



## Travis County Commissioners Court Agenda Request

**Meeting Date:** January ~~10~~<sup>31</sup>, 2012

**Prepared By/Phone Number:** Elizabeth Montgomery, 854-3124

**Elected/Appointed Official/Dept. Head:** David Escamilla, County Attorney

**Commissioners Court Sponsor:** Judge Samuel T. Biscoe

**AGENDA LANGUAGE:** Consider and take appropriate action on revisions to Chapter One of the Travis County Code, Commissioners Court Rules of Procedure.

**BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:** N/A

**STAFF RECOMMENDATIONS:** N/A

**ISSUES AND OPPORTUNITIES:** N/A

**FISCAL IMPACT AND SOURCE OF FUNDING:** N/A

**REQUIRED AUTHORIZATIONS:**

John Hille, County Attorney, 854-9513

**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](mailto:Cheryl.Aker@co.travis.tx.us) by Tuesdays at 5:00 p.m. for the next week's meeting.

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January 5, 2012

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

Re: Committees and Boards Policy; Our File No. 61.561

Dear Judge Biscoe:

Enclosed you will find the revisions to Section 1.017 of the County Code, dealing with Appointments to Committees and Boards. I believe I have captured the direction the Commissioners Court provided on December 13, 2011.

I am providing you these changes along with several others to Chapter One that have been requested or are needed due to changes in County practice. Please contact me if you have any questions or comments on the Policy.

Sincerely,

John C. Hille, Jr.  
Director, Transactions Division

JCH:erm

## Chapter 1. Commissioners Court Rules of Procedure

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### 1.001 Intent of Rules<sup>1</sup>

The following Rules of Procedure are adopted by the Travis County Commissioners Court as directory rules to promote the orderly conduct of its business and to make its formal methods of operation known to citizens who have business before the Court.

### 1.002 Meeting Place and Times<sup>2</sup>

- (a) The Commissioners Court will meet routinely in the Commissioner's Courtroom, 1st Floor, Travis County Administration Building, 314 W. 11th Street, Austin, Texas. Commissioners Court, Executive Sessions, Public Hearings and other special meetings may be held at the following locations: Travis County Courthouse, 1000 Guadalupe, Travis County Courthouse Annex, N.L. Gault Building, 1010 San Antonio, City Council Chambers of all municipal governments in Travis County and School Board meeting rooms of all school districts in Travis County.
- (b) The Commissioners Court will meet in a Voting Session at 9:00 a.m. on Tuesdays, unless special notice is given to the contrary.

<sup>1</sup> Sections 1.001 through 1.004 amended 2/3/1998, Item 3

<sup>2</sup> Sections 1.001 through 1.004 amended 2/3/1998, Item 3  
Chapter 1 – amendments added through 11/25/2008

**1.003 Preparation of Court Agenda<sup>3 4</sup>**

**(a) Voting Session**

- (1) Requests for items to be placed on the Court's Voting Session Agenda must be received in the office of the County Judge, 5th floor, -Travis County Administration Building, by 12:00 noon on Tuesdays, seven (7) days in advance of the Voting Session.
- (2) An item to be considered by the Commissioners Court must be placed on the agenda by a member of the Court. The item must be presented to the Court member in the following manner:
  - (A) With an explanatory memorandum, in standard briefing format, from an County Executive Manager or an Elected Official, or, in the case of (1) purchases of items to be used by all departments and offices, or (2) a purchase wherein the County Executive Manager or Elected official requests that a routine item be handled by the Purchasing Agent, from the Purchasing Agent;
  - (B) If the agenda item is a purchase of a good or service, then it shall include documentation to reflect review and approval from the Purchasing Agent;
  - (C) If the agenda item involves a budget revision, then it shall include documentation to reflect review and comment from the Planning and Budget Office;
  - (D) If the agenda item involves a contract or needs a legal opinion to support the action proposed, then it shall include documentation to reflect review and comment from the County Attorney's Office;
  - (E) Commitment that all witnesses and individuals affected by the item, as determined by the Court member, have been notified the item will be placed on the agenda; and
  - (F) With a copy of any document required to implement the item that requires signature of the Judge or all members of the court.
- (3) Requests to place items on the Court's agenda must be made ~~in~~ writing on a form provided by the County Judge's Office for that purpose.
- (4) Written materials to be reviewed by the Commissioners Court in Voting Session must be submitted to the County Judge's Office in

<sup>3</sup> Sections 1.001 through 1.004 amended 2/3/1998, Item 3

<sup>4</sup> Sections 1.003 and 1.004 amended 9/4/2001, Item 32.

completed form at the time the item is requested to be placed on the Court's agenda.

- (5) Each Voting Session agenda will include an item called "Citizen's Communication". Citizens do not have to turn in agenda items before the Voting Session, but should appear in person at the session.
- (6) The County Judge's office will prepare and distribute the Voting Session Agenda on Thursday preceding the date of the Voting Session. The County Judge's office will also distribute the agenda and all backup material to the commissioners Court no later than Thursday prior to the date of the Voting Session. An electronic version of the agenda will also be distributed by Thursday at 5:00 p.m. At least one copy of this backup material will be available for the public to review in the office of the County Judge.
- (7) The County Judge's office will ensure compliance with the provisions of the Texas Open Meetings Law in posting notices of all the Court's meetings.
- (8) The County Judge may group routine items without controversy together on the Court's Voting Session Agenda as "Consent Items", which items may be approved by the Court on a single motion and vote.
  - (A) Prior to consideration of the "Consent Items" the County Judge, or presiding member of the Court, will honor any request from any Court Member that an item be removed from the Consent Items and separately considered by the Court.
  - (B) Each Voting Session agenda item may, after discussion, be designated as "Consent", if appropriate, and included in the consent motion of the appropriate Voting Session. However, any single court member may prevent an item from being included in the Voting Session consent motion.
- (9) Items that are likely to be discussed in Executive Session may be grouped on the agenda with an indication under which provisions of the Texas Open Meetings Law the Executive Session will be heard.
- (10) Contracts and agreements to be considered by the Court must be in completed final form prior to the time they are placed on the Court's agenda. Original documents of such contracts or agreements requiring County Judge or Commissioners Court signatures must be submitted no later than 12:00 noon on the Monday before the meeting.

**1.004 General Rules<sup>5 6 7</sup>**

- (a) Person who gives testimony to the Commissioners court in Voting Session must first identify themselves by name and who, if anyone, or entity, they represent.
- (b) All Voting Session, Public Hearings, and meeting of the Commissioners Court will be ~~digitally audio tape~~ recorded and such ~~recording tapes~~ will be available for review by the public in the ~~office of the County Clerk~~ Records Management Department for at least two years from the date of the meeting.
- (c) Contracts and agreements to be considered by the Court must be in completed final form prior to the time they are placed on the Court's agenda. Original copies of such contracts or agreements for signatures must be submitted at the time they are placed on the Court's agenda.
- (d) ~~Except for Executive Sessions, all Voting Sessions, Public Hearings, and meetings of the Commissioners Court will be tape recorded and such tapes will be available for review by the public in the office of the County Clerk for at least two years from the date of the meeting.~~
- (ed) Except for consultation with its attorneys under the provisions of Government Code section 551.071, all Executive Sessions of the Commissioners Court will be tape recorded and the recording shall be sealed and delivered to the custody of the County Treasurer to be held for at least two years from the date of the meeting. Tapes of Executive Session may only be reviewed as provided by law.

**1.005 Amending or Suspending Rules**

- (a) These rules may be amended by majority vote of the Commissioners Court meeting in Voting Session.
- (b) A rule may be suspended by majority vote of the Commissioners Court.

**1.0051 Amending this Travis County Code Policies, Procedures, and Regulations Manual<sup>8</sup>**

- (a) This ~~Travis County Code Policies, Procedures, and Regulations Manual~~ may, from time to time, be amended by order of the Commissioners Court of Travis County. All action to amend this Travis County Code Policies, Procedures,

<sup>5</sup> Section 1.004 amended 4/8/1997, Item 6.

<sup>6</sup> Sections 1.001 through 1.004 amended 2/3/1998, Item 3

<sup>7</sup> Section 1.004 (a) amended 9/4/2001.

<sup>8</sup> Sections 1.0051 and 1.0052 were added 4/11/1995, Item 9

~~and Regulations Manual~~ shall conform to the requirements of this section and to all other requirements imposed by law, including all the requirements of this ~~Travis County Code Policies, Procedures, and Regulations Manual~~.

(b) Definitions. For the purposes of this section

- (1) "Amendment" means any creation of a new policy, procedure, or regulation or an addition to or change of an existing policy, procedure, or regulation.
- (2) "Policy" means any action taken or adopted by the Commissioners Court which purports to control, dictate, or describe the conduct of one or more officials or employees of Travis County.
- (3) "Procedure" means those rules of operation or administration adopted by the Commissioners Court for the purpose of standardizing the accomplishment or implementation of any policy or regulation.
- (4) "Regulation" means any action taken or adopted by the Commissioners Court which purports to control, dictate, or describe the conduct of persons generally, regardless of whether they are officials or employees of Travis County.

(c) Neither the Commissioners Court nor any of its employees shall take any action or make any attempt to enforce any policy or procedure which is not included in this ~~Travis County Code Policies, Procedures, and Regulations Manual~~.

- (1) Regulations not contained in this ~~Travis County Code Policies, Procedures, and Regulations Manual~~ may be enforced by the Commissioners Court and its employees, if such regulations are otherwise enforceable as a matter of law.
- (2) Any employee of the Commissioners Court who becomes aware of the existence of a regulation which is not included in this ~~Travis County Code Policies, Procedures, and Regulations Manual~~ shall immediately request that an agenda item be placed on the next available Commissioners Court agenda to amend this ~~Travis County Code Policies, Procedures, and Regulations Manual~~ to include such unincorporated regulation, in accordance with the procedures outlined in this section and in accordance with §1.003 hereof.

(d) Procedure for amending this ~~Travis County Code Policies, Procedures, and Regulations Manual~~.

- (1) Any Travis County official or employee desiring to amend this ~~Travis County Code Policies, Procedures, and Regulations Manual~~ shall prepare the desired amendment in writing. The desired amendment

shall conform to this ~~Travis County Code Policies, Procedures, and Regulations Manual~~ in form, style, and numbering system.

- (2) The official or employee is encouraged to:
  - (A) Submit draft copies of the desired amendment to all other Travis County officials, ~~County eExecutive managers~~, or department heads whose offices, areas of responsibility, or departments may or will be affected by the desired amendment and solicit their comments and advice concerning the desired amendment;
  - (B) Request the County Attorney to conduct a substantive legal review of the desired amendment; and
  - (C) Prepare an analysis of the fiscal impact the desired amendment is expected to have on the various budgets of Travis County and submit with the desired amendment a statement of any such expected fiscal impact.
- (3) The official or employee shall submit the desired amendment to the Travis County Attorney in writing on paper and ~~in Microsoft Word format on three and one-half inch, high-density computer disk or disks in ASCII format~~. If possible, the desired amendment should be submitted to the Travis County Attorney in ~~Microsoft Word~~WordPerfect for Windows format.
- (4) The Travis County Attorney shall review the desired amendment to insure that it conforms to this ~~Travis County Code Policies, Procedures, and Regulations Manual~~ in form, style, and numbering system.
  - (A) If the Travis County Attorney finds that the desired amendment fails in any way to conform to the form, style, or numbering system of this ~~Travis County Code Policies, Procedures, and Regulations Manual~~, the Travis County Attorney shall return it to the official or employee together with written advice concerning the way or ways in which it fails to conform or, at the discretion of the Travis County Attorney and with the consent of the official or employee, the Travis County Attorney may change the desired amendment to conform to the form, style, and numbering system of this ~~Travis County Code Policies, Procedures, and Regulations Manual~~.
- (5) If the desired amendment conforms to the form, style, and numbering system of this ~~Travis County Code Policies, Procedures, and Regulations Manual~~, the Travis County Attorney shall forward the paper and ~~Microsoft Word~~computer disk copies of the desired amendment to the Travis County Judge or, at the request of the official



or employee, to another member of the Commissioners Court, together with a written opinion that the desired amendment conforms to the form, style, and numbering system of this ~~Travis County Code Policies, Procedures, and Regulations Manual~~ and a request that it be placed on the agenda of the Commissioners Court on a date selected by the official or employee desiring the amendment. Neither the opinion regarding conformity to form, style, and numbering system nor the agenda request itself shall be construed to indicate that the Travis County Attorney has reviewed the substance of the desired amendment or that the Travis County Attorney supports the adoption of the desired amendment.

- (6) Upon receipt of a desired amendment in writing on paper and ~~Microsoft Word computer disk~~, together with the opinion of the Travis County Attorney regarding conformity to form, style, and numbering system and an agenda request, the Travis County Judge shall treat it as an agenda request pursuant to § 1.003 hereof. The Travis County Judge shall not place a desired amendment on the agenda of the Commissioners Court unless he is in receipt of an opinion of the Travis County Attorney that the desired amendment conforms to the form, style, and numbering system of this ~~Travis County Code Policies, Procedures, and Regulations Manual~~ and an agenda request therefore.
- (7) Upon adoption of an amendment by the Commissioners Court, the Travis County Judge shall forward the amendment in writing on paper and ~~Microsoft Word computer disk~~ to the Travis County Clerk, by immediately handing the paper and ~~Microsoft Word disk~~ to the Clerk or her representative in the meeting room of the Commissioners Court.
- (8) Upon receipt of an amendment from the Travis County Judge, the Travis County Clerk shall cause the amendment to be added to the official copy of this ~~Travis County Code Policies, Procedures, and Regulations Manual~~.

**1.0052 The Official Copy of the Travis County ~~Code Policies, Procedures, and Regulations Manual~~<sup>9</sup>**

- (a) The Travis County Clerk shall be the custodian of the official copy of the Travis County ~~Code Policies, Procedures, and Regulations Manual~~.
- (b) The Travis County Clerk shall cause to be published copies of the Travis County ~~Code Policies, Procedures, and Regulations Manual~~.

<sup>9</sup> Sections 1.0051 and 1.0052 were added 4/11/1995, Item 9  
Chapter 1 – amendments added through 11/25/2008

- (c) The Travis County Clerk shall make copies of the Travis County ~~CodePolicies, Procedures, and Regulations Manual~~ available to the public and to all Travis County officials and department heads.
- (1) The Travis County Clerk shall charge members of the public an amount equal to the actual cost of publishing the copies of the ~~Travis County CodePolicies, Procedures, and Regulations Manual~~ which they receive.
  - (2) The Travis County Clerk shall withhold delivery of a copy of the ~~Travis County CodePolicies, Procedures, and Regulations Manual~~ to a member of the public until she has received the authorized charge therefore.
  - (3) In the event of any dispute about the actual cost of publishing, such actual cost of publishing shall be determined by the Travis County Auditor.
- (d) Each time the Travis County Clerk distributes a copy of the ~~Travis County CodePolicies, Procedures, and Regulations Manual~~, she shall determine whether the person to whom she is distributing the copy desires to receive any future amendments, as defined in section 1.0051(b)(1) hereof. Each person who desires to receive copies of future amendments shall be a "registered holder of the ~~CodeManual~~" and shall receive a "registered copy of the ~~CodeManual~~." The Travis County Clerk shall number each registered copy of the ~~CodeManual~~. She shall keep an accurate record of the name and address of each registered holder of the ~~CodeManual~~. Any registered holder of the ~~CodeManual~~ may change the name or address of the registered holder of their ~~CodeManual~~ or ~~CodeManuals~~ by written notification to the Travis County Clerk designating specifically the name and address of the new registered holder of each registered copy of the ~~CodeManual~~ by number of the copy.
- (1) The Travis County Clerk shall charge an annual subscription fee to registered holders of the ~~CodeManual~~ who are not Travis County officials, ~~County Executive managers~~, or department heads, hereinafter referred to as "private registered holders."
  - (2) The annual subscription fee shall be in the amount estimated to be the actual cost of publishing and distributing the amendments.
  - (3) The Travis County Clerk shall refuse to deliver a registered copy of the ~~CodeManual~~ to a private registered holder, unless she receives the annual subscription fee for the first year in advance. At the beginning of subsequent years, she shall provide all private registered holders with a statement of the annual subscription fee for the coming year and shall not deliver amendments to any private registered holder for that year, unless she receives the annual subscription fee for that

year in advance. Any registered copies which have not received copies of the amendments for a period of one (1) year shall be deleted from the list of registered copies.

- (4) In the event of dispute about the estimated cost of publishing and distributing the amendments, the estimated cost of publishing and distributing shall be determined by the Travis County Auditor.

1.006 (Available for Expansion)<sup>10</sup>

1.007 ~~Read District Policy Procedures (Attached)~~(Available for Expansion)<sup>11</sup>

1.008 Partial/Periodic Reduction of Performance Security

- (a) The Travis County Judge is hereby authorized to execute statements of partial and/or periodic reductions of the amounts of letters of credit posted for the completion of subdivision street and drainage improvements when provided with the following:
  - (1) a Lender's certified statement of amounts paid for completed work;
  - (2) a Professional Engineer's certification of quantities of work completed;
  - (3) a contractor's receipt of payment for work completed;
  - (4) an inspection report from ~~TNRP.I.T.D.~~ indicating the completion of that portion of the work represented by the Contractor's invoice;
  - (5) the approval of the Commissioner in whose precinct the subdivision is located; and
  - (6) the approval of the ~~County Executive for TNRP.I.T.D. Director.~~
- (b) The reduction shall be for no more than ninety percent (90%) of the estimated quantities of the work completed to County specifications and shall not exceed ninety percent (90%) of the construction security.

1.009 – 1.012 (available for expansion)<sup>12</sup>

1.013 Tax Collector's Determination of Possible Delinquent Taxes Owed by Vendors/Providers

The Tax Collector's Office will review all contract vendor/providers to determine whether the vendor/provider owes delinquent property taxes. (added 04/29/87)

<sup>10</sup> Section 1.006 was rescinded 9/7/1988, Item #8.

<sup>11</sup> See Chapter 83

<sup>12</sup> Sections 1.009 through 1.012 and 1.015 repealed 1/30/1996, Item 9

Chapter 1 – amendments added through 11/25/2008

**1.014 Robert's Rules of Order**

The Commissioners Court adopts Robert's Rules of Order as the official rules unless otherwise dictated by State law.

**1.015 (available for expansion)<sup>13</sup>**

**1.016 Department Reorganization Guidance Procedures**

- (a) **Problem Identification.** In this phase, we would be presented with an explanation of problems which affect the performance and/or cost of the agency. Alternatives for solving those problems would be explored, and if reorganization was a possible solution, we would be given a specific explanation of why the administrative reorganization is the desired alternative.
- (b) **Assuming Phase A indicated that reorganization was appropriated, an organization chart would be developed which would result in the most functional and cost-effective approach.** In this phase no consideration will be given to the existing personnel and their current job positions. The idea is to develop the best, most streamlined organization we can, without deliberately creating or eliminating positions based on the personalities currently employed by the agency. The budget and performance impact of the reorganization would be considered in adopting a reorganization plan. When the plan is adopted, formal job descriptions would be written (or amended) for the entire agency.
- (c) **Analyze Effect on Current Employees.** Once an organization plan is adopted, the administrator of the department will report to the Commissioners Court what effect he/she believes the reorganization will have on current personnel. In other words, which employees are to be transferred to new positions, which employees may have a job description change, and which employees may not have jobs remaining after the reorganization is implemented. The Commissioners Court will encourage (but not require) that preference be given to current employees for new jobs to prevent lay-offs. Current employees should be given some extra credit applying for these jobs and should be given training if feasible to qualify for the jobs.
- (d) **Prepare Transition Plan.** In addition to our Reduction-in-Force (RIF) Policy, a transition plan would be prepared showing when the reorganization would actually take effect (perhaps in stages), what changes (office moves, equipment, etc.) need to be made prior to implementation, training and orientation sessions, budget changes, and so forth. Notice would be given to

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<sup>13</sup> Sections 1.009 through 1.012 and 1.015 repealed 1/30/1996, Item 9  
Chapter 1 – amendments added through 11/25/2008

every employee explaining the effect of the reorganization on them and the date such change would occur.

**1.017 Commissioners Court Appointments to Committees and Boards<sup>14</sup>**

**(a) Procedure for Appointing Court Members to Entities ~~Soliciting Interested Applicants~~**

(1) When any member of the Commissioners Court becomes aware of a committee vacancy, he/she shall notify the County Judge's office. The County Judge's office shall be the central repository for all committee information, including vacancies. In December of each year, the County Judge's office will provide a copy of the comprehensive list of appointments made by the Commissioners Court showing the name of the board or commission, the name, ~~address, and phone number~~ of each appointee, ~~the name(s) of the nominating member(s) of the Commissioners Court,~~ and the date of expiration of each appointment.

(2) The County Judge will schedule an Item in January each year for the Commissioners Court to consider each appointment.

**(b) Procedure for Appointing Member of the Public to Entities**

**(1) Uniform Appointment Process**

(A) The Uniform Appointment Process (UAP) will be used for the following Boards and Committees:

1. Capital Metro Board of Directors
2. Central Texas Regional Mobility Authority Board of Directors
3. Integral Care Board of Directors
4. Central Health Board of Managers
5. Travis Central Appraisal District Board of Directors
6. Travis County Housing Authority

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<sup>14</sup> Section 1.017 was amended 2/27/1996, Item 6  
Chapter 1 – amendments added through 11/25/2008

(B) Reappointments. Before expiration of a term, or upon a vacancy arising for an organization subject to this UAP, the County Judge shall schedule a Commissioners Court Agenda Item for a Call for Applications as described below in (C), or in the case of an existing organization member, instruct the Coordinator for Intergovernmental Relations (IGR) to determine if the member desires to continue for an additional term, and contact the organization to determine if the member has a good attendance of meetings and is a good contributor to the organization. Should the Coordinator for IGR submit an acceptable report to the County Judge, the County Judge shall schedule for Commissioners Court the consideration of the re-appointment.

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(C) Call for Application.

- (i) In all other cases other than the process set out in subsection (B) the Commissioners Court shall order a Call for Applications.
- (ii) Should the Commissioners Court order a Call, Records Management will advertise on the County website the position offered, the position criteria required by statute, regulation or contract, the Standard Application, a description of this UAP, and any preferred qualification or skill sets desired by the Court. The position will be advertised for a period of one (1) month unless the Commissioners Court directs a different time period. Records Management may bi-annually, request the Commissioners Court to update the Standard Application and criteria for each position.
- (iii) Records Management will forward all applications received to IGR for processing.
- (iv) IGR will coordinate with any County Executive(s) the Commissioners Court directs for an appointment.
- (v) IGR and the County Executive(s) will verify the applicants meet the criteria and the deadlines; then short list the Applicants to a number of candidates for interview by the Commissioners Court; and forward the names to the County Judge.

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- (vi) The County Judge will schedule a Commissioners Court Agenda Item to determine a date(s) for interviews for the candidates which the Commissioners Court chooses to interview.
- (vii) After interviews, the Commissioners Court may appoint an interviewee to the organization, or make another Call for Applications.
- (viii) The Commissioners Courts motion to appoint or reappoint the member will include the beginning and ending dates of the term to which they are appointed.

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(2) All Other Appointments

(2) (A) The County Judge's office, with the assistance of the Commissioner's offices, will ~~accept the responsibility of compiling~~ maintain a mailing list of all community, neighborhood, civic organizations, etc. whose memberships may be interested in serving on Travis County committees. This list will be used to notify interested persons of the Travis county committees, their purpose and current or upcoming vacancies, and to provide them with a contact for additional information. In addition to the mailing list, utilization of the county's media department, as well as featured media stories, would be made to further advertise committee information and vacancies.

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(3) (B) Application for appointment will be collected by any member of the Commissioners Court, with the original being provided to the County Judge's office for central record keeping purposes.

(4) (C) Items regarding committee appointments will be routinely placed on the Commissioners Court agenda for action. Appropriate applications will be provided as back-up material prior to court action. The deadline for placing items on the Commissioners Court agenda will apply to the committee appointments as well.

~~(5) Posting of vacancies at various public locations may also be done.~~

(b) (D) Procedure for Commissioners Court Appointments

(1) (i) When the Court has five (or multiples of 5) appointments to make, each member of the Court will nominate one, or for multiples, an equal number.

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(2) (ii) When the Court has four (or eight) each Commissioner will nominate one (or equal number).

(3) (iii) When the Court has three (six or nine) appointments to make, the County Judge will nominate one (two or three) the Commissioners from Precincts 1 and 4 will jointly nominate one

(two or three), and the Commissioners from Precincts 2 and 3 will jointly nominate one (two or three).

~~(4)~~ ~~(iv)~~ When the Court has two appointments to make, the Commissioners from Precincts 1 and 4 will jointly nominate one, and the commissioners from Precincts 2 and 3 will jointly nominate one.

~~(5)~~ ~~(v)~~ When the Court has one appointment to make, any member of the Court may nominate someone. To assist in this appointment, the County Judge's office will send a notice one month in advance of the expiration of such an appointee's term to the County Commissioners, indicating the name, position, and date the term expires. No sooner than two weeks after such notice is sent, but preferably prior to the expiration of the term, the County Judge will sponsor a generically worded item on the Commissioners Court agenda indicating the name of the board or commission on which there is a vacancy. During the Commissioners Court meeting on this agenda item, any member of the Commissioners Court can nominate someone for the appointment, which will then be voted upon by the Commissioners Court.

~~(6)~~ ~~(vi)~~ Regardless of who makes a nomination, all Court members will use their appointments to insure fair and appropriate representation of the community on boards and commissions.

**1.018 ~~Program Resolution Establishing Travis County Risk Management Fund~~  
~~(Available for Expansion)~~**

**1.019 County Vehicle Usage Policy<sup>15</sup>**

**(a) Administrative Responsibility**

(1) The responsibility and authority to control use of County vehicles is assigned by the Commissioners Court to the Elected or Appointed Official or ~~County Executive Manager~~ to whom the vehicle has been appropriated. For example, the ~~County Executive Manager~~ for Health and Human Services is authorized to control the use of vehicles assigned to Health and Human Service, ~~Veterans Service and Agrilife Extension~~ departments, ~~and specifically to the Rural Community Action Program,~~ and the ~~County Executive Manager~~ for Transportation and Natural Resources is authorized to control the use of vehicles assigned to the central Vehicle Maintenance Program.

<sup>15</sup> Section 1.019 was replaced 11/25/08, Item 14.



(2) Subject to Chapter 40 of this ~~Travis County Code Policies, Procedures, and Regulations Manual~~ relating to the use of county-owned passenger vehicles while off-duty, elected or appointed officials or ~~County eExecutive managers~~ decide which, if any, of their employees are authorized to take County vehicles home, based on the following criteria:

- (A) Significant improvement in the efficiency and effectiveness of our service to the public through:
- (i) After hours service
  - (ii) Less cost to taxpayers
  - (iii) Ability to respond in emergencies or to public safety issues.
  - (iv) Availability of specific equipment attached to County vehicles.

(3) Department Heads are expected to monitor the use of County vehicles and to take appropriate corrective measures in the event of abuse, policy violation or loss of justification.

(4) The elected or appointed officials or ~~County eExecutive managers~~ will decide how to monitor the use of County vehicles and take appropriate action in the event of abuse or policy violation.

(5) County employees authorized to take home County vehicles will be identified to Commissioner's Court yearly, by each department, as part of the budget process.

(6) County employees who are authorized to take home vehicles shall not use such vehicles for personal use.

(b) Use by Other County Departments

(1) With the approval of the elected or appointed official or ~~County eExecutive manager~~ to whom a vehicle has been appropriated by the Commissioners Court, vehicles may be loaned to other County offices or departments for public purposes.

(2) When vehicles are loaned for a use outside the department to which they were appropriated by the Commissioners Court, the responsible department or office shall make a log showing the County office or department using the vehicle, the purpose and destination of the trip, the beginning and ending date and time of use, the beginning and ending odometer reading, and the name of the County employee(s) who will operate the vehicle.

(3) Use of vans by 4-H C.A.P.I.T.A.L. Project

- (A) The Director of the Travis County Agri~~Lifecultural~~ Extension Service shall be authorized by the Commissioners court to designate any person within the 4-H C.A.P.I.T.A.L. Project to drive vans owned by Travis County whether or not the person so designated is paid directly from Travis County funds.
  - (B) Any person so designated by the Director of the Travis ~~e~~County Agri~~Lifecultural~~ Extension Service shall be deemed an "employee" of Travis county for the sole purpose of bringing such person within the scope of coverage under the Travis County Risk Management Organization and Administration Policy.
  - (C) Authorization shall continue in full force and effect until amended or revoked by the Travis County Commissioners Court.
- (c) Prohibited Use
- (1) County vehicles may not travel outside the State of Texas at any time.
  - (2) County vehicles may not be operated by anyone other than a current Travis County employee who holds a valid Texas driver's license as appropriate for the occasion.
  - (3) County vehicles may not be used if the State inspection has expired, or if in the judgment of ~~County Executive Manager~~ for Administrative Operations or responsible elected or appointed official or ~~County eExecutive manager~~, the vehicle is unsafe for use.
  - (4) Except as may be authorized by Chapter 40 of this ~~Travis County Code Policies, Procedures, and Regulations Manual~~, no County employee is authorized to routinely take home within Travis or surrounding counties, or otherwise use a County-owned vehicle for personal reasons unless expressly authorized by a Budget Amendment approved by the Commissioner's Court. To enable emergency response after hours, an elected or appointed official or ~~County eExecutive manager~~ may authorize other County employees to take home a County-owned vehicle within Travis or surrounding counties during the emergency period.
- (d) This  1.019 is subject to and shall be construed in accordance with Chapter 40 of this Code.
- (e) Citations. A citation includes all written orders from law enforcement for vehicle violations including traffic violations, violations recorded by cameras at red lights and non-traffic or non-moving vehicle violations like parking violations for misdemeanor offences.

- (1) An employee operating a county vehicle is responsible for obeying all laws related to operating and parking the vehicle.
- (2) If a citation is issued as a result of the employee's failure to operate or park the County vehicle legally, the employee is responsible for notifying their immediate supervisor and providing their immediate supervisor with a copy of the citation within twenty-four hours.
- (3) The immediate supervisor of the employee shall complete an Affidavit of Non-Liability and send it to the entity issuing the citation to inform that entity that the employee named in the Affidavit of Non-Liability, not Travis County, is responsible for any penalties resulting from the citation.
- (4) The employee is responsible for paying for all the penalties resulting from the citation received, including fines, fees, penalties, court costs and any other related penalties.
- (5) Failure to report citations and/or failure to pay citations will lead to disciplinary action up to and including termination.
- (6) Upon approval of the Commissioners Court, the County Auditor may pay an invoice relating to any citation received as long as the payment request is accompanied by a Certification that the use was business related approved by the Elected or Appointed Official or County Executive Manager.

(f) Use of Toll Road

- (1) Only authorized County emergency vehicles may use toll roads. Elected and Appointed Officials shall annually submit a list of emergency vehicles authorized to use toll roads to the County Fleet Manager. The County Fleet Manager submits this list to the appropriate Toll Authorities.
- (2) County Employees using non-emergency County Vehicles on official County Business are expected to use alternative non-toll routes. If an employee uses a toll road for either official County business or other approved use, the employee is responsible for the payment of all toll fees for such use and penalties related to the non-payment of applicable tolls. Tolls and penalties are not eligible for reimbursement by Travis County.
- (3) If an employee uses a personal vehicle on County business, that employee is responsible for the payment of all toll fees for such use and penalties related to the non-payment of applicable tolls. Tolls and penalties are not eligible for reimbursement by Travis County.
- (4) If an employee incurs charges resulting from the unauthorized use of toll roads that result in a liability to Travis County, including tolls,

invoice fees, fines, court cost and any other related penalties; the employee is responsible for paying for them. The employee is responsible for informing their immediate Supervisor of any possible charge or penalty and providing their immediate supervisor with a copy of any citation within twenty-four hours.

- (5) The immediate Supervisor of the employee shall complete an Affidavit of Non-Liability and sent it to the appropriate toll authority to inform it that the employee named in the Affidavit of Non-Liability, not Travis County, is responsible for the tolls and any penalties related to non-payment of tolls.
- (6) Failure to pay tolls or report and pay citations resulting from non-payment of tolls may lead to disciplinary action up to and including termination.
- (7) Unauthorized use of toll roads may lead to disciplinary action up to and including termination.
- (8) Upon approval of the Commissioners Court, the County Auditor may pay an invoice relating to any citation received as long as the payment request is accompanied by a Certification that the use was business related approved by the Elected or Appointed Official or County Executive ~~Manager~~.

**1.020 Policy for Naming New Travis County Facilities<sup>16</sup>**

- (a) Purpose: To develop written guidelines for naming Travis County Facilities in open and more efficient manner.
- (b) Procedure
  - (1) At any time a Travis County facility is to be named, the Commissioners Court will issue a call for recommendations, provide notice as to the opportunity, and schedule the matter for public discussion and consideration by the Commissioners Court.
  - (2) Recommendation by a Private Citizen and/or Group. Any private citizen and/or group may make a recommendation to the Travis County Commissioners Court regarding the naming of a County facility by presenting that recommendation in writing to any member of the Commissioners Court and/or presenting that recommendation in the Commissioners Court meeting set for public discussion of the matter.
  - (3) If the recommendation is to name the facility after an individual, the following criteria must be met:

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<sup>16</sup> Section 1.020 added 2/13/1996, item 4  
Chapter 1 – amendments added through 11/25/2008

- (A) The individual must have made a significant contribution to Travis County.
  - (B) The private citizen and/or group making the recommendation must provide a written biographical sketch of the individual, whether living or deceased, to the Commissioners Court when making the recommendation.
- (4) After the public hearing, the Commissioners Court will submit all recommendations to the Travis County Historical Commission, or any other group designated by the Commissioner Court, for review and comment.
  - (5) Within the time set by the Commissioners Court, the Travis County Historical Commission (or any reviewing group), will provide the Court with its comments on names which were considered.
  - (6) Upon receipt of the comments and recommendations made by the reviewing body, the Commissioners Court will consider all recommendations using the above criteria, and any other factors that the Commissioners Court deems appropriate, and make a final determination.
  - (7) Once a final decision has been made, the Commissioners Court:
    - (A) If the person for whom the facility will be named is living, the Commissioners Court must obtain the permission of that person prior to naming the facility.
    - (B) If the person for whom the facility will be named is deceased, the Commissioners Court should contact immediate family members when feasible.
- (c) **Final Decision.** A decision by the Commissioners Court to name or not name a facility will be final, and the sole discretion in this matter remains with the Commissioners Court. The fact that the criteria listed in Section 1.020(b)(3) have been met does not obligate the Commissioners Court to name a County facility after the individual recommended.

**1.021 Policy for Naming County Parks and Park Facilities<sup>17</sup>**

- (a) **Purpose:** To establish a formal policy and process for county parks, facilities, fields, and trails, and for placing plaques, markers, and memorials within county parks.
- (b) **Objectives:**

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<sup>17</sup> Section 1.021 (written as 1.21 in the order) was added 4/25/2000, Item 10.A.  
Chapter 1 – amendments added through 11/25/2008

- (1) Provide name identification for individual county parks.
  - (2) Provide name identification wherever appropriate for facilities and fields within the parks, and hike and bike trails.
  - (3) Provide citizen input into the process of naming parks and facilities.
  - (4) Insure that the Travis County Commissioners Court controls the naming of its public infrastructure and facilities.
- (c) **Criteria for Qualifying Names.** Names should provide some of individual identity related to:
- (1) The geographic location of the park, facility, or trail.
  - (2) An outstanding features of the park, facility, or
  - (3) Commonly recognized historical event, or individual verified by the Travis County Historical Commission.
  - (4) A deceased individual who made a significant to Travis County or its park system.
- (d) **Other Naming Alternatives**
- (1) Parks and facilities that are donated to the County can be named by deed restriction by the donor. The naming and acceptance of land is subject to approval by the Travis County Commissioners
  - (2) Facilities within parks, ball fields, picnic shelters, pavilions. etc. can be named separately the parks they are in, subject to the criteria out in Section c) of this policy.
- (e) **Procedure**
- (1) The Court will issue a call for recommendations, providing notice as to the opportunity, and schedule the matter for public discussion and consideration by the Commissioners Court.
  - (2) Any private citizen and/or group or County department or employee may make a recommendation to the Travis County Commissioners Court regarding the naming of a County park or facility within a park or trail by presenting that recommendation in writing to any member of the Commissioners Court and/or presenting that recommendation in the Commissioners Court meeting set for public discussion of the matter.
  - (3) The Travis County Transportation and Natural Resource Department will verify that all names submitted do not conflict with existing names facilities and that the proposed names conform to this policy.

- (4) After a minimum weeks public notice, the Commissioners Court will conduct a public hearing on qualified names to receive public comments on the names.
- (5) The Commissioners Court will make the final selection of the name.
- (f) **Renaming County Parks and facilities.** The renaming of parks and facilities is strongly discouraged so as not to diminish the original justification for the name. Park names by deed restrictions cannot be considered for renaming. In the event that renaming is justified the recommended name must conform to this policy.
- (g) **Other Considerations:**
  - (1) If a recommended name is a deceased individual, other than a historical figure, the private citizen making the recommendation must provide a written biographical sketch of the individual and an approving the recommendation from surviving family members.
  - (2) Neither the naming process or the name itself shall discriminate on the basis of race, religion, sex, age, or national origin.
- (h) **Final Decision.** A decision by the Commissioners Court to name or not to name a park, facility, or trail will be final, and the sole discretion in this remains with the Commissioners Court.
- (i) **Plaques, markers, memorials.** Plaques, markers, and memorials may be placed in the parks to recognize a significant donation or contribution to park improvements. The plaque, marker, and memorial will be not larger than \_\_\_\_" X \_\_\_\_" bronze plate imbedded in concrete at or below ground level. The recognition of multiple donors may be made on a larger sized plaque place in a common area at the discretion of the Transportation and Natural Resources Department.