

Item 18



Travis County Commissioners Court Agenda Request

Meeting Date: March 5, 2013

Prepared By/Phone Number: Donna Stirman, 854-9584

Elected/Appointed Official/Dept. Head: Leslie Browder, 854-9106 *LB*

Commissioners Court Sponsor: Judge Biscoe

AGENDA LANGUAGE:

Consider and take appropriate action on total loss motorcycles and Del Valle fire.

- A. TCSO unit 3382 – Settle
- B. TCSO unit 3049 – Settle
- C. TCSO fire - Settle

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

STAFF RECOMMENDATIONS:

Staff recommends the claims be paid as proposed.

ISSUES AND OPPORTUNITIES:

FISCAL IMPACT AND SOURCE OF FUNDING:

The fiscal impact on the Risk Fund totals \$44,228.02; \$21,089.00 for ACV and \$23,139.02 for the fire. The fiscal impact on the CAR fund is \$40,357.00. The total fiscal amount for approval is \$84,585.02.

REQUIRED AUTHORIZATIONS:

Risk Management, HRMD, William Paterson,
Planning and Budget, Leslie Browder
County Judge and Commissioners

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



Human Resources Management Department

1010 Lavaca, 2nd Floor

● P.O. Box 1748

● Austin, Texas 78767

● (512) 854-9165 / FAX (512) 854-4203

BACKUP MEMORANDUM

DATE: February 21, 2013

TO: Members of the Commissioners Court

VIA: Leslie Browder, County Executive, Planning & Budget *LB*

FROM: William Paterson, Risk Manager *WPD*
Donna Stirman, Risk & Safety Specialist, Sr. *DS*

SUBJECT: Total Losses-Motorcycle
TCSO fire

Proposed Motion:

Consider and take appropriate action on two motorcycle total losses and fire damage at the Del Valle Correctional Complex.

Summary and Staff Recommendation:

Staff recommends that the two total loss motorcycles and the TCSO fire claim be paid as proposed.

The County's third party administrator have inspected the two totaled motorcycles and determined their actual cash value (ACV). The Risk fund pays the ACV and pursuant to amended Chapter 34, §34.001, subsection (h), the Capital Acquisition Reserve (CAR) fund pays the difference of the ACV and the cost of a replacement vehicle.

All associated third party claims arising from these total loss claims have been settled.

Budgetary and Fiscal Impact:

Reference the motorcycles; the total fiscal impact from the Risk fund is \$21,089.00 for ACV. The total amount from the CAR fund is \$40,357.00. The total transfer amount requesting your approval is \$61,446.00.

Reference the fire; the total fiscal impact from the Risk fund is \$23,139.02.

If additional backup or information is required, please contact Risk Management at 854-9584.

A

RECOMMENDATION FOR TOTAL LOSS

DATE: February 21, 2013
 COUNTY DEPT: TCSO
 CLAIM NUMBER: A12372500520201
 DATE OF INCIDENT: 12/07/11
 LOCATION: 10100 Anderson Mill Road
 PROPERTY DAMAGE: 2009 Honda ST1 Motorcycle unit 3382

| | | | |
|-------------|---------------------|-----------------|-----------------|
| LOSS PAYEE: | TNR | Loss Amt. | Paid Amt. |
| | Vehicle Replacement | \$30,723 | |
| | ACV/Risk Fund | | \$13,432 |
| | CAR Fund | | <u>17,291</u> |
| | Total | <u>\$30,723</u> | <u>\$30,723</u> |

DESCRIPTION OF INCIDENT: Deputy Toby Miller was westbound in the 10100 block of Anderson Mill Road on motorcycle unit 3382. He was behind a Lexus that was behind a van. Deputy Miller was briefly distracted by an unrelated violator and when he looked back in front of him, the van had stopped to make a turn and the Lexus had stopped as well. Deputy Miller struck the Lexus from the rear, pushing it into the van, and he was thrown from the motorcycle onto the roof of the Lexus and sustained serious injuries. County unit 3382 was totaled. Third party claim has already been settled.

RECOMMENDATION: JI Specialties have reviewed the loss notice and confirmed facts of the accident. Motorcycle was inspected and rendered a total loss. Market valuation was completed by PDA Austin and the ACV is \$13,432.00.

CLAIMS SPECIALIST: Velvet Dixon

COUNTY'S RECOMMENDATION: The Risk Manager has reviewed the claim submitted and pursuant to approval of amended Chapter 34, §34.001, subsection (h), recommends \$13,432.00 be transferred from the Risk Fund 1110048955-8955-516410 into 1490350000-0001-520020 and \$17,291.00 be transferred from the CAR Fund into 1498060001-0001-520020.

B

RECOMMENDATION FOR TOTAL LOSS

DATE: February 21, 2013
COUNTY DEPT: TCSO
CLAIM NUMBER: A13372500360201
DATE OF INCIDENT: 11/26/12
LOCATION: 2800 N. Capital of Texas Hwy.
PROPERTY DAMAGE: 2007 Honda ST1300 Motorcycle unit 3049

| LOSS PAYEE: | TNR | Loss Amt. | Paid Amt. |
|-------------|---------------------|-----------------|-----------------|
| | Vehicle Replacement | \$30,723 | |
| | ACV/Risk Fund | | \$ 7,657 |
| | CAR Fund | | <u>23,066</u> |
| | Total | <u>\$30,723</u> | <u>\$30,723</u> |

DESCRIPTION OF INCIDENT: Deputy Guillermo Martinez was operating his county assigned motorcycle unit 3049 on selective traffic on N Capital of Texas Hwy. He clocked a violator traveling 82 mph, activated emergency lights and began pursuit northbound. Traffic in front of him and to his right cleared a path but as he approached the intersection of Waymaker Way, a 2009 Land Rover pulled in front of him that was attempting to cross over to southbound lanes. Deputy Martinez applied full brakes but struck the Land Rover on the front left tire area and he flipped over the vehicle, landing on his back. Motorcycle was totaled and Deputy Martinez was transported with serious injuries. Third party's insurance company has been placed on notice of subrogation and recovery is pending.

RECOMMENDATION: JI Specialties have reviewed the loss notice and confirmed facts of accident. Motorcycle was inspected and rendered a total loss. Market valuation was completed by PDA Austin and the ACV is \$7,657.00.

CLAIMS SPECIALIST: Velvet Dixon

COUNTY'S RECOMMENDATION: The Risk Manager has reviewed the claim submitted and pursuant to approval of amended Chapter 34, §34.001, subsection (h), recommends \$7,657.00 be transferred from the Risk Fund 1110048955-8955-516410 into 1490350000-0001-520020 and \$23,066.00 be transferred from the CAR Fund into 1498060001-0001-520020.

C

RECOMMENDATION FOR TRANSFER

DATE: February 21, 2013
COUNTY DEPT: TCSO
CLAIM NUMBER: P12373500630701
DATE OF INCIDENT: 12/28/11
LOCATION: Del Valle Correctional Complex
Bldg #170, Main Laundry
PROPERTY DAMAGE: Fire, Dryer #3, water cleanup and damage
\$23,139.02

DESCRIPTION OF INCIDENT: Officer Robert Rodriguez was assigned to supervise the trustees for laundry detail. Eight of the 11 dryers had laundry in them in various stages of drying. Contrary to protocol, he left the dryer doors open, full of clothes, and returned the inmates to their housing. He then left the premises for the day. Several hours later, the building three alarm sounded and when they investigated, discovered the laundry room full of smoke and dryer #3 was on fire. The Fire Department was called out and two sprinkler heads had activated. The Fire Marshall was also dispatched to investigate and determined the fire originated from dryer #3. Blackmon Mooring services were rendered for water remediation.

RECOMMENDATION: Facts of accident have been verified. It is recommended TCSO be reimbursed in the total amount of \$23,139.02 for water/mold remediation, one new dryer and installation, replacement inmate clothing, utility carts and lumber.

CLAIMS SPECIALIST: Donna Stirman

COUNTY'S RECOMMENDATION: The Risk Manager has reviewed the claim submitted and concurs with the findings of the claims specialist and recommends a transfer in the amount of \$23,139.02 from the Risk Fund to TCSO.