater runoff for total phosphorus and oil and grease shall be removed.~~

~~(4) Streambank erosion shall be controlled by designing the drainage system so that the amount of erosion and siltation occurring in the receiving streams is not increased. The magnitude and frequency of the pre-development one year design storm shall remain the same.~~

~~(5) The requirements for Paragraph (1) through (4) may be satisfied for a single-family residential subdivision if the subdivision has:~~

~~(A) a minimum lot size of one acre; and~~

~~(B) a street and drainage network designed without curbs or gutters, or otherwise adequately designed, so that runoff is treated using overland flow methods to a vegetated buffer meeting slope and vegetative area cover requirements.~~

~~(g) Post-Construction Water Quality Controls for Eastern Watersheds~~

~~(1) Water quality controls are required for development with impervious cover exceeding 20% of net site area.~~

~~(2) The controls must provide at least the treatment level of a sedimentation/filtration system and must capture, isolate, and treat the water draining to the control from the contributing area.~~

~~(3) The required capture volume is the first one-half inch of runoff and an additional one-tenth on an inch of runoff for each 10% increase in impervious cover over 20% of gross site area.~~

~~(h) Maintenance~~

~~The owner or construction site operator shall be responsible for maintaining and shall maintain all permanent water quality controls in a proper manner and consistent with county and other applicable standards, including BMP maintenance permits or agreements required by LCRA or previously approved by LCRA. The owner or construction site operator shall remain responsible for maintenance until either the maintenance obligation is either assumed in writing by another entity having ownership or control of the property, including an owners' association, a district, or a municipality, or ownership of the property is transferred to another entity. A copy of the assumption or transfer of responsibility shall be filed with the Executive Manager within 30 days of the transfer.~~

~~(i) Site Assessment and Stormwater Management Plan~~

~~(1) An owner subject to the requirements of this section shall submit with an application for a preliminary plan a site assessment that identifies all environmentally valuable features, waterways and their classifications, buffer zones, contours, and all other information necessary to determine compliance with this section.~~

~~(2) An owner subject to the requirements of this section must submit with an application for a preliminary plan a stormwater management plan that demonstrates permanent water quality structural and non-structural BMPs will comply with this section and shows their locations. The stormwater management plan may be included as part of a drainage plant under 82.207 or as a part of the material submitted under Subsection (b). The stormwater management plan must summarize the SWP3 and temporary structural and non-structural BMPs to be used.~~

~~(j) Technical Criteria~~

~~For purposes of complying with this section, the following technical criteria manual shall apply, provided that any changes to the manuals subsequent to the effective date of this subsection shall not take effect until approved by the Commissioners Court.~~

~~Technical criteria for best management practices and water quality controls in eastern watersheds, environmentally valuable features, waterways, and buffer zones are those contained in the City of Austin Environmental Criteria Manual (effective December 15, 2009). The Executive Manager reserves the right to require alternate technical criteria, on a case-by-case basis, in consideration of site-specific conditions. Impervious cover for purposes of Section 82.209(g) shall be calculated as it is calculated in the City of Austin's ETJ under Chapter 30, the Joint City of Austin – Travis County Code.~~

~~Technical criteria for best management practices and water quality controls in western watersheds are those in the LCRA HLWO Water Quality Management Technical Manual (effective July 1, 2007), provided that to the extent of any conflict, in watersheds contributing to the Edwards Aquifer the owner may use any equivalent or more stringent technical criteria in TCEQ's Complying with the Edwards Aquifer Rules: Technical Guidance and Best Management Practices (RG-348).~~

~~(k) Construction Plan, Engineering, Fiscal Security, and Inspections~~

~~Water quality controls are subject to same requirements as drainage structures under this chapter regarding construction plans, engineering standards, fiscal security, and inspections.~~

~~SECTION 82.211. Lake Travis Watershed Water Quality Protection.~~

~~(a) Purpose. The Commissioners Court adopts these requirements in recognition of the adoption by the LCRA of the HLWO (effective February 1, 2006). Adoption of~~

~~these requirements provides an applicant for a development permit with a consistent set of development standards. To improve consistency and provide for coordination of the processes used by Travis County and the LCRA in the area covered by the HLWO, Travis County and the LCRA will enter into an Interlocal Cooperation Agreements that included these requirements. Travis County and the LCRA will facilitate adoption of an Interlocal Cooperation Agreement including these requirements, that will improve the consistency and coordination of the processes used by Travis County and the LCRA in the area now within LCRA jurisdiction under the HLWO.~~

~~(b) Definitions. In this section, the following terms have the following meanings.~~

~~**Best Management Practice or BMP** means those practices, including but not limited to those described in LCRA's Technical Manual that effectively manage stormwater runoff quality and volume.~~

~~**Commercial Development** means all development other than open space, a single-family residence, or a single family subdivision development.~~

~~**Master Plan** means a conceptual plan of a multi-phased development showing the order of phased development, environmental features (such as creeks, tributaries, slopes, etc.), roads, and proposed location of water quality protection measures for the development.~~

~~**Single Family Subdivision Development** means a development subdivision consisting of two or more Single Family Residences.~~

~~**Single Family Residence** means one- and two-family dwelling units designated for occupancy by one or more families as a residence.~~

~~(c) Geographic Scope and Applicability.~~

~~(1) In addition to other requirements of this chapter, this section applies within unincorporated areas of Travis County within the HLWO area, except as specified in paragraph (2).~~

~~(2) The requirements of this section are not applicable to a Single Family Subdivision Development within the extraterritorial jurisdiction of any municipality that has an executed agreement with Travis County that provides for a single office review and where a joint city/county code of subdivision regulations exists pursuant to Section 242.001(d)(4) of the Texas Local Government Code.~~

~~(3) In addition to the other requirements of this chapter, this section applies to the following proposals:~~

~~(A) A development application for a Single-Family Residence that proposes 10,000 square feet or greater of impervious cover or where one (1) acre or more of land would be disturbed;~~

~~(B) A Single-Family Subdivision Development or Commercial Development that proposes 10,000 square feet or greater of impervious cover or where one (1) acre or more of land would be disturbed; and~~

~~(C) A Re-development application that proposes a cumulative increase of impervious cover of 10,000 square feet or greater or where one (1) acre or more of land will be disturbed.~~

~~(4) A Travis County development permit issued pursuant to Chapter 64 of the Travis County Code is required for a Commercial Development or Single-Family Residence that will disturb less than one (1) acre of land. In addition to other requirements of this chapter, the application must describe how erosion and sedimentation will be controlled throughout the development process and how the site complies with the downstream buffer guidelines, in accordance with the LCRA Technical Manual.~~

~~(d) Development Application Procedures.~~

~~(1) In addition to other requirements of this chapter, an applicant for a development permit subject to this section is also subject to the requirements of paragraphs (2) – (4) of this subsection.~~

~~(2) Any development application, amendment application, and required supporting information shall be submitted to the Lower Colorado River Authority at the same time as it is provided to the Executive Manager.~~

~~(3) Whenever additional information is provided to the Executive Manager as a part of the administrative or technical review process for a development application, it also shall also be submitted at the same time to the Lower Colorado River Authority at the same time.~~

~~(4) Before making any changes to an approved master plan, an applicant must apply for an amendment to the development permit issued pursuant to Chapter 64 of the Travis County Code with respect to the approved master plan . An application for amendment shall be made and will be processed in accordance with the procedures of this subsection and any additional requirements of this chapter and Chapter 64. The application for amendment shall clearly identify the items being sought to be amended and the reasons therefore. No permit amendment is required for minor field adjustments of temporary erosion and sedimentation controls. A modification to an approved master plan shall be~~

~~required if there is a material change in land use or an increase in density or impervious cover. Modifications to an approved master plan shall be processed in accordance with the performance standards in effect on the date of the application for the area or phase covered by such modification.~~

~~(e) Pre-Development Planning.~~

~~Before submitting an application for a development permit for a Single Family Subdivision Development greater than 20 acres in area or a Commercial Development greater than three acres in area, an applicant shall contact the Executive Manager to arrange a pre-development/concept plan meeting with the Executive Manager or his designee. The meeting will focus on the proposed land plan, slopes, buffers, environmentally valuable features, and water quality management practices for construction activities and post-construction storm water management, and may include a site investigation. The objective of the meeting is to assess the desired development configuration and to offer constructive guidance regarding appropriate water quality management strategies for the site. Additional guidance on the meeting and procedures are found in the LCRA Technical Manual. After the meeting, the County will provide a letter to the applicant confirming that the meeting has been held.~~

~~(f) Buffer Zones.~~

~~(1) Buffer Zones for Environmentally Valuable Features. A development project subject to this section must comply with Section 82.209(c)(1).~~

~~(2) The buffer zones for bluffs and rimrocks shall not apply adjacent to the Pedernales River if:~~

~~(A) all lots fronting the Pedernales River have a minimum frontage of 200 feet and a minimum size of 1 acre and best management practices are employed to achieve a level of water quality and environmental protection equivalent to the 50 foot buffer zone; or~~

~~(B) the Executive Manager grants an exception allowing a buffer zone of no less than 25 feet based on a demonstration that a level of water quality and environmental protection equivalent to the 50 foot buffer zone will be achieved through enhancement of natural vegetative cover within the buffer, low impact site design, or other measures.~~

~~(3) Buffer Zones for Waterways. Buffer zones for waterways protect aquatic resources from the short and long term impacts of development activities. Buffer zones shall remain free of construction, development, or other alterations except for utility and roadway crossings. No stormwater treatment facilities, golf courses, on-site wastewater systems or wastewater irrigation shall be located in the buffer~~

~~zone. Stormwater discharge from the development shall be dispersed into a sheet flow pattern before reaching the buffer zone. Except as described in subparagraph (C), a development application shall comply with either option 1 or option 2, as described in subparagraphs (A) and (B).~~

~~(A) Option 1: Buffer Zones.~~

~~(i) Creeks or swales draining less than 40 acres but more than five acres, excluding roadside swales, shall have a minimum buffer width of 25 feet from the centerline of the creek or swale.~~

~~(ii) Creeks or swales draining less than 128 acres but more than 40 acres shall have a minimum buffer width of 75 feet from the centerline of the creek or swale.~~

~~(iii) Creeks draining less than 320 acres but more than 128 acres shall have a minimum buffer width of 100 feet from the centerline of the creek or swale.~~

~~(iv) Creeks draining less than 640 acres but more than 320 acres shall have a minimum buffer width of 200 feet from the centerline of the creek or swale.~~

~~(v) Creeks draining 640 acres or greater shall have a minimum buffer width of 300 feet from the centerline of the creek or swale.~~

~~(B) Option 2: Floodplain Buffer Zone.~~

~~(i) For creeks or rivers draining less than 40 square miles but more than five acres, excluding roadside swales, the buffer zone shall extend a minimum of 25 feet from the 100-year floodplain boundary paralleling each side of the creek or swale. The 100-year floodplain shall be based on the fully developed conditions as approved by LCRA.~~

~~(ii) For creeks or rivers draining more than 40 square miles, the buffer zone shall be considered equal to the 100-year floodplain as designated by Federal Emergency Management Agency or by an engineered floodplain study approved by LCRA.~~

~~(C) Exceptions to the Buffer Zone to Waterways.~~

~~(i) Limited utility and roadway crossing may be approved by the Executive Manager. The number of crossings through buffer zones shall be minimized according to the guidance located in the LCRA Technical Manual.~~

~~(ii) Along Lake Travis, necessary access and appurtenances to a boat dock, pier, wharf, or marina, may be approved by the Executive Manager. However, this exception is not allowable along the Lake Travis shoreline in the buffer zone of a swale, creek, or river.~~

~~(iii) A low impact park development may be approved by the Executive Manager. A low impact park should be limited to trails, picnic facilities, and similar construction that does not significantly alter the existing vegetation or drainage patterns.~~

~~(g) Cut and Fill. A development project subject to this section must comply with Section 82.209(d).~~

~~(h) Water Quality Measures for Construction Activities.~~

~~(1) A development project subject to this section must comply with Section 82.209(b)(1). If the owner's or Construction Site Operator's SWP3 and Notice of Intent comply with the applicable TCEQ general permit requirements and the SWP3 is prepared in accordance with the LCRA Technical Manual, no additional best management practices shall be required, except as provided in Paragraph (2).~~

~~(2) A development project subject to this section must also comply with Section 82.209(b)(3) and (4), when applicable due to the site conditions at the location of the proposed project.~~

~~(3) For each SWP3 and Notice of Intent prepared by the owner or Construction Site Operator, a copy shall be provided to the Executive Manager in either paper or portable document format (pdf). These shall be provided in draft form no later than two (2) business days prior to the pre-development/concept plan meeting identified in subsection (e) and provided in final form prior to final approval of the permit. The owner and Construction Site Operator shall be under the continuing obligation to promptly provide a copy of any Notice of Intent, Construction Site Notice, SWP3 revisions, or SWP3 construction inspection reports upon the request of Travis County.~~

~~(i) Post-Construction Water Quality Controls.~~

~~(1) Water Quality Volume. For the protection of water quality and drainage ways from channel erosion and stormwater runoff pollution, each development project subject to these performance standards shall provide water quality volume in approved BMPs found in the LCRA Technical Manual. The minimum required water~~

~~quality volume is based on the one-year, three-hour storm runoff volume as defined in the LCRA Technical Manual. In addition, development projects can use Low Impact Development methodologies as identified in the LCRA Technical Manual to reduce or avoid stormwater storage volume.~~

~~(2) Coverage of a development project or site under a Travis County development permit does not exempt the owner from the requirement to obtain a LCRA BMP Maintenance Permit, in accordance with Section 4, Subchapter A, Paragraph (d) of the LCRA HLWO effective March 1, 2007.~~

~~(3) Maintenance. A development project subject to this section must comply with Section 82.209(h).~~

~~(4) Alternate Standards. A Single-Family Subdivision Development project subject to this section that meets the criteria in (A) or a Commercial Development project subject to this section that meets the criteria in (B) need not comply with paragraphs (1) – (2), except as specified in paragraph (5).~~

~~(A) Single-Family Subdivision Development.~~

~~(i) The gross impervious cover is 15 percent or less and the Cluster Development sections have 20 percent or less gross impervious cover.~~

~~(ii) A street and drainage network is designed to include the use of open-roadway sections, ribbon curb and maintenance of sheet flow.~~

~~(iii) Impervious cover credit by use of porous pavement, rainwater harvesting, native landscaping and other methods is used to gain compliance as defined in the LCRA Technical Manual.~~

~~(B) Commercial Development.~~

~~(i) Projects less than three acres in area can achieve compliance with this section through the use of vegetated filter strips and flow spreading methodologies as identified in the LCRA Technical Manual.~~

~~(ii) Impervious cover credit by use of porous pavement, rainwater harvesting, native landscaping and other methods can be used to gain compliance as defined in the LCRA Technical Manual. For a Single-Family Subdivision Development, the alternate standards of Section 5, Subchapter A, Paragraph (b)(2)(i) of the LCRA HLWO effective March 1, 2007, are adopted by reference.~~

~~(2) The Executive Manager may require that the water quality volume specified in paragraph (1) of this subsection be provided for a portion or portions of a development utilizing the alternate standards of paragraph (4), in consideration of factors including, but not limited to, minimum lot size of the subdivision, location and proximity of impervious cover sections of the development to the 691 foot mean sea level contour line, extent to which the development site is able to preserve or achieve sheet flow, and the intensity of slopes to be developed at a site.~~

~~(j) Technical Criteria. Technical criteria for best management practices and water quality controls are those in the LCRA HLWO Water Quality Management Technical Manual, effective July 1, 2007, and subsequent amendments.~~

~~(k) Construction Plan, Engineering, Fiscal Security, and Inspections.~~

~~(1) Water quality controls are subject to the same requirements as drainage structures under this chapter regarding construction plans, engineering standards, and inspections.~~

~~(2) Approval of a permit application for commercial and single-family subdivision development is contingent upon the execution of an irrevocable letter of credit acceptable to Travis County in the amount specified in the permit which provides for the construction of temporary erosion and sedimentation controls and site stabilization, in accordance with the permit and any other provision of this chapter. The amount of the irrevocable letter of credit shall not be less than 100 percent of the cost as estimated by the Texas-registered professional engineer who seals the permit application. The irrevocable letter of credit shall be released after the final inspection/concurrence letter from the engineer has been received and after approval of a BMP Maintenance Permit by LCRA.~~

82.301. General.

(a) No Change.

(b) General Engineering Design Process. A final Development Permit application may be submitted to TNR during normal office hours. The application must be accompanied by: (1) one set of the consulting engineer's construction drawings for streets, site development, drainage, storm water pollution prevention, permanent water quality control, water supply, wastewater, and roadway signing and striping plan; (2) one copy of the geotechnical report establishing pavement design standards based on City of Austin or AASHTO pavement thickness design for a full 20-year life; (3) temporary and permanent erosion and sedimentation control methods for all areas disturbed by the construction; and (4) an engineer's construction cost estimate signed and sealed by the same engineer who prepared the plans. In addition, an engineer's summary letter shall be submitted outlining the nature of the project and any requests for the use of Other Standards from the design standards with justification for such applications. A traffic impact analysis will be required for developments that generate traffic volumes in excess of 1,000 vehicles per day. A traffic impact analysis may be required for developments which generate less than 1,000 vpd depending on the type of access proposed, single versus multiple, or if the County believes that existing boundary streets which are affected by the subdivision access will require improvements to maintain an acceptable level of service at the intersections of the subdivision access roads.

(c) Engineer's Construction Plan Requirements. In addition to the construction plan requirements specified in this subsection, each application must include plan sheets prepared by a Texas-registered professional engineer that comply with the requirements of Section 82.935.

(1) through (13) No Change.

(d) No Change.

82.302. Street and Drainage Design.

(a) through (c) No Change.

(d) Exceptions or Additions to Design Guidelines. Exceptions or Additions to Approved Roadway Design Guidelines for inside and outside of the City of Austin ETJ.

(1) Street Grades. Shoulder section roadways may have minimum ~~certerline~~ centerline profile grades of 0.0%, if the bar ditches are provided with minimum flow line profile grades of 0.5% and the roadway has adequate cross-slope to drain storm water away from the pavement. Vertical curves less than one hundred feet long should be avoided. Alternative street grades are approvable using low hydrologic impact roadway projects, in accordance with section 82.971.

(2) through (10) No Change.

(e) No Change.

(f) Design for Erosion Control. Design standards for erosion and sediment control, sustainable roadways, native vegetation, and tree preservation for roadways and Rights-of-Way shall conform to Subchapter K of this chapter.

~~(1) Inside the ETJ of incorporated municipalities and within districts with special stormwater quality control requirements, development shall conform to the applicable standards of such municipalities or districts or the County's Standards, whichever are more stringent.~~

~~(2) In any case, minimum requirements for temporary and permanent erosion control design for right-of-way and drainage easement areas are as follows:~~

~~(A) The temporary control plan during construction shall be sufficient to prevent sedimentation of drainageways, drainage structures, and flood plain areas that could result in reduced flow capacity, excessive streambank erosion, erosion around structures, or damage of adjoining property.~~

~~(B) The permanent erosion control plan design shall be sufficient to:~~

~~(i) Permanently stabilize all disturbed areas with permanent vegetation, including slopes and embankments.~~

~~(ii) Prevent erosion from exit velocities at outlets of culverts, bridges, storm sewers, and channels through dissipaters, rip-rap, level spreaders, linings, gabions, etc.~~

~~(iii) Prevent gullying and scouring of roadside ditches and open channels from excessive tractive force (shear stress), through vegetation, linings, retention blankets, retards, drop structures, etc., both during and after the vegetation re-establishment period.~~

~~(iv) Protect the integrity of all structural improvements and prevent excessive continuing sedimentation from unstable right-of-way areas into drainage structures, channels, and bar ditches.~~

~~(g) National Pollutant Discharge Elimination System (NPDES) Compliance:~~

~~Stormwater discharges from all development projects must conform to the NPDES requirement of the Clean Water Act, which is administered through the U.S. Environmental Protection Agency (EPA). Based on construction scope and total acreage of disturbed soil area, requirements can include: compliance with NPDES General Permits for Industrial Activity, preparation and execution of a Storm Water Pollution Prevention Plan, construction and completion notifications, etc.~~

(g) Driveways.

(1) through (4) No Change.

(5) Driveways may be constructed with ~~portland~~ Portland cement concrete or hot mix asphalt concrete and they should be constructed for their full length and width between the edge of roadway and the right-of-way line. Dip-style driveways, as shown in Exhibits 82.302 B and C, as revised on [Insert effective date of rule], should be used when roadway bar ditches are 18" or less deep measured vertically from the edge of roadway to the invert of the bar ditch. Driveway culverts should be used when bar ditches are greater than 18" deep.

(6) Pipe culverts must be constructed according to details shown in Exhibits 82.302 (D) and (E), as revised on [Insert effective date of rule]. Driveway pipe culverts should be sized to convey the storm event which the roadway bar ditch conveys.

(7) A proposal for a driveway shall comply with the requirements of Section 82.931(g) of this chapter and shall provide appropriate construction controls that will reduce or eliminate erosion and sedimentation impacts of the project.

82.401 Construction Fiscal Security

(a) Requirement of Security

(1) Except as provided by subsection (g), approval of a construction plan for a commercial development or development of a subdivision is contingent upon the filing of ~~Requirement of Security. In order to assure that a Subdivision's streets and drainage structures are constructed in a timely manner and in accordance with the County's Standards, the Owner of the Subdivision shall file~~ construction security (the "Security"), payable to the County Judge, in the amount equal to, but not exceeding 100% of the cost of such construction, as approved by the County. Within the ETJ of the City of Austin, fiscal security as required by Travis County and the City of Austin by the Single Office of Review, in aggregate, shall be posted with the City of Austin.

(2) The requirement of security is necessary to ensure that:

(A) Streets and drainage structures for the subdivision are constructed in a timely manner and in accordance with the County's Standards; and

(B) Temporary erosion and sediment controls and permanent site stabilization for a commercial development or the development of a subdivision in accordance with the approved plan, permit, and standards required by Subchapters I and K.

(3) Construction Secured. The following plat note will be inserted on all plats to be approved by the County:

The Owner(s) of the Subdivision shall construct the Subdivision's street and drainage improvements (the "Improvements") to County Standards in order for the County to accept the public Improvements for maintenance or to release fiscal security posted to secure private Improvements. To secure this obligation, the Owner(s) must post fiscal security with the County in the amount of the estimated cost of the Improvements. The Owner(s)' obligation to construct the Improvements to County Standards and to post the fiscal security to secure such construction is a continuing obligation binding on the Owner(s) and their successors and assigns until the public Improvements have been accepted for maintenance by the County or the private Improvements have been constructed and are performing to County Standards.

(~~4~~3) Computing Security Amount.

(A) An estimate of the costs of the road, drainage, and sidewalk construction shall be signed and sealed by a Texas Registered Professional Engineer and delivered to TNR for its approval. The estimate will be based on construction plans, which are acceptable to TNR, and current costs for such work, which have been developed by the County from City, County, and State bid results and from information provided by local suppliers. Preliminary construction plans may be submitted to TNR, if they are sufficiently detailed to establish a reliable basis for the preparation of the construction cost estimate. Quantities will be as shown on the Subdivision's construction plans or developed from the plans, if required. Estimates will be on forms developed by the County. Costs of large or unusual structures, such as bridges, will be based on current costs for similar structures in the area. However, 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.

(B) The amount of the security shall not be less than 100 percent of the cost estimated by the Texas-registered professional engineer who seals the approved plan. The estimate provided must determine the cost for Travis County to complete all temporary erosion and sediment controls, and permanent stabilization work at the site.

(~~5~~4) Form of Security. The forms of acceptable Security, including a Bond, Letter of Credit, and Cash Security Agreement are included in the Appendix. The Commissioners Court must approve substantive modifications to the form of security. Any form of Security selected will include an escalation clause that may require an increase in the amount of Security over time. Fiscal security for the construction of sidewalks shall be posted as provided in Section 82.202(g)(3). If

~~posed~~ posted separately from fiscal security ~~of~~for other subdivision infrastructure, sidewalk fiscal security shall be in a form ~~which~~that tracks the forms of security set forth in the Appendix ~~with the exception~~ except that the ~~terms~~term "Sidewalks" will be substituted for the term "Improvements" in the forms and, for sidewalks for which the homebuilder or other person undertaking site development is responsible, the reference to acceptance by the Commissioners Court at the end of the one-year construction performance period ~~is~~will be deleted from the forms.

(6~~5~~) Substitution of Security. In the case of impending call down of the Security, the~~The~~ County Judge may accept an offer of substitute security in the then current amount of Security under an approved form without the necessity of Commissioners Court action. In cases where the Security is not about to expire, the County Executive may accept an offer of substitute security. The amount of Security shall be increased to account for any estimated increase in cost due to a change in the construction cost index for the items considered in the original computation of Security.

(6~~7~~) When Security Required. ~~Security must be filed with the County prior to~~

(A) Security must be filed with the County prior to

(i) approval of a subdivision plat for recording; or

(ii) the commencement of the construction and site disturbance of any kind~~of the Improvements~~, if no Security is in place at that time.

(B) For construction projects required to provide fiscal security for erosion and sediment controls under this chapter, it shall be provided prior to the final approval of the development permit.

(C) If the Security for a recorded Subdivision expires before construction of the Improvements has been completed, it shall be reposted by the party responsible for the construction of such Improvements before construction begins or continues.

(8~~7~~) Period of Security. The Security instruments shall have a principal period of three years or more. Bonds with no expiration date are acceptable. Letters of Credit may include the following statement:

It is a condition of this letter of credit that it shall be automatically extended without amendment, for additional one-year periods from the present or any future expiration date, unless the bank notifies Travis County in writing by registered mail or overnight courier, at least 60 days prior to the then

current expiration date, that the bank elect not to extend this letter of credit for an additional one-year period.

(9~~8~~) Construction Performance Period for Public Improvements. The Owner is responsible for the construction of the public Improvements during the Construction Performance Period, which begins upon the acceptance of the construction of the public Improvements by the County and ends a minimum of one year later, when, if the Improvements are performing to County Standards, the County releases the ~~Construction Performance Period Security~~construction performance period security. If the public Improvements are not then performing to County Standards, the County will notify the owner in writing of the repairs which must be performed in order to bring the Improvements back to acceptable County Standards.

(10) Construction Performance Period for Temporary Erosion and Sediment Controls and Permanent Stabilization.

(A) The security for temporary erosion and sediment controls and permanent stabilization will be released after the final inspection/concurrence letter from the applicant's engineer has been received, as specified in Section 82.953 and after approval of a BMP Maintenance Permit in accordance with Section 82.917, unless the County Executive has waived the requirement for the BMP Maintenance Permit.

(B) The security for temporary erosion and sediment controls and permanent stabilization for a commercial development or residential subdivision development in the Highland Lakes Watershed Ordinance area will, be released after the final inspection/concurrence letter from the engineer has been received by the County Executive and after approval of a BMP Maintenance Permit by Travis County or LCRA.

(11) The requirements of this section apply to a commercial development of a mine or quarry, to ensure construction of temporary erosion and sediment controls, permanent site stabilization, including complete implementation of a mine or quarry reclamation plan as specified in Section 82.945. Additional security requirements for a mine or quarry are specified in Section 82.945.

(b) Collection of Security.

(1) Condition and Period of Construction Security. The Construction Security will be conditioned that the Owner ~~of the Subdivision~~ shall promptly begin construction of the Improvements, including construction of temporary erosion and sediment controls, after approval of the plat and shall diligently prosecute and complete such construction in accordance with the County Standards and specifications. The Construction Security will remain in full force and in effect until all of the ~~Subdivision~~ Improvements and permanent site stabilization have

been completed to the satisfaction of the County and public Improvements have been accepted and are performing to County Standards at the end of the Construction Performance Period.

(2) Collection on Security. In the event any or all of the Improvements, including temporary erosion and sediment controls and permanent site stabilization fail to meet the County Standards and the Owner fails or refuses to correct the defects or damage called to his attention in writing by the County, the County may collect the Security to complete the Improvements. The County Judge is authorized to execute notices of intent to collect on posted Security without the necessity of Commissioners Court action, but the Court must authorize the collection of the Security.

(3) Conditions to Draw on Security. The County may draw upon any Security posted ~~under~~ in accordance with this ~~Agreement~~Chapter upon the occurrence of one or more of the following events:

(A) The failure of the Owner or Operator~~Subdivider~~ to construct or complete the Improvements to the applicable County Standards;

(B) The Owner or Operator's~~Subdivider's~~ failure to renew or replace the Security at least forty-five (45) days prior to its expiration;

(C) The acquisition of the Property or a portion of the Property by the issuer of the Security or other creditor through foreclosure or an assignment or conveyance in lieu of foreclosure;

(D) The arrangement by the Commissioners Court for the completion of one or more of the Improvements, including completion of temporary erosion and sediment controls, or permanent site stabilization; or

(E) The determination by the Commissioners Court that the completion of one or more of the public Improvements, including completion of temporary erosion and sediment controls, or permanent site stabilization is in the public Interest.

(4) Collection Is Not Acceptance. The collection on Security and the prosecution of construction to complete the Improvements, including to complete temporary erosion and sediment controls, or permanent site stabilization, to the extent possible with the resulting funds is not acceptance of the Improvements for maintenance. The County is not a Subdivision developer and, if it undertakes the performance of such construction through a third party contractor, the County is acting as a third party trustee on behalf of the public.

(5) Repeat Recovery. The recovery on Security will not be limited or exhausted by one or more recoveries less than the total amount of Security.

(c) Reductions of Security

(1) Partial Reduction of Construction Security for Public Improvements. Where estimated costs for construction exceed $50,000, partial reductions of construction Security may be allowed, but cannot exceed ninety percent (90%) of the Security posted for public Improvements or 100% of the Security posted for private Improvements. Partial reductions will be signed by the County Executive ~~Manager~~, when provided with:

(A) through (C) No Change.

(2) A partial reduction of construction security for temporary erosion and sediment controls or permanent site stabilization is not allowable, unless a section or phase of a subdivision that has been completed in its entirety, as specified in paragraph (4) of this subsection.

(3) Full Release. The County Executive ~~Manager~~ will notify the Commissioners Court of the satisfactory construction of the public and private Improvements. The Commissioners Court may then authorize accepting public Improvements for maintenance. Upon acceptance of the public Improvements and the satisfactory completion of the Construction Performance Period, the County Executive ~~Manager~~ will fully release the Security for public Improvements, except for sidewalks not yet constructed. Upon approval of the private Improvements, the County Executive ~~Manager~~ will fully release the Security for the private Improvements.

(4~~3~~) Partial Acceptance. Sections or Phases of subdivisions must be completed in their entirety, excluding sidewalks. No allowances will be made for accepting partially completed sections or phases without the approval of a variance from the Commissioners' Court.

(5~~4~~) Sidewalk Fiscal. Fiscal for sidewalks shall be released as the sidewalks are constructed and a favorable inspection by a Registered Accessibility Specialist is provided to TNR or substitute fiscal is provided on one or more lots by the then owner of the lot.

(6~~5~~) Sidewalk Fiscal. Fiscal for sidewalks for which the homebuilder or other person undertaking site development is responsible shall be released as the sidewalks are determined to be constructed in compliance with all requirements of this chapter.

(d) If the plat is to be approved and filed, the Owner must post Security in the amount of ten percent (10%) of the cost of the completed Improvements and 100% of the cost of the incomplete Improvements to secure the performance of the construction

of the Improvements for a minimum of one year from the date of the approval of the plat and acceptance of the dedication by the County.

(e) Alternative Fiscal. Notwithstanding Sections (a)-(~~c~~d) above, the Owner of the land to be subdivided may request the Commissioners Court in writing in the form included in the Appendix for its approval to have the County hold a plat in abeyance until all of the Improvements have been completed to the satisfaction of the County. The Owner shall file Security with the submitted Final Plat to secure restoration of disturbed areas should construction not be completed. The amount of Security to be posted for restoration for developments located within a municipality's ETJ shall be based upon the requirements of the applicable municipality or the County's Standards, whichever are more stringent. However, in no case shall the amount posted be less than the amount required for the County to perform or to contract for the performance of the work, if necessary. The Owner may also be required to post Security for boundary street Improvements, if the Improvements are not to be completed during the construction of the subdivision streets and drainage system. Upon satisfactory completion of the Improvements, the submitted plat shall be forwarded to the Commissioners Court for approval.

(f) If an operator succeeds another at a site, the County Executive may release the first operator after the successor operator files an application for the change, obtains a permit, posts the required security, and assumes, in writing, all outstanding stabilization or reclamation liability and requirements at the site transferred to the successor operator. All areas disturbed by the first operator that have not been transferred to the successor operator shall remain the liability of the first operator.

(g) Multiple Jurisdictions. If more than one regulatory authority has jurisdiction over a development, an owner is not required to comply with this section if the owner provides sufficient evidence and information to the County Executive that the necessary fiscal security has been posted with another regulatory authority with jurisdiction.

82.402. Road Assessments.

Chapter 253 of the Texas Transportation Code authorizes the County to improve a road in a subdivision or an access road to a subdivision, and then assess all or part of the costs of the improvement pro rata against the record owners of the subdivision. There are the following prerequisites for such road assessments:

(1) The Commissioners Court must determine that the improvement is necessary for the public health, safety, or welfare of the residents of the County, including a determination that an unacceptable condition of adverse impact to surface water quality exists.

(2) through (6) No Change.

(7) If the proposition fails, the commissioners court may not order the improvement and assessment. The commissioners court may not again propose the improvement and assessment before the fourth anniversary of the date the county clerk declares the results of the vote to the commissioners court.

82.601. Inspection: General Obligations and Responsibilities.

(a) through (b) No Change.

(c) Performance Period. If during the one-year Performance Period, beginning on the date the public Improvements are accepted by the County and ending one (1) year thereafter, the public Improvements including permanent site stabilization are damaged, exhibit failures, re-vegetation is not fully complete, or have required excessive maintenance due to damage or defects in materials or workmanship, including utility backfills or design inadequacies or, if, with respect to permanent site stabilization, re-vegetation is not fully complete, the Owner shall take corrective actions, which are acceptable to the County. Prior to release of the Performance Bond, the public Improvements and site stabilization shall be in a condition substantially equal to that at the beginning of the Performance Period.

(d) through (h) No Change.

(i) Corrective Action for~~General~~ Environmental Protection.

(1) Temporary erosion and sediment controls~~control~~ shall be constructed and maintained and permanent site stabilization shall be completed in an acceptable manner in accordance with the approved construction plan and SWP3, as required by Sections 82.933 – 82.940 of this chapter~~as outlined in the City of Austin's Environmental Criteria Manual~~.

(2) If the erosion and sediment controls or permanent site stabilization is~~are~~ found to be inadequate, the owner or authorized representative of the owner ~~contractor~~ shall be notified to take corrective measures. If the contractor or primary operator fails to correct the deficiencies, the County may require the contractor to stop construction until the deficiencies are corrected in accordance with the approved plans.

82.602. Inspection: Protection of Persons and Property.

(a) and (b) No Change.

(c) Protection of Adjoining Property. The Owner shall be responsible for and shall require~~his/her contractors~~ each contractor or primary operator to take proper means to protect the adjacent or adjoining property, ~~or~~ any private properties, and residents on those properties from any~~. The scope of this requirement includes the prevention of~~ in

~~any way encountered, which might be injured~~ injury, damage, or serious effects related in any reasonable way to~~seriously affected by~~ any process of construction to be undertaken by the owner or authorized representative of the owner. ~~in the work from any damage or injury by reason of said process of construction and the~~ The Owner shall be liable for any and all claims for such damage on account of the failure to fully protect all adjoining, adjacent, and private property and all residents on those properties.

(d) No Change.

(e) Location and Protection of Utilities.

(1) The Owner and his/her contractors are solely responsible for the location and protection of any and all public utility lines and utility customer service lines in the work area. The contractor shall exercise due care to locate and to mark, uncover, or otherwise protect all utility lines in the work area. Upon request, the utility owners will provide such information they have as to the location and grade of water, wastewater, gas, storm sewer, and telephone and electric lines and other utilities in the work area; but such information shall not relieve the Owner or his/her contractor's obligation thereunder, which shall be primary and nondelegatable. Any utility lines damaged by the contractor's operations shall be immediately repaired by the contractor on approval of the utility or the Owner shall cause such damage to be repaired at his/her expense.

(2) Prior to the release of construction fiscal security as described in Section 82.401, the owner shall provide the County Executive with accurate record drawings, in accordance with the standards described in Section 82.604(h).

(f) No Change.

82.603. Inspection (Responsibility of Owner and County).

(a) through (c) No Change.

(d) No Change.

(1) through (5) No Change.

(6) County Inspectors (TNR);

(e) Inspector Notifications. It is anticipated that through the Preconstruction Conference and the cooperation of the Owner, Contractor, Superintendent, Primary Operator, and Inspector, only a forty-eight (48) hour advance notice of intent to begin the work will be required. However, other circumstances may require additional advance notification. The Inspector shall be given the opportunity to ~~choice of inspecting and testing~~inspect and test before, during, ~~or~~and after the operation of various stages of construction.

(1) When a major item, such as excavating, placing of storm sewer pipe, processing of base, placing of curb and gutter, placing structures, laying asphaltic concrete, placing bedding material over storm water underdrains in a water quality control structure, or constructing drains, is under way, the Inspector will follow up at intervals. If the work is stopped for any reason (e.g., rain, strike, lack of materials, equipment breakdown, etc.) for seven (7) calendar days or more, the Inspector shall be notified twenty-four (24) hours in advance of work startup. Usual construction sequence is shown in Exhibit 82.301 E in the Appendix and is generally as follows:

(A) Placement of storm water erosion and sediment controls.
(B) Excavation.
(C~~B~~) Subgrade preparation.
(D~~C~~) Installation of underground pipe, conduit, and structures.
(E~~D~~) Processing first left of base.
(F~~E~~) Placing curb and gutter.
(G~~F~~) Processing final left of base.
(H~~G~~) Laying asphaltic concrete.

(2) through (6) No Change.

(f) through (m) No Change.

82.604 Inspection: Approval of Construction: and Performance Period Guarantee.

(a) No Change.

(b) Within four (4) working days after the Owner or the Owner's consulting engineer or contractor has given the Inspector written notice that the work has been substantially completed, the Inspector will review the work and a report will be prepared for the Owner with copies for the Owner' s consulting engineer and the contractor. This report will include: (1) any remaining items discovered which do not comply with the Construction Documents; (2) requirements of the County previously required and not completed; and (3) any other items required for the issuance of the Approval of Construction Letter. The Inspector's report shall not excuse the Owner from requiring his/her contractors to perform all the work required by the Construction Documents regardless of the time of discovery.

(c) A construction approval meeting will be convened on the site of the work and at a time agreed to by the Inspectors~~TNR~~ and the Owner. The Owner will also invite contractors as appropriate and the Owner's consulting engineer. An Approval of Construction Letter will be issued by the County~~. The Letter will be issued~~ at the onsite meeting if all items listed below in this section are in order. If there are exceptions, an

approval letter will not be issued and a letter of exception will be issued for the~~with reasons of~~ exceptions. An Approval Letter will then be issued when the exceptions are cleared. The Approval of Construction Letter will not be issued until~~contingent upon~~ the following documents ~~being supplied~~ are submitted to the County:

(1) through (5) No Change.

After the Approval of Construction Letter has been issued, the public streets and drainage will be accepted by the Commissioners Court and the construction will be monitored by the County for the one year maintenance period. If damages, failures, or defects appear, or if unsatisfactory stabilization or unsatisfactory re-vegetation occurs, the Owner will be notified to make corrections.

(d) through (f) No Changes.

(g) In addition to the requirements of this section, at the time of substantial completion, the owner or the owner's consulting engineer must also comply with the requirements of Section 82.951(b)(10) relating to final inspection of the site stabilization in accordance with the SWP3.

(h) Standards for Geo-Referencing of Structures.

(1) The owner's consulting engineer shall provide the County Executive with reproducible plans or "record drawings" of the permanent drainage system constructed for a project, as part of the final inspection and completion approval process. These record drawings shall be in general conformance with paragraph (c)(3) of this section, along with the additional requirements of paragraphs (2) – (5) of this subsection to provide information for the Travis County MS4 Map.

(2) The record drawings shall be of the "as-built" condition observed at the final inspection of the project.

(3) The record drawing sheets shall include the plan cover sheet, the drainage layout sheet, the drainage plan and profile sheets, and the detention and permanent water quality control plans and detail sheets, as applicable to the individual project.

(4) The record drawing sheets shall include, as a minimum:

(A) the location of each drainage structure, including: culverts, bridges, inlets, manholes, open channels, outfalls, storm sewer pipe outlets, headwalls, and ponds; and

(B) the location of the storm sewer piping extending underground between the inlet, outlet, and manhole structures.

(5) The record drawings shall consist of one printed copy and one digitally reproducible copy, with digital data in a format approved by the County Executive, for ease of incorporation or conversion into a Geographic Information Systems (GIS) format.

82.901. Permits.

(a) The County requires permits for the construction of all driveways accessing public roads, utility installation and servicing within public rights-of-way, and Basic Development Permit for all construction outside incorporated areas for residential and commercial development and soils disposal sites. The Basic Development Permit shall incorporate the construction and water quality protection Standards ~~outlined in~~ required by this chapter~~document~~ as well as the requirements of ~~*Travis County Regulations for Flood Plain Management*~~ Chapter 64 of the Travis County Code (Regulations for Floodplain Management and Guidelines and Procedures for Development Permits). All incomplete permit applications will expire one year after the submittal date. A 180-day extension may be granted by the Executive Manager upon request before the one-year time limit has passed. Applicants attempting to complete an expired permit application must apply for a new permit. A renewal of a permit may be allowed by the County Executive ~~Manager~~, if it is determined that no significant changes have been made to the construction plans and specifications.

(1) Driveway Permit Submittal Requirements.

(A) No Change.

(B) To scale drawing~~Drawing~~ describing the type, layout, and location of driveway, including documentation either acknowledging use of approved standard details and in accordance with the requirements of 82.931(g) of this chapter for driveways, or alternative details reviewed during the permitting process.

(C) No Change.

(2) Utility Installation Permit.

(A) through (B) No Change.

(C) All work shall be in compliance with the construction and water quality protection Standards ~~outlined in~~ required by this chapter~~document~~ as well as the requirements of Chapter 64 of the Travis County Code (Regulations for Floodplain Management and Guidelines and Procedures for Development Permits), as applicable to the project~~Travis County Regulations for Flood Plain Management~~.

(D) through (I) No Change.

Chapter 64. Regulations for Floodplain Management and Guidelines and Procedures for Development Permits

SUBCHAPTER A.

64.001. Findings and General Authority.

(a) No Change.

(b)

(1) through (2) No Change.

(3) Pursuant to the authority granted to it by the Texas Legislature in Texas Local Government Code, Chapter 573, the Travis County Commissioners Court is authorized to take any necessary or proper action to comply with the requirements of the storm water permitting program under the national pollutant discharge elimination system (Section 402, Federal Water Pollution Control Act (33 U.S.C. Section 1342)).

64.045. Dedication of Easements and Rights-of-Way.

(a) through (d) No Change.

(e) Upon completion of construction of the development in accordance with the permit, the owner shall provide reproducible plans or record drawings to the County Executive that meet the requirements of Section 82.604(h) of the Code, relating to geo-referencing of structures completed.

64.062 Development Permit Application.

(a)

(1) through (20) No Change.

(21) The information required by Section 82.931 of the Code for environmental review, as specified for the permit application type.

(b) through (g) No Change.

64.066. Approval or Denial of Development Permit.

(a) through (j) No Change.

(k) The failure of the application to include any of the applicable information required by Section 82.931 of the Code.

64.071. Revocation of Permits.

(a) and (b) No Change.

(c) Grounds for suspension or revocation of a permit include, but are not limited to:

(1) Refusal~~refusal~~ to make corrections as may be required by the Floodplain Administrator;~~,~~

(2) Refusal to make corrections as may be required for compliance with the requirements of Chapter 82, Subchapters H - K of the Code (relating to Water Quality Protection Standards);

(3) Allowing~~allowing~~ work to be covered so an inspection cannot be made;~~,~~ or

(4) Denial ~~denial~~ of access for inspections to the Floodplain Administrator or other agents of the County Executive~~his agent~~.

64.183. Utilities and Individual Septic Tank Systems.

(a) Except as provided in Subsection ~~(b)~~(c), a basic development permit or special flood hazard area development permit must be obtained prior to the installation, repair, or removal of all utilities, including as water and wastewater lines, on-site waste disposal systems, gas lines, telephone and electric lines and related facilities.

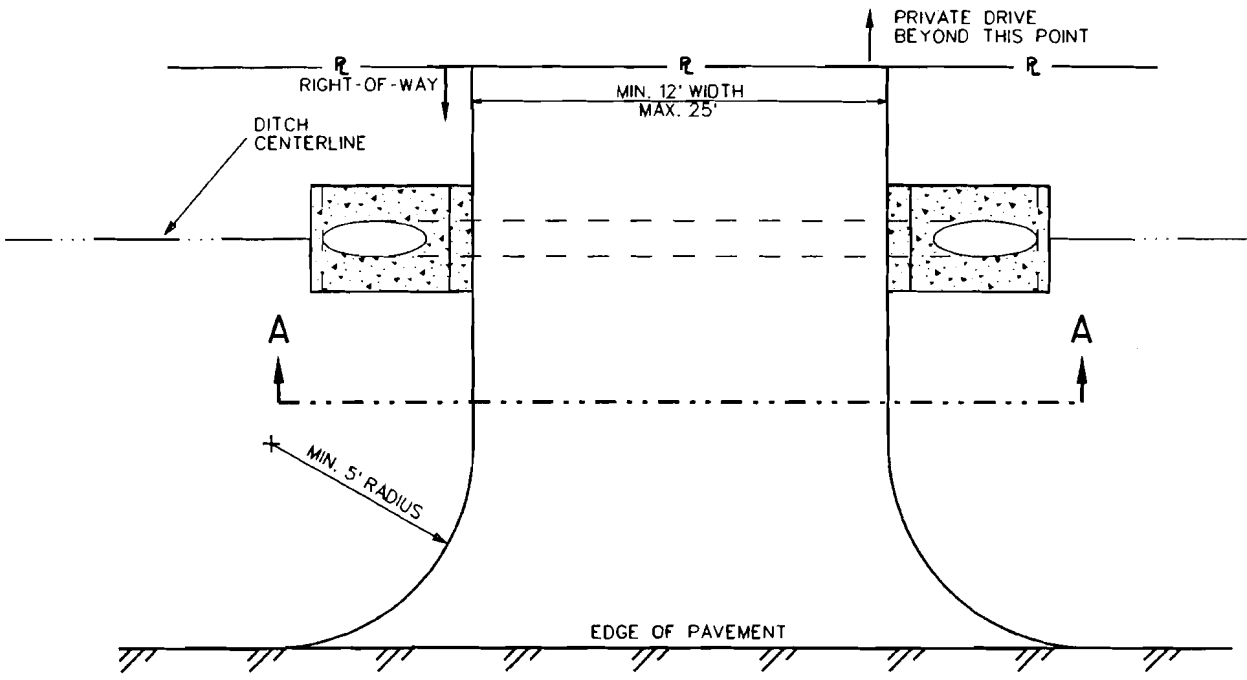
(b) In addition to the requirements of this Chapter, an application submitted for the basic development permit shall include all of the applicable information required by Section 82.931 of the Code.

(c) A permit does not have to be obtained prior to performing emergency repairs to a utility, but written notice must be provided to the Floodplain Administrator on the next County business day as to the location of the repair, the nature of the repair, the name of the person conducting the repairs, the name and address of the property owner, and the name and address of the person who requested the repairs. For the purpose of this subsection, an emergency repair is a repair that is necessary to mitigate or prevent an immediate threat to the health and safety of the public.

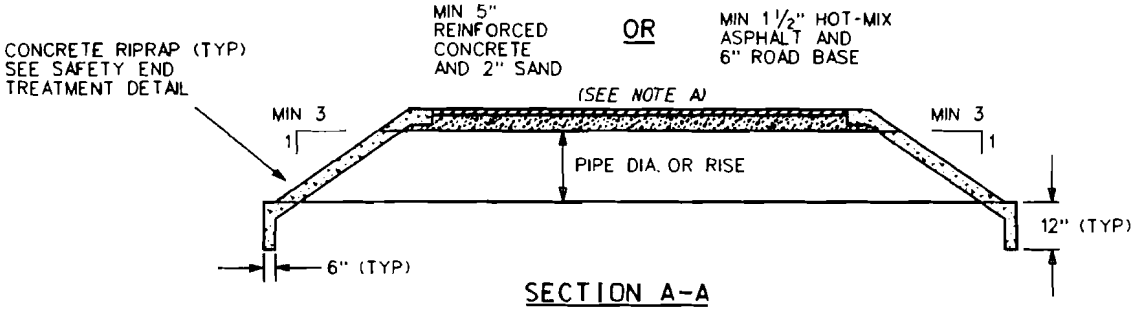
(d~~c~~) No sewage treatment plant, septic tank system, or other on-site sewage disposal system shall be operated when there are floodwaters over any portion of the on-site sewage disposal system.

Updated 12/1/11, 3:15 p.m.

EXHIBIT 5

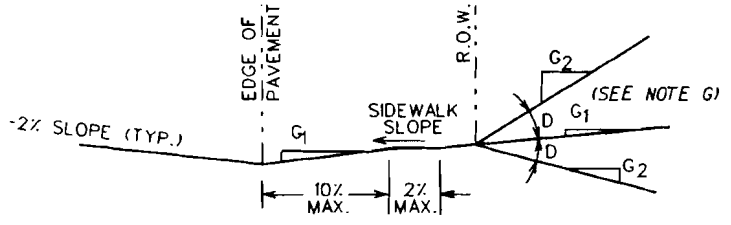


PLAN VIEW



SECTION A-A

DRAWINGS
NOT TO SCALE



ALLOWABLE GRADES

NOTES:

A) MATERIAL DEPTHS SHOWN ABOVE ARE MININUMS. TOTAL COVER OVER PIPE IS RECOMMENDED TO BE 12" OR MORE.

B) PIPE MAY BE CORRUGATED METAL OR CONCRETE ONLY. PIPE MAY BE ROUND OR ARCH SHAPE.

C) MINIMUM REINFORCEMENT IN CONCRETE DRIVE SHALL BE #3 @ 18" O.C.E.W. OR 6X6XW1.5XW1.5 WELDED WIRE MESH

D) INSTALL CULVERT PIPE TO MATCH FLOWLINE OF DITCH.

E) ENGINEERED DRAWINGS MUST BE SUBMITTED FOR COMMERCIAL DRIVEWAYS.

F) SPECIAL CONDITIONS MAY APPLY TO ARCH PIPES LARGER THAN DES 3 AND ROUND PIPES LARGER THAN 30".

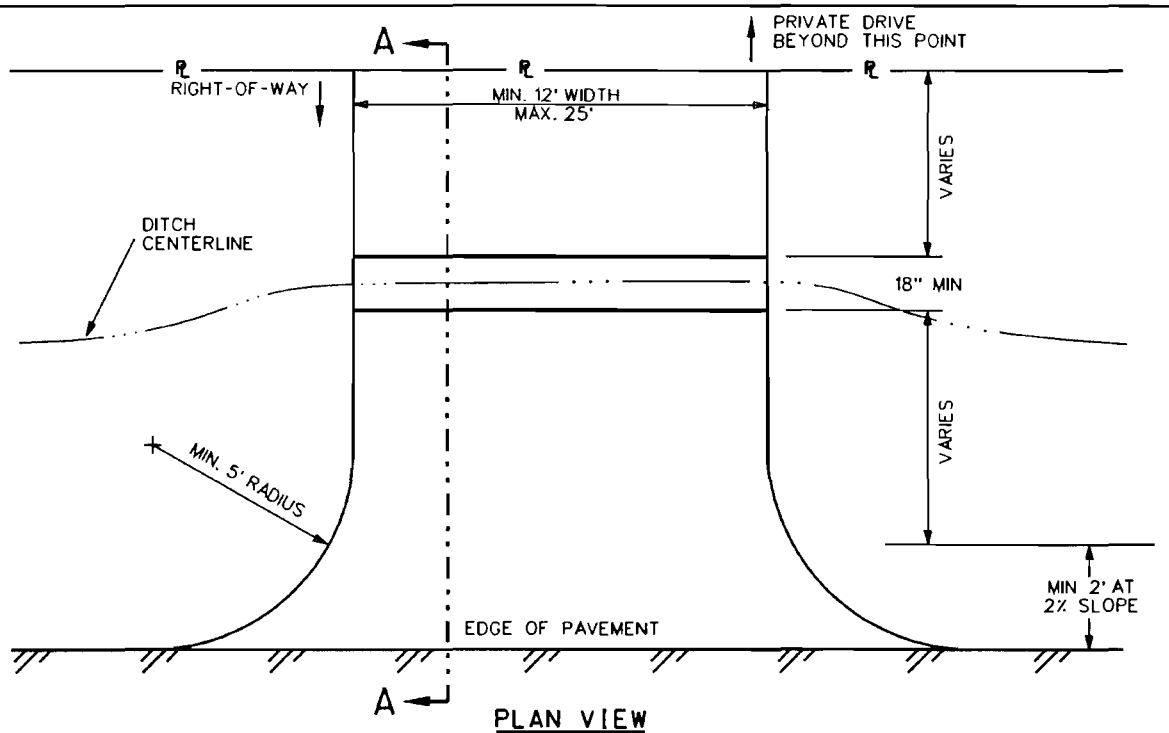
G) WHILE THE PROPERTY OWNER REMAINS RESPONSIBLE FOR GRADE BREAKS WITHIN PRIVATE PROPERTY, THE FIRE DEPARTMENT SHOULD BE CONSULTED WHERE THE DRIVEWAY IS ESSENTIAL TO EMERGENCY VEHICLE ACCESS AND "G2" IS GREATER THAN 15%. "G1" PLUS "D" SHOULD NOT EXCEED 15%.

FILE: Q:\Project\Environmental\Driveway_Stds\culvert_style_2011.dgn
DATE: 09-Mar-11

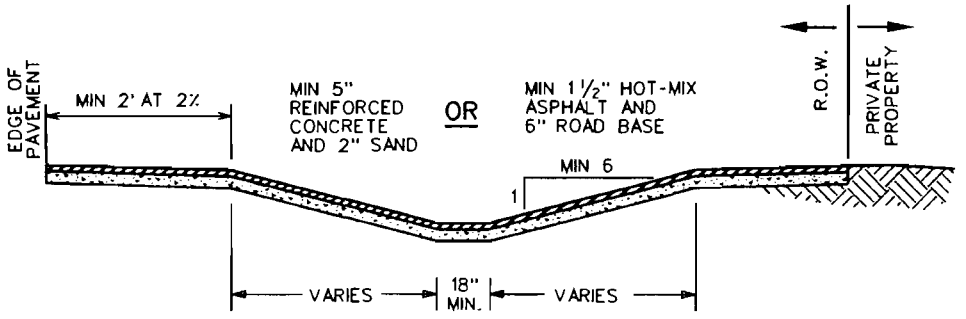
TRAVIS COUNTY, TEXAS

TRANSPORTATION and NATURAL RESOURCES DEPARTMENT

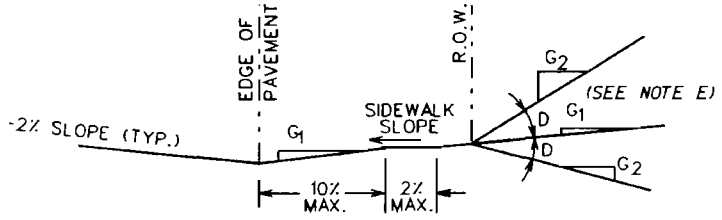
RESIDENTIAL DRIVEWAY
WITH CULVERT PIPE



PLAN VIEW



SECTION A-A



ALLOWABLE GRADES

DRAWINGS
NOT TO SCALE

NOTES:

A) DIP CENTERLINE TO BE ALIGNED WITH DITCH CENTERLINE.

B) TOP OF DIP SECTION TO MATCH DITCH FLOWLINE ELEVATION.

C) MINIMUM REINFORCEMENT IN CONCRETE DRIVE SHALL BE #3 @ 18" O.C.E.W. OR 6X6XW1.5XW1.5 WELDED WIRE MESH

D) ENGINEERED DRAWINGS MUST BE SUBMITTED FOR COMMERCIAL DRIVEWAYS.

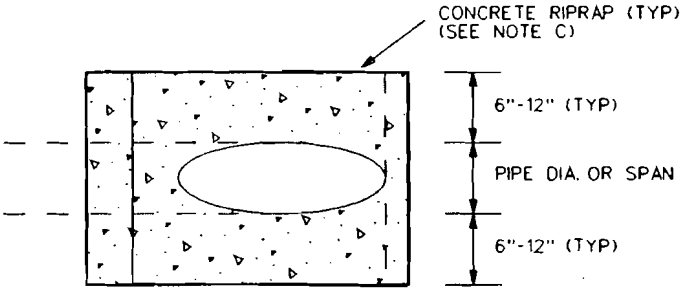
E) WHILE THE PROPERTY OWNER REMAINS RESPONSIBLE FOR GRADE BREAKS WITHIN PRIVATE PROPERTY, THE FIRE DEPARTMENT SHOULD BE CONSULTED WHERE THE DRIVEWAY IS ESSENTIAL TO EMERGENCY VEHICLE ACCESS AND "G2" IS GREATER THAN 15%. "G1" PLUS "D" SHOULD NOT EXCEED 15%.

FILE: Q:\Project\Environmental\Driveway_Stds\dip_style_2011.dgn
DATE: 09-Mar-11

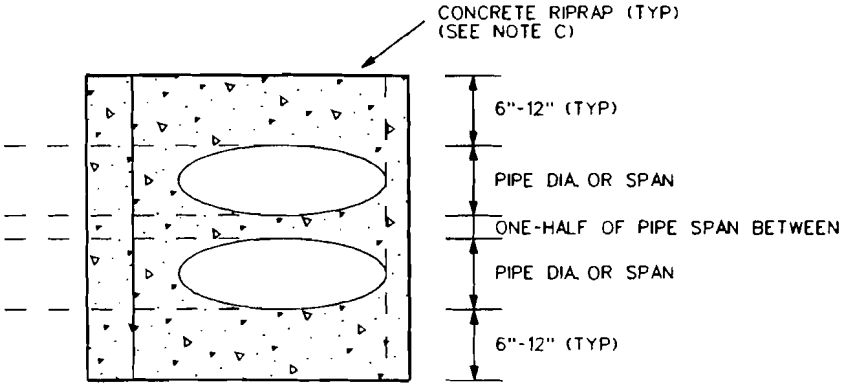
TRAVIS COUNTY, TEXAS

TRANSPORTATION and NATURAL RESOURCES DEPARTMENT

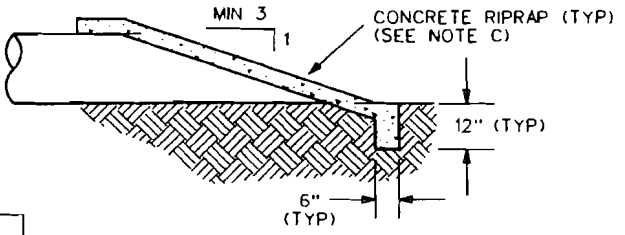
RESIDENTIAL DRIVEWAY
DIP-STYLE



PLAN VIEW -- SINGLE PIPE



PLAN VIEW -- MULTIPLE PIPES



SECTION

DRAWINGS
NOT TO SCALE

FILE: Q:\Project\Environmental\Driveway_Stds\safety_end_2011.dgn
DATE: 09-Mar-11

NOTES:

A) PIPE SIZE AND NUMBER TO BE DESIGNATED BY PERMITTING DEPARTMENT.

B) PIPE MAY BE CORRUGATED METAL OR CONCRETE ONLY. PIPE MAY BE ROUND OR ARCH SHAPE.

C) CONCRETE RIPRAP SHALL BE A NOMINAL 4" THICK REINFORCED WITH MIN 6X6XW1.5XW1.5 WELDED WIRE MESH

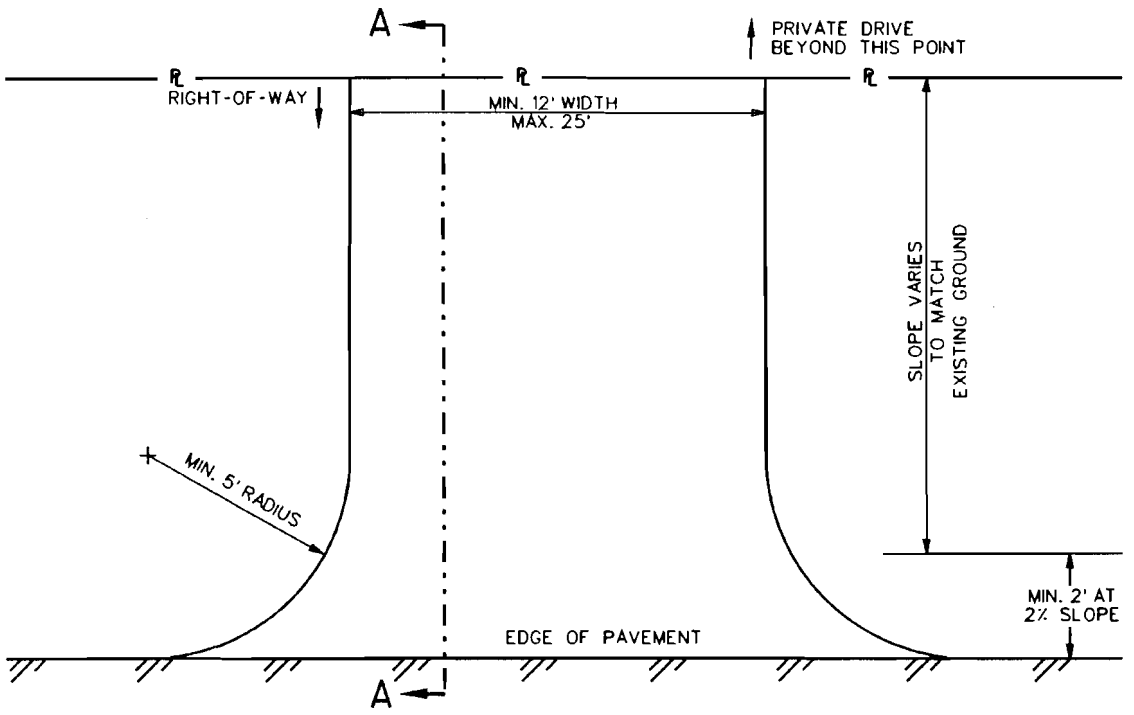
D) SPECIAL CONDITIONS MAY APPLY TO ARCH PIPES LARGER THAN DES 3 AND ROUND PIPES LARGER THAN 30".

E) ENGINEERED DRAWINGS MUST BE SUBMITTED FOR COMMERCIAL DRIVEWAYS

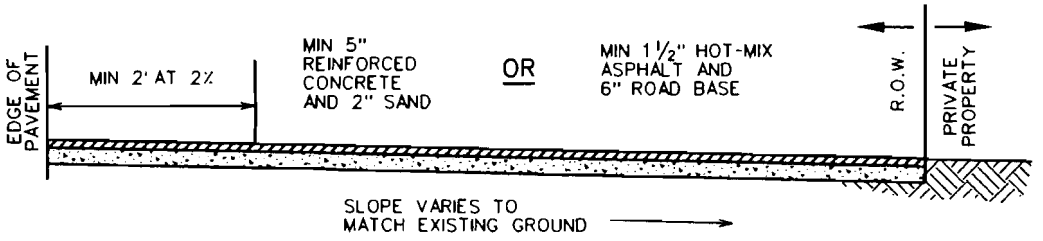
TRAVIS COUNTY, TEXAS

TRANSPORTATION and NATURAL RESOURCES DEPARTMENT

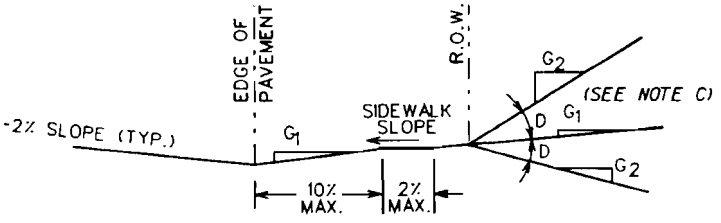
SAFETY END TREATMENT
FOR RESIDENTIAL
DRIVEWAY CULVERT



PLAN VIEW



SECTION A-A



ALLOWABLE GRADES

DRAWINGS
NOT TO SCALE

FILE: Q:\Project\Environmental\Driveway_Stds\straight_tie_in_2011.dgn
DATE: 09-Mar-11

NOTES:

A) MINIMUM REINFORCEMENT IN CONCRETE DRIVE SHALL BE #3 @ 18" O.C.E.W. OR 6X6XW1.5XW1.5 WELDED WIRE MESH

B) ENGINEERED DRAWINGS MUST BE SUBMITTED FOR COMMERCIAL DRIVEWAYS.

C) WHILE THE PROPERTY OWNER REMAINS RESPONSIBLE FOR GRADE BREAKS WITHIN PRIVATE PROPERTY, THE FIRE DEPARTMENT SHOULD BE CONSULTED WHERE THE DRIVEWAY IS ESSENTIAL TO EMERGENCY VEHICLE ACCESS AND "G2" IS GREATER THAN 15%. "G1" PLUS "D" SHOULD NOT EXCEED 15%.

TRAVIS COUNTY, TEXAS

TRANSPORTATION and NATURAL RESOURCES DEPARTMENT

RESIDENTIAL DRIVEWAY
STRAIGHT TIE-IN

TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

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

April 9, 2010

MEMORANDUM TO: Brunilda Cruz, TNR Financial Services

FROM: Steve Manilla, TNR Public Works Division

Subject: Explanation of Pecan Street Change Order to Repair Curb and Pavement Settlement

The roadway improvements for our Pecan Street CIP project were completed and accepted by TNR in August 2009. The construction contract is in its one year warranty period. In February 2010 TNR was informed by the project's design engineer, Halff Associates, that they observed very noticeable settlement of the outside lane of a 475' section of new roadway. TNR contacted the construction contractor RGM to alert them to a possible warranty issue. RGM examined the settlement at the site and concluded that it was significant enough to barricade the area, which they did. However, RGM refuted that this was a warranty issue and stated that this was a design issue.

A similar incident, albeit at a much smaller scale, occurred while the project was under construction. At that time TNR believed the problem could be attributed to either a construction workmanship issue or a design error or omission. TNR invited Halff to investigate the problem and they concluded that it was not a design issue. Rather than delay the project RGM made repairs at no cost to us but did so in the spirit of cooperation, not as an admission of fault.

TNR believes the current problem is attributable to a combination of construction workmanship and design but it is more likely a design issue. The severe drought last year followed by recent wet weather conditions may also have played a part. We are not sure how much is attributable to each but RGM agreed to make the repair at a reduced rate for this type of work. Attached is a breakdown of their costs. TNR staff believes that if we had to hire another contractor to do the work we would have to pay at least 50% more than what RGM is charging. We recommend approval of the Change Order in the amount of $49,705.13. Although TNR approved Halff's design for the project we are discussing with them our concern that this problem is partially attributable to a design issue. These discussions may lead to an agreement that will allow us to recover our costs and establish a protocol for responding to future problems if they arise.

Attachment

CC: Steve Sun, P.E., CIP Division Manager
Roger Schuck, P.E., Project Manager

Updated 12/1/11, 3:15 p.m.

RGM CONSTRUCTORS, L.P.

15603 NORTH IH 35
PFLUGERVILLE, TEXAS 78660
512-990-8313.....512-990-3785

PROPOSAL

9-Mar-10

To: TRAVIS COUNTY

Attention: ROGER SHUCK

Scope: **REPAIR ASPHALT OPTION 1**

		Quantity		Unit		Total
1	Remove curb	475	LF	$ 3.00	$	1,425.00
2	Asphalt removal	667	SY	$ 5.00	$	3,335.00
3	Excavation and Haul off 3ft	633	CY	$ 6.00	$	3,798.00
4	Subgrade Prep	667	SY	$ 2.00	$	1,334.00
5	Curb & Gutter w/ 3' Extra footing behind curb	475	LF	$ 10.00	$	4,750.00
6	2' Base 475 x 18 x 2'	633	CY	$ 21.00	$	13,293.00
7	Asphalt Paving 6"	667	SY	$ 30.39	$	20,270.13
8	Cement Stabilize Base	12	TNS	$125.00	$	1,500.00
	TRAVIS COUNTY TOTAL AMOUNT DUE				$	49,705.13

Travis County Commissioners Court Agenda Request
Travis County Housing Finance Corporation

Meeting Date: December 6, 2011

Prepared By/Phone Number: Andrea Shields, Manager/854-9116

Elected/Appointed Official/Dept. Head: Leroy Nellis, Acting County Executive, Planning and Budget

Commissioners Court Sponsor: Samuel T. Biscoe, President

AGENDA LANGUAGE: Consider and take appropriate action to authorize a Release of Lien for a first-time homebuyer that partially repaid a loan executed on June 22, 2006.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS: See attached backup.

STAFF RECOMMENDATIONS: Staff recommends approval.

ISSUES AND OPPORTUNITIES: None.

FISCAL IMPACT AND SOURCE OF FUNDING: None.

REQUIRED AUTHORIZATIONS: Andrea Shields, Manager/854-9116; Leroy Nellis, Acting County Executive, Planning and Budget/854-9066

TRAVIS COUNTY HOUSING FINANCE CORPORATION

DATE: December 6, 2011

TO: Board of Directors

FROM: Andrea Shields, Manager

SUBJECT: Release of Lien – Carol Gabler – 10513 Lake Park Drive, Dripping Springs, Texas

I am requesting approval to release the Corporation's lien on Carol Gabler's home. Ms. Gabler refinanced her home and is required by the Deed of Trust to repay a portion of the HOME loan if she has been in the home less than 10 years. The original amount of the loan was $1,600. Ms. Gabler is required to pay half of that amount. Texas American Title Company repaid the HOME loan on November 22, 2011 in the amount of $800 and requests that the Corporation execute the attached Release of Lien.

Staff recommends approval.

cc: Leroy Nellis, Acting County Executive, Planning and Budget
Cliff Blount, Esq.

RELEASE OF LIEN

DATE: November _____, 2011

NOTE

Date: June 20, 2006

Original principal amount: $1,600.00

Maker: Carol Gabler

Payee: Travis County Housing Finance Corporation

Date of Maturity: as provided in the Note

HOLDER OF NOTE AND LIEN: Travis County Housing Finance Corporation

HOLDER'S MAILING ADDRESS: _____

NOTE AND LIEN ARE DESCRIBED IN THE FOLLOWING DOCUMENTS, RECORDED IN:

Vendor's Lien retained in Deed dated June 20, 2006, recorded in Document No. 2006125875, Official Public Records of Travis County, Texas.

Deed of Trust dated June 20, 2006, recorded in Document No. 2006125878, Official Public Records of Travis County, Texas.

PROPERTY (including any improvements):

Lot 46, Block M, MOUNTAIN CREEK LAKES, SECTION 1, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 41, Page 29, Plat Records, Travis County, Texas.

Holder of the Note and Lien is the owner and holder of the Note and Lien described above.

Holder of the Note acknowledges its payment and releases the Property from the Lien and from all liens held by the Holder of the Note, without regard to how they were created or evidenced.

When the context requires, singular nouns and pronouns include the plural.

Travis County Housing Finance Corporation

By:_____

Name:_____

Title:_____

Corporate Acknowledgement

STATE OF _____
COUNTY OF _____

This instrument was acknowledged before me on the _____ day of _____, 2011, by _____, _____ of Travis County Housing Finance Corporation, a _____ corporation, on behalf of said corporation.

_____
Notary Public, State of _____

After Recording Return To:

_____

_____

_____

3rn1560-sw

RECEIVED
11 NOV 28 AM 10: 00
TRAVIS COUNTY
PLANNING & BUDGET OFFICE

TRAVIS COUNTY HOUSING FINANCE CORPORATION

TRAVIS COUNTY ADMINISTRATION BUILDING
P.O. Box 1748
(512) 854-9116

700 Lavaca, Suite 1560
AUSTIN, TEXAS 78767
Fax (512) 854-4210

TO:	Christa Foster	**FROM:**	Andrea Shields
DEPT:	Texas American Title	**PHONE:**	(512) 854-9116

The payoff amount of the lien for Carol Gabler is $800.00.

Please send payment and release of lien documents to:

Travis County Housing Finance Corporation
Attn: Andrea Shields
700 Lavaca, Suite 1560
Austin, Texas 78701

Andrea Shields

Andrea Shields
Manager
Travis County Housing Finance Corporation

Travis County Commissioners Court Agenda Request
Travis County Housing Finance Corporation

Meeting Date: December 6, 2011

Prepared By/Phone Number: Andrea Shields, Manager/854-9116

Elected/Appointed Official/Dept. Head: Leroy Nellis, Acting County Executive, Planning and Budget

Commissioners Court Sponsor: Samuel T. Biscoe, President

AGENDA LANGUAGE: Consider and take appropriate action to approve:

A. Release of Lien; and
B. Reimbursement payment to Texas Department of Housing and Community Affairs for repayment of HOME Project Loan #36662000-24

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS: See attached backup.

STAFF RECOMMENDATIONS: Staff recommends approval.

ISSUES AND OPPORTUNITIES: None.

FISCAL IMPACT AND SOURCE OF FUNDING: None.

REQUIRED AUTHORIZATIONS: Andrea Shields, Manager/854-9116; Leroy Nellis, Acting County Executive, Planning and Budget/854-9066

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us **by Tuesdays at 5:00 p.m.** for the next week's meeting.

TRAVIS COUNTY HOUSING FINANCE CORPORATION

DATE: December 6, 2011

TO: Board of Directors

FROM: Andrea Shields, Manager

SUBJECT: Release of Lien and Reimbursement to TDHCA – Edelmiro Banuelos (Project #36662000-24)

I am requesting approval to reimburse the Texas Department of Housing and Community Affairs (TDHCA) $2,000.00 and to release the Corporation's lien on Edelmiro Banuelos's home. He refinanced his home and is required by the Deed of Trust to repay the HOME loan. Mr. Banuelos repaid the HOME loan on November 29, 2011 and requests that the Corporation execute the attached Release the Lien. The non-interest-bearing loan was made on February 28, 1997 to assist Mr. Banuelos in the purchase of his first home.

The Corporation is required to reimburse TDHCA per our HOME contract. The Board approved the contract on December 19, 1995.

Cliff Blount reviewed the Release of Lien.

cc: Leroy Nellis, Acting County Executive, Planning and Budget
Cliff Blount, Esq.

TRAVIS COUNTY HOUSING FINANCE CORPORATION

TRAVIS COUNTY ADMINISTRATION BUILDING
P.O. Box 1748
(512) 854-9116

700 LAVACA STREET – SUITE 1560
AUSTIN, TEXAS 78767
Fax (512) 854-4210

November 29, 2011

Capital One Bank
Yussef Habib
Consumer/Business Banker

Dear Mr. Habib,

This letter serves to inform you that as of today, November 29, 2011, the Travis County Housing Finance Corporation has received a cashier's check in the amount of $2,000.00 from Mr. Edelmiro Banuelos. This satisfies the payment required for this loan.

Please note that a Release of Lien will be executed and delivered at a later date.

Sincerely,

Andrea Shields
Manager
Travis County Housing Finance Corporation

RELEASE OF LIEN
(Vendor's Lien and Deed of Trust Lien)

THE STATE OF TEXAS	δ	
	δ	KNOW ALL MEN BY THESE PRESENTS
COUNTY OF TRAVIS	δ	

THAT THE UNDERSIGNED, the legal and equitable owner and holder of that one certain promissory note in the original principal sum of $2,000.00, dated February 28, 1997, executed by Edelmiro Banuelos, a single man, payable to the order of Travis County Housing Finance Corporation, more fully described in and secured by a Subordination Agreement retained in a Deed dated February 28, 1997, recorded in Volume 12905, Pages 0958 - 0961, and being further secured by a lien created by a Deed of Trust of even date therewith filed for record in Volume 12884, Pages 1834 - 1839, both of which are recorded among the Real Property Records of Travis County, Texas, creating liens against the following described property, to wit:

> LOT 14, WHITE PLAINS SECTION TWO, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 13, Page 3, of the Plat Records of Travis County, Texas; also known as 1102 Fauntleroy Trail, Austin, Texas.

For and in consideration of the full and final payment of all indebtedness secured by the aforesaid liens, the receipt of which is hereby acknowledged, has released and discharged and by these presents hereby releases and discharges, the above named maker from all liability and indebtedness and the above described property from all liens held by the undersigned.

EXECUTED this _____ day of December, 2011.

LIEN HOLDER:

TRAVIS COUNTY HOUSING
FINANCE CORPORATION

By:_____

NAME:_____

TITLE:_____

THE STATE OF TEXAS δ
δ
COUNTY OF TRAVIS δ

The foregoing instrument was acknowledged before me on this _____ day of December, 2011,
by_____, as Travis County Housing Finance Corporation of, on behalf of said corporation.

_____
NOTARY PUBLIC, STATE OF TEXAS
PRINTED NAME OF NOTARY

_____

MY COMMISSION EXPIRES:

_____