



Travis County Commissioners Court Agenda Request

Meeting Date: October 15, 2013

Prepared By/Phone Number: Travis R. Gatlin, 512-854-9065

Elected/Appointed Official/Dept. Head: Leslie Browder, County Executive, Planning and Budget

A handwritten signature in black ink, appearing to be "LB", is written over the text of the official's name.

Commissioners Court Sponsor: Judge Samuel T. Biscoe

AGENDA LANGUAGE: CONSIDER AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY'S RESOLUTION EXPRESSING INTENT TO FINANCE EXPENDITURES TO BE INCURRED FOR THE 416 WEST 11TH STREET PROJECT AND TO REIMBURSE ITSELF FROM CERTIFICATES OF OBLIGATION IN THE AMOUNT OF \$2,500,000.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

STAFF RECOMMENDATIONS:

ISSUES AND OPPORTUNITIES:

FISCAL IMPACT AND SOURCE OF FUNDING:

REQUIRED AUTHORIZATIONS:

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.



PLANNING AND BUDGET OFFICE
TRAVIS COUNTY, TEXAS

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

MEMORANDUM

TO: Commissioners Court
Travis R. Gatlin
FROM: Travis R. Gatlin, Assistant Budget Director
DATE: October 7, 2013
SUBJECT: Request for FY 2014 Reimbursement Resolution for 416 West 11th Street

The Facilities Management Department has submitted a request for a reimbursement resolution for the new County office to be built at 416 West 11th Street. The building will provide office space for the District Attorney. This move will make room in the Criminal Justice Center (CJC) complex to permit expansion for additional criminal courtrooms as originally anticipated when the CJC was built in 2000. The FY 2014 Adopted Budget included \$5,167,288 for the project to be funded from the anticipated spring issuance of Certificates of Obligation (COs). Proceeds are anticipated in early summer based on recent issuance schedules. The amount for the project was based on the cash flow needed this fiscal year.

The Commissioners Court authorized the Facilities Management Department to proceed with a construction manager at risk delivery method on May 7, 2013. The department has been working with the Purchasing Office to finalize the contract with the highest ranked Architectural and Engineering Firm, which is anticipated to be on the Court's agenda on October 15, 2013. Funding for the contract needs to be in place no later than the date the contract is approved. The Facilities Management Department has indicated that the expenses related to this contract and other forthcoming expenses are required before the debt proceeds are received in order to maintain the project schedule.

The attached reimbursement resolution for the 416 West 11th Street Project is the legal document necessary to ensure that Travis County is able to reimburse itself once the proceeds from the proposed spring issuance arrive. Please note that the document was prepared by the County Attorney's Office and reviewed by the County's Bond Counsel. In addition, the Planning and Budget Office has posted separately under weekly budget amendments and transfers an amendment of \$2,500,000 from the Unallocated Reserve to the Facilities Management Department for the expenses required for the project that are anticipated to occur before the debt proceeds are received. It is important to note that the Unallocated Reserve will be replenished in the amounts transferred today once the proceeds from the sale of COs are available and any needed reclassifications are processed. It is estimated that this will occur in the June/July timeframe.

It is anticipated the Commissioners Court will approve revisions to the FY 2014 Project List in November. The Planning and Budget Office may present an additional reimbursement resolution request after the final list is approved for only those critical, time sensitive projects that must begin prior to the receipt of proceeds.

We recommend approval of the reimbursement resolution for this time sensitive project. Please let me know if you have any questions.

cc: John Hille (County Attorney's Office)
Roger El-Khoury, John Carr, Amy Draper, (Facilities Management)
Leslie Browder, Jessica Rio, Diana Ramirez, Deborah Laudermilk (PBO)
Glen Opel, Bond Counsel
Ladd Pattillo, County's Financial Advisor
Patti Smith, Hannah York, Melinda Grahmann (County Auditor's Office)
Nicki Riley (County Auditor)

FACILITIES MANAGEMENT DEPARTMENT

Roger A. El Khoury, M.S., P.E., Director



1010 Lavaca, Suite 400 • P.O. Box 1748, Austin, Texas 78767 • Phone: (512) 854-9661 • Fax: (512) 854-9226

MEMORANDUM

Project No: FY 14 Budget

File: 102

TO: Travis Gatlin, Assistant Budget Director, Planning and Budget Office

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

DATE: October 1, 2013

SUBJECT: Reimbursement Resolution – FY 14 FMD Project
416 W 11th Street New Office Building for District Attorney

A handwritten signature in blue ink, reading "Roger A. El Khoury", is written over the "FROM" and "DATE" lines of the memorandum.

Facilities Management Department (FMD) requests approval of a reimbursement resolution to provide funding by October 15, 2013 for Architectural/Engineering (A/E) services, city and TDLR plans review fees, CMAR preconstruction fees, commissioning and reimbursables on the subject project. The FY 14 budget included \$5,167,288 of funding for the FY 14 portion of this project which is proposed to be funded with Certificates of Obligations (CO). To maintain the project schedule, funding must be in place by October 15, 2013 to permit award of the contract for A/E services. FMD requests approval for \$2,500,000 in the reimbursement resolution for this purpose. The remaining \$2,667,288 of FY 14 funding can wait until the CO proceeds are available.

Please contact me at 44579 if you have any questions on this request. Your assistance is greatly appreciated.

COPY TO:

Leslie Browder, County Executive, PBO

John Carr, Administrative Director, FMD

Amy Draper, CPA, Financial Manager, FMD

Jessica Rio, Budget Director, PBO

Diana Ramirez, Assistant Budget Director, PBO

**RESOLUTION EXPRESSING INTENT TO
FINANCE EXPENDITURES TO BE INCURRED**

WHEREAS, Travis County, Texas (the "Issuer"), is a political subdivision of the State of Texas authorized to issue obligations to finance its activities pursuant to Chapter 271, Texas Local Government Code, as amended; and the interest on which is excludable from gross income for federal income tax purposes ("tax-exempt obligations") pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, the Issuer will make, or has made not more than 60 days prior to the date hereof, payments with respect to the projects described in Exhibit A attached hereto (the "Projects"); and

WHEREAS, the Issuer has concluded that it does not currently desire to issue obligations to finance the costs associated with the Projects;

WHEREAS, the Issuer desires to reimburse itself for the costs associated with the Projects from the proceeds of tax-exempt obligations to be issued subsequent to the date hereof; and

WHEREAS, the Issuer reasonably expects to issue tax-exempt obligations to reimburse itself for the costs associated with the Projects listed on Exhibit A attached hereto.

NOW, THEREFORE, be it resolved that:

Section 1. The Issuer reasonably expects to reimburse itself for all costs that have been or will be paid subsequent to the date that is 60 days prior to the date hereof and that are to be paid in connection with the Projects from the proceeds of tax-exempt obligations to be issued subsequent to the date hereof.

Section 2. The Issuer reasonably expects that the maximum principal amount of tax-exempt obligations issued to reimburse the Issuer for the costs associated with each Project are identified in Exhibit A.

APPROVED THIS _____ day of October, 2013 by the Commissioners
Court of Travis County, Texas.

TRAVIS COUNTY, TEXAS

Samuel T. Biscoe
County Judge

Ron Davis
Commissioner, Precinct 1

Bruce Todd
Commissioner, Precinct 2

Gerald Daugherty
Commissioner, Precinct 3

Margaret Gómez
Commissioner, Precinct 4

EXHIBIT A

DESCRIPTION OF PROJECTS

<u>Project Description</u>	<u>Total Amount</u>
Acquisition, engineering, design, construction, or equipping of a project at 416 West 11th., Austin, Tx.	\$ 2,500,000