



Travis County Commissioners Court Agenda Request

Meeting Date: September 30, 2014

Prepared By/Phone Number: Melissa Velasquez, Judge's Office, x49555

Elected/Appointed Official/Dept. Head: Samuel T. Biscoe, County Judge

Commissioners Court Sponsor: Samuel T. Biscoe, County Judge

AGENDA LANGUAGE:

CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE TRAVIS COUNTY COMBINED CHARITIES CAMPAIGN, OUR EMPLOYEE GIVING CAMPAIGN:

- A. GREATER AUSTIN WORKPLACE CAMPAIGN ENGAGEMENT AGREEMENT FOR 2014-2015 WITH UNITED WAY FOR GREATER AUSTIN;
- B. SET THE OFFICIAL CAMPAIGN DATES FOR OCTOBER 15, 2014 TO NOVEMBER 30, 2014;
- C. PRINTING OF MORE THAN 5000 COPIES OF THE UNITED WAY FOR GREATER AUSTIN PLEDGE FORMS; AND
- D. AUTHORIZE THE DISTRIBUTION OF TRAVIS COUNTY'S PREVIOUSLY APPROVED AND THE CITY OF AUSTIN'S 2014 BOOKLET OF FEDERATIONS AND CHARITABLE ORGANIZATIONS THAT ARE INCLUDED IN THE CITY OF AUSTIN COMBINED CHARITIES CAMPAIGN.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

In FY2014 the Commissioners Court approved an agreement with United Way for Greater Austin to provide an employee giving campaign.

United Way for Greater Austin provided fiscal agent services and experienced and dedicated staff to provide increased visibility in the workplace and support while conducting our employee giving campaign, Travis County Combined Charities.

We are requesting to renew Travis County's agreement with United Way for Greater Austin to serve as fiscal agent for our campaign.

Our goal is participation and building philanthropy in the workplace.

What is the Travis County Combined Charities Campaign?

The Travis County Combined Charities Campaign is our annual employee giving campaign authorized by Travis County for county employees. It allows employees to support a wide variety of nonprofit organizations, primarily through payroll contributions. **Payroll contributions** allow employees the ability to give conveniently by contributing small amounts from each paycheck. It allows you to give more generously, because the contribution is spread over an entire calendar year.

This contract has been reviewed by the County Attorney's Office.

STAFF RECOMMENDATIONS:

Recommend approval.

REQUIRED AUTHORIZATIONS:

John Hille, Assistant County Attorney

**GREATER AUSTIN WORKPLACE CAMPAIGN
ENGAGEMENT AGREEMENT
FOR 2014-2015**

Travis County, a political subdivision of the State of Texas, enters into this Agreement with United Way for Greater Austin (“United Way”). This Agreement is based on the premise that the Travis County Combined Charities Campaign (“TCCCC”) is owned by Travis County and its employees, and that every non-profit agency admitted by the County has a right to participate in the workplace campaign on a fair and equitable basis. This Agreement shall not be considered a means for Travis County to make a donation to a charitable entity. No public funds will be utilized for the support of any non-profit corporation involved in this campaign; whether through matching or donations. This Agreement is solely to facilitate employee contribution to charitable agencies. Incidental use of County space is allowable by law; as well as the acceptability of County employees volunteering their time while not neglecting their assigned duties.

United Way agrees to manage the receipts of the campaign in compliance with the Accountability and Governance Standard of United Way-Worldwide. United Way will in no way intentionally use its role as fiscal agent to assert its interests over the interests of other charitable organizations participating in the campaign.

This Contract is exempted from the bidding requirements of the County Purchasing Act pursuant to Section 262.024(a)(4) of the Local Government Code as this is a Contract for professional services. The UNITED WAY is an independent United Way; neither UNITED WAY nor its employees claim to be employees of the COUNTY nor do they claim any benefits from the COUNTY other than contract payments for services rendered.

1. Role and Duties of United Way
 - A. Provide customized campaign planning and implementation that would include campaign collateral including brochures, posters, and pledge forms. Kick-off training will be in mid-October. The County-wide campaign will be October 15 – November 30, 2014.
 - B. Marketing support including, but not limited to:
 1. The development of customized campaign messaging.
 2. The access to the United Way Speakers Bureau.
 3. Customer service for donors and non-profit agencies.
 4. Access and information for employees to United Way’s Navigation Center: 2-1-1
 5. Opportunities for Travis County Leadership Donors to participate in Women’s Leadership Programs, Young Leaders, and other leadership events.
 6. Training and support to Travis County Liaisons.

- C. No Travis County employee will be coerced to participate in the Campaign; employees are free, however, to volunteer their time.
- D. Serve as the fiscal agent for the Travis County Combined Charities Campaign.
- E. Provide Travis County employees, Travis County administration, and participating federations and funds with assurance of timely, accurate, and cost effective delivery of employee contributions to designated non-profit agencies.
- F. Process employee pledge forms. The following procedures will be observed:
 - 1. United Way will be provided all collected and completed campaign report envelopes, including pledge forms, cash, and checks, on a weekly basis throughout the campaign.
 - 2. Patriot Act certification of designated non-profit agencies.
 - 3. United Way will safeguard all monies received by it. Any losses shall be reimbursed by the United Way.
- G. Process cash and checks within five business days of receipt at United Way at the end of the campaign.
- H. Generate and distribute the following reports to applicable federations/funds by the first quarter following the first payment from Travis County. Donor pledge information is available to all agencies via an online portal provided by United Way regardless if payment has been made.
 - 1. A designation report.
 - 2. An acknowledgement report.
- I. Distribute all donations to the applicable agencies by February 28, 2016.
- J. Distribute all payroll deduction contributions to applicable non-profits as collected from the County on a quarterly basis, beginning in the month of May. Each agency might not receive the full amount of designations due to uncollectible pledges.
- K. Distribution of campaign proceeds to applicable agencies will include all designated and undesignated contributions to each agency. Undesignated contributions are shared on a pro-rata basis between all participating agencies based on the amount of designations per agency.
- L. Provide to Travis County, an itemized accounting by Mid-September 30, 2015. Copies of all receipts will be available upon TCCCC's request and will be available to the participating agencies upon request.

- M. Provide to Travis County, upon request, access to the employee payroll deduction campaign pledge forms. United Way must keep the pledge forms and all financial records relating to the distribution of contributions for at least three years.
 - N. Provide campaign activities that are conducted fairly and equitably to promote unified solicitation on behalf of all participants.
- 2. Travis County Responsibilities:
 - A. Pursuant to Local Government Code Section 155.001 (a)(4), at the request of an employee, provide payroll deduction, and forward the employee contributions to United Way monthly.
 - B. Forward to United Way timely, accurate pledge result details
 - C. Forward to United Way payment details for accurate payout of designations and donor acknowledgments.
- 3. Cost and Compensation of United Way
 - A. United Way may retain an administrative fee, calculated on a 3 year rolling average, currently at a rate of twelve and nine-tenths percent (12.9%) per donation, with maximum of \$250, for the services described in Section 1. However, United Way will not retain a fee for donations made to United Way (“Make the Greatest Impact”, Success By 6, Target Graduation, Financial Opportunity).
- 4. Term of Agreement

This Agreement will be effective beginning October 1 and will continue through the final distribution of February 28, 2016.
- 5. Notice
 - A. Written Notice. All notices between the parties and related to this Contract shall be given to the other party in writing. If a notice is delivered in person to the address in this section for the party to whom the notice is given, that notice is deemed to have been given immediately. If a notice is placed in the United States mail, postage prepaid, by registered or certified mail with return receipt requested, addressed to the address in this section for the party to whom the notice is given, that notice is deemed to have been given on the third Working Day following mailing.
 - B. County Address. The address of County for all purposes and notices under this Contract is:

Honorable Samuel T. Biscoe (or his successor in office)
Travis County Judge
P.O. Box 1748
Austin, Texas 78767

C. United Way Address. The address of United Way for all purposes and notices under this Contract is:

United Way for Greater Austin
Attn: Debbie McGee
2000 E. MLK Jr. Blvd.
Austin, TX 78702

D. Change of Address. Each party may change its address for notice by giving Notice of the new address. County and United Way shall give Notice to each other of any change in its address, including a change in the person to whom attention is directed, within fifteen (15) Days of the change.

6. Right of Inspection and Audit. United Way shall give the COUNTY, or any of its duly authorized representatives, access to and the right to examine all books, accounts, records, reports, files, and other papers, things, or property belonging to or in use by United Way pertaining to this Contract at reasonable times and for reasonable periods. These rights to access shall continue as long as the records are retained by United Way.

7. Dispute Resolution

When mediation is acceptable to both parties in resolving a dispute arising under this Agreement, the parties agree to use a mutually agreed upon mediator, or person appointed by a court of competent jurisdiction for mediation as described in the Tex. Civ. Prac. and Rem. Code, 154.023. Unless both parties are satisfied with the result of the mediation, the mediation will not constitute a final and binding resolution of the dispute. All communications within the scope of the mediation must remain confidential as described in Tex. Civ. Prac. and Rem Code 154.073, unless both parties agree, in writing, to waive the confidentiality.

8. Miscellaneous

A. Computation of Time. When any period of time is stated in this Contract, the time shall be computed to exclude the first day and include the last day of the period. If the last day of any period falls on a Saturday or Sunday or a day that County has declared a holiday for its employees these days shall be omitted from the computation.

B. Number and Gender. Words of any gender in this Contract shall be construed to include any other gender and words in either number shall be construed to include the other unless the context in the Contract clearly requires otherwise.

C. Headings. The headings at the beginning of the various provisions of this Contract have been included only to make it easier to locate the subject matter covered by that section or subsection and are not to be used in construing this Contract.

D. Assignability. Neither party may assign any of the rights or duties created by this Contract without the prior written approval of the other party. It is acknowledged by United Way that no officer, agent, employee, or representative of COUNTY has any authority to assign any part of this Contract unless expressly granted that authority by the Travis County Commissioners Court.

E. Binding Contract. This Contract shall be binding upon the successors, assigns, administrators, and legal representatives of the parties to this Contract.

F. Entire Agreement. All oral and written agreements between the parties to this Contract relating to the subject matter of this Contract that were made prior to the execution of this Contract have been reduced to writing and are contained in this Contract.

G. LAW AND VENUE. THIS CONTRACT IS GOVERNED BY THE LAWS OF THE STATE OF TEXAS AND ALL OBLIGATIONS UNDER THIS CONTRACT SHALL BE PERFORMABLE IN TRAVIS COUNTY, TEXAS.

H. Amendments.

1. Written Amendment. Unless specifically provided otherwise in this Contract, any change to the terms of this Contract or any attachments to it shall be made in writing and signed by both parties. No modification concerning this Contract shall be of any force or effect, excepting a subsequent modification in writing signed by the Party to be charged.

2. IT IS ACKNOWLEDGED BY UNITED WAY THAT NO OFFICER, AGENT, EMPLOYEE, OR REPRESENTATIVE OF COUNTY HAS ANY AUTHORITY TO CHANGE THE TERMS OF THIS CONTRACT OR ANY ATTACHMENTS TO IT UNLESS EXPRESSLY GRANTED THAT AUTHORITY BY THE TRAVIS COUNTY COMMISSIONERS COURT.

UNITED WAY FOR GREATER AUSTIN:

DEBBIE BRESETTE, PRESIDENT

Date

TRAVIS COUNTY:

SAMUEL T. BISCOE, COUNTY JUDGE

Date

UWATX Pledge Form

Step 1: Please fill out donor information

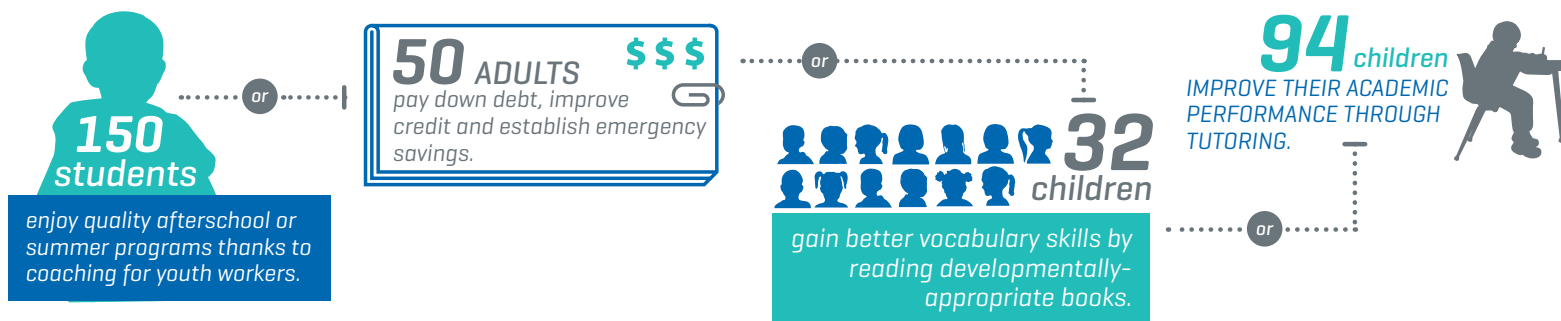
United Way for Greater Austin only uses contact information to process donations and let you know how your investment is helping Greater Austin thrive.

Mr./Mrs./Ms./Dr.	First Name	M.I.	Last Name	Recognition Name (if different)	Employee ID #
Home Address		Apt.	City	State	Zip
Preferred Telephone		<input type="checkbox"/> Home <input type="checkbox"/> Cell <input type="checkbox"/> Work	Preferred Email		<input type="checkbox"/> Personal <input type="checkbox"/> Work
					<input type="checkbox"/> I wish to remain anonymous in publications.

Your contribution makes a difference!

By giving just **\$5 per week**, you could help Greater Austin residents overcome barriers to economic opportunity and make sure our community thrives.

Here's what \$5 per week could mean for our community:



Step 2: Please select payroll deduction or direct gift

☐ EASY PAYROLL DEDUCTION

I want to contribute the following each pay period:

- | | |
|--|--|
| <input type="checkbox"/> \$25 X _____ yearly pay periods | <input type="checkbox"/> \$15 X _____ yearly pay periods |
| <input type="checkbox"/> \$10 X _____ yearly pay periods | <input type="checkbox"/> \$5 X _____ yearly pay periods |
| <input type="checkbox"/> \$ _____ X _____ yearly pay periods | |

TOTAL GIFT AMOUNT: \$ _____

☐ DIRECT GIFT

Direct gift to be paid by:

- ☐ **Cash or check** (Check No. _____)
Please make check payable to United Way for Greater Austin.
- ☐ **Automatic Credit Card Charge**
To make your donation with a credit card or debit card, visit our secure website at uwatx.org/EmployeeGifts or call 512.225.0378
- ☐ **Stock**
To donate stock, please check the box and United Way for Greater Austin will contact you.

TOTAL GIFT AMOUNT: \$ _____

Step 3: \$5 More?

If **each donor** gave just **\$5 more** per paycheck, we could serve an additional:

461 TODDLERS AND PRESCHOOLERS,
616 MIDDLE-SCHOOLERS AND 5,630 FAMILIES.

☐ **YES!** I want to give **\$5 MORE** per paycheck.

\$5 X _____ = \$ _____
of yearly pay periods Total additional gift

Step 4: Total Gift

\$ _____ + \$ _____ = \$ _____
Total from Step 2 Total from Step 3 Total Gift

SIGNATURE _____ **DATE** _____

Donor Designation Page [This page is optional]

When you donate to United Way for Greater Austin, you have the option to direct the distribution of your gifts. Please fill out the other side before completing this side. Please check the gray box where you'd like to invest and indicate the amount in the corresponding teal box.

☐

Make the greatest impact!

United Way for Greater Austin helps our community overcome barriers to economic opportunity and continue to thrive. We are solving problems not just for one person with one need, but creating solutions for a large community with large needs.

\$

☐

Target my support to UWATX’s strategic programs

Success By 6
Success By 6 works to make sure every child is ready for kindergarten by improving the complex network of child care services, parent education, public and private funding and public policy.

Target Graduation
In order to boost the lagging high-school graduation rate, Target Graduation focuses on providing and coordinating support services proven to positively impact middle school students.

Financial Opportunity
Our Financial Opportunity programs empower working poor families and individuals with the knowledge and tools to become financially stable.

Health
Our health work includes the United Way Navigation Center, which helps callers access healthcare and human services, and supports our work in education.

\$

\$

\$

\$

☐

Restrict my dollars to a nonprofit agency

UWATX will send your gift, your name and address unless otherwise specified.

Minimum \$50*

\$

Nonprofit 501(c)3 Organization Name		Employer ID Number (EIN)	
Address (Required)*	City	State	Zip
<input type="checkbox"/> Please do not release my information to my restricted agency.			

MY GIVING SOCIETIES

Please check the box for any groups you'd like to join or find out more about.

- ☐ **Leadership Givers**
I gave \$1,000 or more to UWATX and/or a UWATX program.
- ☐ **Women’s Leadership Council**
I gave \$1,200 or more to UWATX and/or a UWATX program.
- ☐ **Young Leaders Society**
I pledge to give and/or raise \$1,000 or more to UWATX and/or a UWATX program and I am under 40 years of age.

- ☐ **Tocqueville Society**
I gave \$10,000 or more.
- ☐ **Loyal Contributor**
I have been giving to United Way for 10 years or more.
Year of first gift: _____
- Note: Please make sure to provide your email on the front so you can receive information and invitations to participate with these giving societies.

TOTAL

\$

Please make sure this matches total from Step 4 on the front.

SIGNATURE

DATE

* If you do not provide the address of the nonprofit organization or your gift is less than \$50, your donation will be redirected to UWATX.

If an agency you designate to is not a qualified 501(c)(3) tax-exempt organization, if the information is incomplete or if your designation is less than \$50, your gift will be redirected to United Way for Greater Austin in support of our work in the community. United Way for Greater Austin is a nonprofit organization as defined by section 501(c)(3) of Internal Revenue Service Code, Tax ID 74-1193439. Gifts made to United Way for Greater Austin may be tax-deductible. No goods or services were provided in exchange for this contribution. Consult your tax advisor for more information. For contributions made through payroll deduction, refer to your paystub or payroll office for your total gift amount. United Way for Greater Austin honors donor intent. Please email employeeegifts@uwatx.org if you have any questions or concerns.

Unaffiliated Charities 2014 list of Travis County approved Charities

Travis County Brown Santa

512-247-2682 www.brownsanta.org

Brown Santa provides toys and a complete Christmas dinner for families that are less fortunate who live in the unincorporated areas of Travis County. .08%

Sheriff's Memorial and Benevolent Society of Travis County, Inc.

512-854-4986

The Mission of the Sheriff's Memorial and Benevolent Society is to provide Sheriff's employees, families and friends of Travis County with funds for expenses following catastrophic events, memorials, scholarships, and public safety/educational programs. .01%

Council On At-Risk Youth (CARY)

512-451-4592 www.cary4kids.org

CARY staff conduct school-based youth violence prevention program using skills training, individual behavioral counseling and service projects with 600 at-risk middle school students. 18%

Austin Pets Alive!

512-961-6519 www.austinpetsalive.org

Promoting and providing the resources, education and programs needed to eliminate the killing of companion animals in Central Texas. 11%

Capital Area Food Bank of Texas

512-282-2111 www.austinfoodbank.org

Providing nourishment to more than 48,000 people in need each week through food pantries, shelters, soup kitchens, and other human service agencies across Central Texas. 3.60%

City of Austin Customer Assistance Program (Plus+1)

512-972-7718 or 512-972-7652 www.austinenergy.com

Provides financial support on a one time basis to City of Austin utility customers on low, moderate or fixed incomes, or who face unexpected emergencies. 0.0%

Front Steps

512-305-4100 www.frontsteps.org

Believing that everyone deserves a safe place to call home, Front Steps' mission is to provide a pathway home through shelter, housing, and community education. 3.93%

Asian American Resource Center

512-836-2388 www.naaotexas.org

Your gift supports AARC in providing a place where Asian-Americans can proudly express cultural, economic and educational interests while serving as a global destination. 1.5%

Caritas of Austin

512-479-4610 www.caritasofaustin.org

Emergency rent and utility assistance for families; lunch in our Community Kitchen; case management, housing, education, employment for the working poor, homeless, and documented refugees. 8.34%

Emancipet

512-587-7729 www.emancipet.org

Works every day to address veterinary inequality by providing education and access, and ensuring affordability of spay/neuter and basic wellness services for pet owners. 16.35%



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