



Travis County Commissioners Court Agenda Request

Meeting Date: September 2, 2014

Prepared By/Phone Number: Diana Ramirez (512) 954-9694

Elected/Appointed Official/Dept. Head: Leroy Nellis, Acting County Executive

Commissioners Court Sponsor: Judge Samuel T. Biscoe

AGENDA LANGUAGE: CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:

A. Receive status update on:

1. STAR Flight Transport Fee
2. Health and Human Services and Veterans Service Food Permit Fees
3. Transportation and Natural Resources Parks and Development Fees
4. Pretrial Services Fee for Personal Bond

B. Increase the Medical Examiner's Office Out-of-County Autopsy Fee to \$2,900

C. Set the Sheriff's and Constable's Civil Fees for 2015 at the same amounts as 2014

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

Please see the attached memoranda.

STAFF RECOMMENDATION: Please see the attached memoranda.

ISSUES AND OPPORTUNITIES: PBO will continue working with the Auditor's Office and the appropriate departments and offices to bring any additional fee increase proposals to Commissioners Court during the FY 2016 budget process.

FISCAL IMPACT AND SOURCE OF FUNDING: PBO is recommending a fee increase for out-of-county autopsies. There is no recommended increase to Sheriff's and Constables' civil process fees.

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.

REQUIRED AUTHORIZATIONS:

**Leroy Nellis, Acting County Executive, Planning and Budget Office
Jessica Rio, Budget Director, Planning and Budget Office
County Judge's Office**

CC:

PBO

**Nicki Riley, David Jungerman, Daniel Wilson, Adrienne Yust, Auditor's Office
Jennifer Kraber, Mary Etta Gerhardt, Daniel Bradford, Beth Devery, John Hille,
County Attorney's Office**

**The Honorable Greg Hamilton, Travis County Sheriff
Meg Seville, Michael Hemby, TCSO**

The Honorable Danny Thomas, Constable, Pct. 1

The Honorable Adan Ballesteros, Constable, Pct. 2

The Honorable Sally Hernandez, Constable, Pct. 3

The Honorable Maria Canchola, Constable, Pct. 4

The Honorable Carlos Lopez, Constable, Pct. 5

Craig Howard, Chief Deputy, CN1

George Morales, Chief Deputy, CN2

Anthony Johnson, Chief Deputy, CN3

Manuel Jimenez, Chief Deputy, CN4

Bobby Gutierrez, Chief Deputy, CN5

Steve Manilla, Carol Joseph, Cynthia McDonald, TNR

Sherri Fleming, Ana Almaguel, Kathleen Haas, HHS&VS

Danny Hobby, Emergency Services

Casey Ping, Christine Lego, STAR Flight

Dr. Satish Chundru, Sarah Scott, Medical Examiner's Office

Irma Guerrero, Pretrial Services

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PLANNING AND BUDGET OFFICE
TRAVIS COUNTY, TEXAS

700 Lavaca Street, Ste. 1560
Austin, Texas 78701

P.O. Box 1748
Austin, Texas 78767

MEMORANDUM

TO: Members of Commissioners Court

FROM: Diana A. Ramirez, Assistant Budget Director 

DATE: August 25, 2014

RE: Update on Status of Certain County Fees and Request to Increase the Medical Examiner's Office Out-of-County Autopsy Fee

Every year as a part of the budget process, PBO works with departments and offices that charge fees for services to determine if they are set at an amount sufficient to provide an appropriate level of cost recovery. This year, the Auditor's Office has initiated an in-depth review of those fees charged by Transportation and Natural Resources. In addition, PBO has worked with the Auditor's Office Revenue Estimation and Financial Analysis division to assess the impact a fee change may have on revenue collection in the upcoming fiscal year. While most of the fees may be changed at any point in the year, the Sheriff's and Constables' fees must be approved annually before the end of the fiscal year with changes taking effect the following January.

This memo provides updates on the STAR Flight transport fee, the Health and Human Services and Veterans Service environmental health fees, Transportation and Natural Resources parks and development fees, and the Pretrial Services fee for personal bond. In addition, this memo includes a recommendation to increase the Medical Examiner's Office out-of-county autopsy fee.

There is a separate memo and supporting documentation (order and fee schedule) attached to this memo that recommends continuing the civil process fees for the Sheriff's and Constables' offices for 2015 at the same level as in 2014.

Receive status update on:

A1. STAR Flight Transport Fee

During the Budget Hearing for STAR Flight, the department asked for the opportunity to develop a potential fee increase request mid-year in FY 2015. The department has requested additional time to review the costs of adding specialized communications officers and the

ability to fund the associated costs with additional fee revenue. As part of this proposal, the department requested a \$325,000 earmark on the General Fund Allocated Reserves. STAR Flight's fees are not required to be set during the budget process; however, any fee increase considered after the budget process likely will not be certified mid-year. If a fee increase is approved mid-year in FY 2015, any funds received would fall to fund balance and be available for budgeting in FY 2016. It is anticipated that this item will be brought back to Commissioners Court during the first quarter of FY 2015. PBO will work with the department and the Auditor's Office to ensure that a fee increase proposal includes an analysis of the impact of a fee increase on revenue collection.

A2. Health and Human Services and Veterans Service (HHSVS) Environmental Health Fees

The City of Austin provides countywide public health services through an interlocal agreement with Travis County. This interlocal agreement provides more effective and efficient service delivery than if each entity provided the service independently. On May 21, 2013, HHSVS and the City of Austin Health and Human Services Department updated Commissioners Court about recommended increases to environmental health fees.

The current County fees charged for certain permits issued by city staff for the unincorporated portions of the County are significantly lower than the fees the city charges within its jurisdiction. This is due, in part, to statutory requirements that limit what the County may charge. These permits include those for food service, temporary events, and mobile vending. In addition, there are fees for plan reviews for food service establishments and for public and semi-public pools and/or spas that city staff is also recommending be increased.

The City of Austin is also proposing that the County revise Chapter 47 of the Travis County Code to include food safety training requirements for all food enterprises, basic food safety training for all food handlers, and special farmers market permitting.

At this time, the County Attorney's Office is reviewing the requested changes to the fees and Chapter 47 to develop a plan for rolling out the various fee increases and code changes in phases. PBO anticipates that the County Attorney's Office will work with HHS to bring fee increases that do not require major revisions to the Code to Commissioners Court for consideration over the next several months. More in-depth revisions to the Code will be brought forth for Court's consideration later in FY 2015.

A3. Transportation and Natural Resources (TNR) Parks and Development Fees

During the FY 2015 Budget Hearing for TNR, the department proposed an increase in some of the current park fees to accommodate the increased amount of funding needed for some of the department's budget requests and to better reflect the cost of providing these services. TNR is

currently working with the Auditor's Office to determine the potential impact to revenue collections of increasing the park fees in FY 2015.

The Auditor's Office met with TNR's financial staff on Friday, August 15, 2014. A number of new fee changes were discussed at this meeting, and TNR is currently working with the Auditor's Office to determine the impact of these fee changes. The Auditor's Office will release their updated report on TNR fees at the completion of this process. PBO will continue working with TNR and the Auditor's Office to determine if there will be a revenue impact from raising these selected fees in FY 2015.

A4. Pretrial Services Fee for Personal Bond

During budget hearings, several members of Commissioners Court requested information on the fee charged for personal bonds by Pretrial Services. The County Attorney's Office has indicated that the Commissioners Court has the flexibility to increase the amount of the fee collected from the current minimum of \$20 to "3% of the amount of the bail fixed for the accused, whichever is greater." PBO will continue working with Pretrial Services and the County Attorney's Office to determine whether a higher fee is appropriate and will present findings to the Court in FY 2015 prior to the FY 2016 budget process.

STAFF RECOMMENDATION ON ITEMS A1-A4: No action recommended at this time.

B. Increase the Medical Examiner's Office Out-of-County Autopsy Fee to \$2,900

The Travis County Medical Examiner's Office (TCMEO) performs autopsies for out-of-county decedents upon the order of a Justice of the Peace in a county with an interlocal agreement with Travis County. Forty-two Texas counties have such interlocal agreements, although the number of autopsy cases that come from each county varies widely. The office expects to perform 785 out-of-county autopsies in FY 2015. The office charges a fee to these counties to make sure that Travis County taxpayers are not subsidizing other counties' autopsy needs. The autopsy fee was last raised in 2012 after a financial feasibility study was performed to determine the need for a new facility and to better reflect the appropriate cost of the service.

PBO and TCMEO have analyzed the workload measures and budget for the office and determined a fee increase is again warranted. The proposed increase is \$300, from \$2,600 to \$2,900 per autopsy. The amount of the increase was determined by assessing the time each staff member spent on out-of-county cases and then applying that percentage to the budget of the office. In addition to considering the personnel and operating costs of the office, the indirect cost rate and debt service on the design of the new facility as well as the FY 2015 construction costs were added into the fee analysis to get a complete accounting of the costs that the County incurs when performing an out-of-county autopsy. Using the currently funded six doctors in the analysis versus the seven doctors that the office has requested during budget hearings resulted in a *de minimus* rounding difference in the cost of out-of-county autopsies.

This increase is not expected to affect revenue collection in the short term. Normally, after a price increase is announced, several counties go elsewhere for autopsies. However, these counties normally return to Travis County when they realize that TCMEO is more convenient or other ME offices have raised their fee to match Travis County. After the 2012 increase, the office lost 90 out-of-county cases. PBO believes that a short term decrease in the workload will be beneficial to the department while they are in the midst of transitioning to a new Chief Medical Examiner. After the caseload recovers, it is likely that overall revenue for the office will increase.

If Commissioners Court approves this fee increase, the increase could be implemented early in FY 2015 after each of the client jurisdictions is notified of the increase. PBO recommends revisiting the autopsy fee in FY 2017 after additional certificate of obligation funding may be issued for the new facility.

STAFF RECOMMENDATION FOR ITEM B: PBO recommends that Commissioners Court approve a fee increase for out-of-county autopsies of \$300 from \$2,600 to \$2,900 to be implemented by the Medical Examiner's Office as soon as is feasible.

PLANNING AND BUDGET OFFICE
TRAVIS COUNTY, TEXAS



700 Lavaca, Ste. 1560
P.O. Box 1748
Austin, Texas 78767

MEMORANDUM

TO: Members of Commissioners Court
FROM: Aerin-Renee Pfaffenberger, Budget Analyst
DATE: September 2, 2014
RE: Order Setting Fees Charged by the Sheriff and Constables of Travis County in 2015

Under Section 118.131 of the TEXAS LOCAL GOVERNMENT CODE, the Commissioners Court must set the fees to be charged for services provided by the offices of the Sheriff and Constables before October 1 of each year to be effective January 1 of the following year.

On August 13, 2013, Commissioners Court approved an increase of 7.25% for Constable Civil Process Fees that became effective on January 1, 2014. At that time, a potential second increase was planned for calendar year 2015. PBO has worked with the County Auditor's Office Revenue Estimation and Financial Analysis Division to review the impact of the fee increase on revenue collection in the constable offices.

The fee increases of \$5 to \$10 for most civil process fees have been effective for an eight month period. The analysis revealed that the 2014 fee increase has not yet resulted in an across-the-board increase to revenue generation in the constable's offices. Without a full year of data to show the effect on the workload and associated revenue generation in the constable's offices, staff believes that data trends do not substantiate an additional fee increase. PBO therefore does not recommend an increase to the fees at this time.

For calendar year 2015, the Order setting the fees charged by County law enforcement offices is attached for your approval. The order reflects the recommendation by PBO to maintain Constable fees at the levels that were approved by Commissioners Court last year. No increases to Sheriff-specific fees are recommended. PBO has shared this recommendation with the Constable offices and the Sheriff's Office and they concur.

Cc: Hon. Sheriff Greg Hamilton
Hon. Danny Thomas, Constable, Precinct 1
Hon. Adan Ballesteros, Constable, Precinct 2

Hon. Sally Hernandez, Constable, Precinct 3
Hon. Maria Canchola, Constable, Precinct 4
Hon. Carlos Lopez, Constable, Precinct 5
Leroy Nellis, Interim County Executive, PBO
Travis Gatlin, Diana Ramirez, PBO
Jennifer Kraber, County Attorney's Office
Jessica Rio, Budget Director, PBO
Daniel Wilson, County Auditor's Office

ORDER OF THE COMMISSIONERS COURT
SETTING FEES TO BE CHARGED BY THE OFFICES
OF THE SHERIFF AND CONSTABLES IN 2015

STATE OF TEXAS

COUNTY OF TRAVIS

Pursuant to Section 118.131 of the TEXAS LOCAL GOVERNMENT CODE, it is hereby ORDERED that the fees to be charged for services by the offices of the Sheriff and Constables of Travis County in 2015 be and the same are hereby set in the amounts set out in the Schedule of Fees to Be Charged for Services by the Offices of the Sheriff and Constables of Travis County in 2015 which is attached hereto and made a part hereof.

ORDERED THIS 2nd DAY OF SEPTEMBER 2014.

TRAVIS COUNTY COMMISSIONERS COURT

Samuel T. Biscoe, County Judge

Ron Davis
Commissioner, Precinct One

Bruce Todd
Commissioner, Precinct Two

Gerald Daugherty
Commissioner, Precinct Three

Margaret Gómez
Commissioner, Precinct Four

SCHEDULE OF FEES TO BE CHARGED
 FOR SERVICES† BY THE OFFICES OF THE SHERIFF
 AND CONSTABLES OF TRAVIS COUNTY IN 2015
Effective January 1, 2015

CITATION (County and District Court)	\$ 75.00
CITATION (Small Claims and Justice Court)	75.00
CITATION (Probate, by posting)	75.00
SUBPOENA (Civil)	75.00
SUMMONS (Civil)	75.00
FORCIBLE DETAINER	75.00
INJUNCTION	115.00
TURNOVER ORDER*	115.00
WRIT OF EXECUTION*‡	220.00
ORDER OF SALE*‡	220.00
TEMPORARY RESTRAINING ORDER	115.00
WRIT OF POSSESSION (if move out exceeds 2 hours, additional fee of \$35/hour/deputy)	160.00
PROTECTIVE ORDER (to be charged to respondent)	140.00
WRIT OF ATTACHMENT‡	155.00
WRIT OF SEQUESTRATION‡	155.00
WRIT OF GARNISHMENT‡	115.00
DISTRESS WARRANT	220.00
WRIT OF RE-ENTRY	160.00
PROPERTY CODE SHOW CAUSE ORDER	75.00
OTHER WRITS‡	115.00
MENTAL/ALCOHOL/DRUG COMMITMENT	15.00
PEACE BOND	15.00
POSTING WRITTEN NOTICE (each)	60.00
TAKING AND APPROVING BOND	35.00
EXECUTING A DEED	35.00
EXECUTING A BILL OF SALE	35.00
CRIMINAL RECORD/WARRANT LETTER	15.00

(†) The fees listed above apply to an unsuccessful attempt to provide this service as well as a successful attempt.

(*) County *commission* due based on percent of monies collected is 10.7% of 1st \$20,000; and 4% of amounts greater than \$20,000.

(‡) For a Writ and Order of Sale served which exceeds 2 hours and for Writs served out of county that exceed two hours, an additional fee of \$55/hour/deputy is required for an officer to perform the service.

Other fees: Issuance, renewal or reinstatement of Alarm Permit: Residential, \$25.00; Commercial, \$50.00. Response to false alarm, if more than five false alarms have occurred within the preceding 12-month period, \$75.00. Sexually Oriented Businesses: Initial registration for exemption, \$50.00; Renewal of exemption, \$25.00; Initial or renewal application for Sexually Oriented Business License, \$500.00; Initial or renewal application for Operator's License, \$50.00; issuance of duplicate registration or license, \$15.00.

Approved by Travis County Commissioners Court on September 2, 2014.

TRAVIS COUNTY, TEXAS

BY: _____
 Samuel T. Biscoe, Travis County Judge