



Travis County Commissioners Court Agenda Request

Meeting Date: September 9, 2014

Prepared By/Phone Number: Yolanda Reyes, 512-854-9106

Elected/Appointed Official/Dept. Head: Leroy Nellis, County Executive,
Planning and Budget *A LO for Leroy Nellis.*

Commissioners Court Sponsor: Judge Samuel T. Biscoe

AGENDA LANGUAGE:

CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM THE DISTRICT JUDGES FOR FLEXIBILITY TO SET THE COUNTY AUDITOR'S ANNUAL SALARY UNDER LOCAL GOVERNMENT CODE SECTION 152.032 TO THE FY 2014 SALARY.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS: Texas law states that when the County Auditor's salary will exceed the benchmark salary as defined in Texas Local Government Code Section 152.032, the District Judges may only set the County Auditor's salary for the next fiscal year above that benchmark if the compensation and allowances are approved by the Commissioners Court. The District Judges would like the flexibility to continue to pay the County Auditor at the same salary as she has been paid in FY 2014.

STAFF RECOMMENDATIONS: PBO recommends approval.

ISSUES AND OPPORTUNITIES: This request has been handled in budget mark-up for many years. However, PBO believes it is more suited to grant this flexibility during a regular meeting of the Commissioners Court.

FISCAL IMPACT AND SOURCE OF FUNDING: Funding is included in the FY 2015 budget.

REQUIRED AUTHORIZATIONS:

Leroy Nellis – Planning and Budget Office, (512)854-9106

Jessica Rio – Planning and Budget Office, (512)854-9106

County Judge's Office, (512)854-9555

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.

CAUSE NUMBER D-1-GN-61-121012
District Judges Order to Approve
The County Auditor's Budget
For Fiscal Year 2015

Filed in The District Court
of Travis County, Texas

AUG 28 2014

At 12:37 P.M.
Amalia Rodriguez-Mendoza, Clerk

On August 20, 2014, the District Judges of Travis County, Texas, (*hereinafter referred to as District Judges*) held a public hearing in accordance with Texas Local Government Code §152.905 to consider comments made by the citizens of Travis County and other interested parties concerning the amount of annual compensation of the County Auditor and Assistant Auditors. Notice of the time, place and subject of the hearing on August 20, 2014, was published in the Austin Chronicle, a newspaper of general circulation in Travis County on July 25, 2014.

Having received the application of the County Auditor for the appointment of various assistants and for the setting of compensation, and on majority vote of the District Judges of Travis County, the following Order is hereby entered pursuant to Texas Local Government Code §152.031, §152.032, §152.034, §152.905, §84.021, and §84.901:

BUDGET

1. A budget of \$10,908,709 is approved for Fiscal Year 2015 for expenditures described in this Order and the attached Exhibits A, A-1, A-2, B and C as submitted by the County Auditor. The approved \$10,908,709 is the County Auditor's Target Budget (*hereinafter Budget*), which amount is included in the Commissioners' Court Preliminary County Budget.
2. The amount budgeted in FY 2015 for expenses of the County Auditor's Office (or the salary of an assistant auditor) shall not exceed five (5) percent of the previous year's budgeted amount without prior approval of the district judges and approval of the commissioners.
3. This Order excludes capital project fund expenditures that are in the County Auditor's budget as these expenditures could be debt financed and must be spent consistent with the applicable debt covenant.

MANAGEMENT DIRECTIVES

4. The County Auditor shall provide by July 15 of each year a copy of the anticipated budget for the next fiscal year as well as a detailed report on budgeted expenditures for the prior fiscal year and year-to-date expenditures for the current fiscal year. The County Auditor shall also submit a list of the various Assistants employed by the Auditor and the name, duties, qualifications, and experience of each Assistant Auditor and the salary paid to each Assistant Auditor (Exhibit D).
5. There shall be no expenditures for Legislative Services from the County Auditor's budget in Fiscal Year 2015.
6. The County Auditor shall provide by July 15 of each year a list of positions that have been vacant in the last 365 days (similar to the 180 vacancy report submitted to Commissioners' Court by the Planning and Budget Office each year listing positions that have been vacant for more than 180 days).
7. Budget transfers between personnel line items and other personnel line items; or between operating line items and other operating line items; or between operating line items and non-CAR capital (non-Capital Acquisition Resources) line items; or between CAR (Capital Acquisition Resources) line items by the Travis County Auditor's Office must conform to

CAUSE NUMBER D-1-GN-61-121012
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For Fiscal Year 2015

the Travis County Budget Rules adopted by Commissioners' Court for Fiscal Year 2015 (FY15 Budget Rules). Budget transfers within the personnel and operating category must conform to the FY15 Budget Rules. Budget transfers between personnel line items and operating/capital line items by the County Auditor will be permitted if approved by the District Judges. Capital Acquisition Resources (CAR) must be used for one-time expenditures for capital items per the FY15 Budget Rules. The Executive Manager of the Planning and Budget Office (PBO) will be advised of the protocol for budget transfers for the County Auditor's Office.

8. At year-end, pre-encumbrances, encumbrances, and related budget rollovers for the County Auditor's Office will be treated consistent with Travis County financial policy.
9. The use of temporary salary savings by the County Auditor must conform to the FY15 Budget Rules. As an exception, the County Auditor is allowed to transfer budget from a personnel line item to the advertisement operating line item in order to pay for job vacancy advertisements. Any other exceptions to the use of temporary salary savings per the FY15 Budget Rules must receive approval from the District Judges.
10. Salary increases authorized in this Order not otherwise funded by Commissioners' Court will come from the salary reserve. When salary increases cumulatively reach the limit of the salary reserve, the District Judges will call a public meeting pursuant to the Texas Local Government Code §152.905 for the purpose of acting upon any additional salary changes. The Auditor's Budget includes a salary reserve in the amount of \$215,531 as listed in the attached Exhibit A-1.
11. Beginning with FY 2015, the Auditor's Office budget will include negative salary savings of \$125,000 (excluding benefits), leaving a net salary reserve of \$90,531.
12. Time is of the essence in managing the daily operations and resources of the Auditor's Office. For transfers, exceptions, or other actions that require Judges' approval, the District Judges will provide the County Auditor written approval or denial within three (3) business days of the date of the request to enable the County Auditor to continue to perform statutory responsibilities.

AUDITOR COMPENSATION

13. The annual salary of the County Auditor shall be set at the current salary of \$175,898.25 plus any additional compensation that the Travis County Commissioners' Court grants to the county workforce for Fiscal Year 2015. The County Auditor is hereby authorized to receive the same percentage increase at the time specified by Commissioners' Court for the award.
14. Since the County Auditor's salary exceeds the benchmark salary as defined in Texas Local Government Code §152.032(e), the following budget motion is approved by the District Judges to be placed on the Commissioners Court agenda for consideration by Commissioners' Court: "Consider and take appropriate action on request from the District Judges for flexibility to increase the County Auditor's annual salary under LGC section 152.032 as long as the total annual budget approved by the District Judges plus the compensation related increases allocated to the County Auditor's Office and approved by Commissioners' Court is not exceeded."

CAUSE NUMBER D-1-GN-61-121012
District Judges Order to Approve
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For Fiscal Year 2015

15. The salary of the County Auditor is to be paid from Travis County funds.
16. In addition to the salary and as part of the official compensation, the County Auditor is allowed such retirement benefits, longevity, group hospitalization and life insurance and accidental death and dismemberment insurance, workmen's compensation, and other benefits and allowances at the expense of Travis County as authorized by law.

ASSISTANT AUDITOR COMPENSATION

17. The salaries of the Assistant County Auditors are to be paid from Travis County funds, as set out in the list attached to this Budget Order as Exhibit A-1. Base salary changes for Assistant Auditors authorized in this Order are subject to the Auditor's Career Ladder in accordance with Exhibit A.
18. The County Auditor will determine appropriate placement of Assistant Auditors on the Career Ladder consistent with Exhibit A and, when Commissioners' Court requires County offices to fund career ladder increases internally, in accordance with Section 12.
19. Salary supplements and single earned payments not otherwise authorized in this order must have the approval of the District Judges.
20. Payment or reimbursement for moving expenses and/or interviewing expenses for new employees will be permitted if approved by the District Judges.
21. No overtime payments may be paid to exempt employees. The payment of overtime in the County Auditor's Office for non-exempt employees must conform to the FY15 Budget Rules relating to overtime and will comply with federal law.
22. To the extent that the Travis County Commissioners Court grants additional compensation to the County workforce for FY 2015, the Assistant Auditors are hereby authorized to receive the same percentage increase or other intended amounts under conditions authorized by Commissioners' Court for the award, contingent on each Assistant Auditor's performance evaluation at least meeting expectations.
23. Any additional compensation given to individual Assistant Auditors in the FY 2015 Budget includes any compensation amount granted by the Commissioners Court to the County workforce. The additional compensation over and above the amount granted by the Commissioners Court will be funded with permanent salary savings from the Auditor's Office Budget.
24. In addition to the salary herein approved and as a part of their official compensation, the Assistant Auditors are allowed such retirement benefits, longevity, group hospitalization, life insurance, accidental death and dismemberment insurance, workmen's compensation, and other benefits and allowances at the expense of Travis County as authorized by law.

CAUSE NUMBER D-1-GN-61-121012
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ASSISTANT AUDITOR STAFFING

25. The number of approved Assistant County Auditor positions is eighty-seven (87), which includes one Office Specialist position that was converted from a temporary to permanent position. This position was approved by the District Judges and is recommended for approval by PBO to the Commissioners Court in the FY 2015 budget. The persons appointed as Assistant County Auditors are listed on Exhibit A-1 according to slot and title.
26. Because it is necessary for the audit work in the office of the County Auditor to be performed as it is received from the various offices/departments, and because employment decisions need to be made when suitable persons are available and needs arise, the County Auditor has the following authority:
 - (a) to continue the employment of the appointed Assistants listed in Exhibit A-1, to discharge any of said persons if the occasion warrants, and to accept resignations;
 - (b) to rearrange the personnel when necessary in accordance with the changing conditions in the office and in the work to be performed and to change titles, if justified;
 - (c) to make promotions, demotions, Career Ladder placements, and other adjustments to Assistants' salaries including merit and performance based raises and market adjustments, taking into consideration increased or decreased responsibilities, added experience or education, volume of work handled, length of service or other relevant factors;
 - (d) to fill all vacant authorized positions listed in Exhibit A-2 as needed. The County Auditor is authorized to increase or decrease the salaries offered for vacant authorized positions and make appropriate Career Ladder placements upon hiring;
 - (e) to exercise the authority in (c) and (d) only in accordance with Section 10.
27. Prior to requesting new positions (permanent employees), the County Auditor should first attempt to use existing vacant positions. If using current vacant positions is not feasible, the County Auditor may request new positions from Commissioners' Court but must first notify and provide the justification for the proposed staffing increases to the District Judges for their review and comments.
28. The County Auditor is further authorized to fill positions with personnel employed by temporary employment firms or search firms and to make payments directly to the firm to obtain help to continue the execution of work at necessary levels when suitable extra personnel cannot otherwise be obtained. This authorization is to be used only when necessary to prevent undue delay in completion of work.

Be It Further Ordered that this Order, be recorded, transcribed, and maintained as a public record, that the District Clerk shall record this action in the minutes and certify this Order to the Commissioners' Court and that the Commissioners' Court shall cause it to be recorded in their minutes in accordance with Texas Local Government Code §152.031.

CAUSE NUMBER D-1-GN-61-121012
District Judges Order to Approve
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This order shall remain in effect unless altered or amended by a vote of the District Judges or by the law. Duly put before the District Judges and carried that the County Auditor's Budget for fiscal year 2015, as detailed in attached Exhibits A, A-1, A-2, B and C, is hereby approved by the Travis County District Judges.

Adopted on the 20th day of August, 2014.



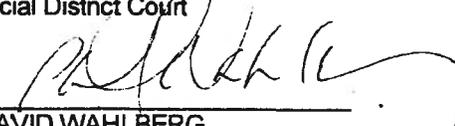
JUDGE SCOTT H. JENKINS
53rd Judicial District Court



JUDGE RHONDA HURLEY
98th Judicial District Court

JUDGE DARLENE BYRNE
126th Judicial District Court

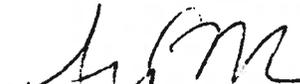
JUDGE CLIFF BROWN
147th Judicial District Court



JUDGE DAVID WAHLBERG
167th Judicial District Court



JUDGE GISELA D. TRIANA
200th Judicial District Court



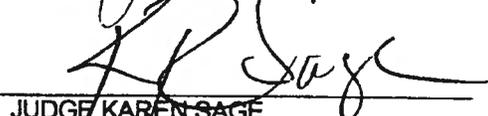
JUDGE AMY CLARK MEACHUM
201st Judicial District Court



JUDGE JOHN K. DIETZ
250th Judicial District Court



JUDGE LORA J. LIVINGSTON
261st Judicial District Court



JUDGE KAREN SAGE
299th Judicial District Court



JUDGE DAVID CRAIN
331st Judicial District Court



JUDGE STEPHEN YELENOSKY
345th Judicial District Court



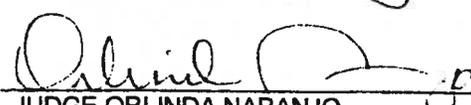
JUDGE TIM SULAK
353rd Judicial District Court



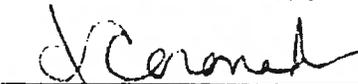
JUDGE JULIE KOCUREK
390th Judicial District Court



JUDGE BRENDA KENNEDY
403rd Judicial District Court



JUDGE ORLINDA NARANJO
419th Judicial District Court



JUDGE JIM CORONADO
427th Judicial District Court