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Speaker .................................................................................................................. N/A

FIVE SIGNATURE DOCUMENT(s) FOR CONSIDERATION

Minister’s Letter of Appreciation

DATE(s) TO REMEMBER

TWENTY-SECOND ANNUAL DALLAS COUNTY

COMMISSIONERS COURT
THANKSGIVING LUNCHEON
Tuesday, November 25, 2003
Administration Building, 2nd Floor
At
12:00 p.m.

Please contact Joanna Diaz at jdiaz@dallascounty.org by Friday, November 21st to RSVP and let her know what you will be bringing to the luncheon.
TO: Dallas County Commissioners Court
FROM: Lisa Hembry, Dallas County Treasurer

BACKGROUND: RBC Dain Rauscher ("RBC Dain") has represented Dallas County (the "County") as financial advisor for almost forty years. RBC Dain executed their last contract for Financial Advisory services with the County on June 16, 1998. The initial term of the contract was for five years (through June 16, 2003) with two three-year extensions available at the County’s discretion. The current fee structure was put in place in 1991 and has not been altered during the intervening 12-year period. During that time, the County’s financial needs have become more complex requiring an expanded level of service, coupled with general economic cost inflation. At the Commissioner’s Court meeting on September 2, 2003, an interim extension was granted with the understanding that further negotiation of a long-term extension was anticipated. This memorandum summarizes the long-term extension proposal submitted by RBC Dain as attached.

RBC DAIN’S EXPERIENCE WITH DALLAS COUNTY: For over four decades, RBC Dain has assisted the County with a variety of financial undertakings including bond elections, representation with the credit rating agencies, implementation of numerous financing programs, advice on investment programs and assistance with depository and custodial contracts, to name a few projects. The following table recaps the financings and certain financial projects undertaken by RBC Dain for the County over the last 5 years.

**Year ending December 31, 1999**

- Dallas County, Texas Series 1988 Variable Rate Bonds - Rate Reset
- $118,000,000 North Central Texas Health Facilities Development Corporation (Northwest Senior Housing Corporation - Edgemere Project) Retirement Facility Revenue Bonds, Series 1999 AB & C
- $3,835,000 North Central Texas Health Facilities Development Corporation (Los Barrios Unidos Community Clinic, Inc. Project) Variable Rate Demand Revenue Bonds, Series 1999
Dallas County Commissioners Court - Page 2

• North Central Texas Health Facilities Development Corporation - Tri City Health Centre Inc. - Series 1991 Re-issuance.

**Year ending December 31, 2000**

• $1,155,000 Dallas County, Texas Unlimited Tax Road Refunding Bonds, Series 2000A
• $21,270,000 Dallas County, Texas Limited Tax Refunding Bonds Series 2000B
• $34,285,000 North Central Texas Health Facilities Development Corporation (Lake Park Project) Health Facilities Revenue Bonds, Series 2000A&B
• Parking Garage Feasibility Study - Selection of DeShazo & Associates
• Series 1988 Variable Rate Bonds - Liquidity Provider Selection & Rate Lock
• $14,600,000 North Central Texas Health Facilities Development Corporation (Dallas Jewish Community Foundation Project) Health Facilities Revenue Bonds, Series 2000A
• North Central Texas Health Facilities Development Corporation - Baylor Health Care System Tender Analysis
• North Central Texas Health Facilities Development Corporation - Texas Health Resources Tender Analysis

**Year ending December 31, 2001**

• $75,976,457 Dallas County, Texas Unlimited Tax Redunding and Improvement Bonds, Series 2001A
• $9,460,000 Dallas County, Texas Limited Tax Refunding Bonds, Series 2001B
• $211,670,000 North Central Texas Health Facilities Development Corporation (Baylor Health Care System Project) Hospital Revenue Bonds, Series 2001 AB&C

**Year ending December 31, 2002**

• $187,000,000 North Central Texas Health Facilities Development Corporation (Children’s Medical Center of Dallas) Hospital Revenue Bonds, Series 2002
• Securities Custodian Contract Review
• Fund Balance Policy Guidelines

**Year ending December 31, 2003**

• $21,600,000 Dallas County, Texas, Tax Notes, Series 2003
• Parking Garage Financial Analysis
• Dallas Cowboys Stadium Finance Project
• Depository Bank Contract Review
• Rating Agency Updates (re: County Budget Deficit)

REIMBURSEMENT REGULATIONS: We have been informed by our Bond Counsel firm, Vinson & Elkins L.L.P., that consultants fees are reimbursable from the gross proceeds of financings completed by the County. To the extent that the County completes at least one financing each year, the County may pay for consultant services from proceeds of the County’s financing. Should a financing not be completed in a given year the County would pay those fees from General Revenues.

PROPOSED CONTRACT EXTENSION: I propose that the County extend the RBC Dain contract pursuant to the new fee schedule. The current fee structure has been in place for over 12 years. The new fee schedule is more reflective of financial advisory contracts for entities of the County’s size and growing complexity. The following items summarize the changes to the fee schedule:

• The annual retainer would be increased from $40,000 to $60,000. This fee covers professional services in connection with one general obligation issuance per year, financial consulting on credit ratings, investments, depository contracts, legislation and any other general finance-related subjects.

• Additional general obligation County financings beyond the one covered in the retainer will be charged at an hourly rate but will be capped at $50,000 per additional financing:

<table>
<thead>
<tr>
<th></th>
<th>Current Contract</th>
<th>Proposed Contract</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clerical and Administrative</td>
<td>$0.00</td>
<td>$50.00</td>
</tr>
<tr>
<td>Professional Staff</td>
<td>$80.00</td>
<td>$125.00</td>
</tr>
<tr>
<td>Senior Professional Staff</td>
<td>$150.00</td>
<td>$200.00</td>
</tr>
<tr>
<td>Executive Professional Staff</td>
<td>$150.00</td>
<td>$250.00</td>
</tr>
</tbody>
</table>

*These rates are comparable to the rates paid by RBC Dain on other Financial Advisor contracts in the region.

• Other complex financings (new credit financing, complex debt and/or legal structures, conduit financings, project finance - i.e. stadium finance) undertaken by RBC Dain for the County or any conduit of the County (such as North Central Health Facilities Development Corporation or Dallas County Housing Finance Corporation) will be compensated pursuant to a negotiated fee, in writing, that is
mutually agreeable to both RBC Dain and the County.

- Fees for Bidding Agent services will be negotiated with the County at such time when the County requests services for investment of bond funds or other County proceeds.

- Non-customary direct expenses such as rating agency travel or travel at request of the County will be reimbursed at cost without markup. Customary expenses will be borne by RBC Dain.

**OTHER LOCAL CONTRACTS:** Financial Advisory contracts in existence for other area public entities are in line with the proposed fee schedule for Dallas County. I have accumulated the following comparisons for your review:

<table>
<thead>
<tr>
<th></th>
<th>Proposed Dallas County</th>
<th>North Texas Tollway Authority</th>
<th>Dallas Area Rapid Transit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Retainer</td>
<td>$60,000</td>
<td>$225,000</td>
<td>$0.00</td>
</tr>
<tr>
<td>Clerical &amp; Administrative (per hour)</td>
<td>$50.00</td>
<td>$75.00</td>
<td>$100.00</td>
</tr>
<tr>
<td>Professional Staff (1) (per hour)</td>
<td>$125.00</td>
<td>$100.00-$150.00</td>
<td>$150.00</td>
</tr>
<tr>
<td>Senior Professional (2) Staff (per hour)</td>
<td>$200.00-$250.00</td>
<td>$220.00-$250.00</td>
<td>$250.00</td>
</tr>
</tbody>
</table>

(1) Professional Staff includes the Analyst, Associate, and Associate Vice President levels or equivalent.

(2) Senior Professional Staff includes the Vice President, Principal and Managing Director levels or equivalent.

(3) Contract in renegotiation.

**CONCLUSION:** In summary, based on the outstanding and lengthy relationship between the County and RBC Dain, I recommend that the County exercise the extension offered in the original contract (as attached) with regards to financial advisory services and adopt the new fee schedule for those services. Given the length of time since the last fee increase and the level of service we receive from RBC Dain, I believe the increase is justified.
November 18, 2003

The Honorable Lisa Hembry
County Treasurer
Dallas County, Texas
303 Dallas County Records Building
509 Main Street
Dallas, TX 75202

Re: Financial Advisory Contract Extension

Dear Ms. Hembry:

We are very pleased to have the opportunity to continue the financial advisory relationship between RBC Dain Rauscher Inc. ("RBC Dain") and Dallas County, Texas (the "County"). For almost forty years we have enjoyed serving the County in this capacity and we look forward to continuing the relationship.

We have recently reviewed the existing contract between the County and RBC Dain and have discovered that the contractual agreement expired on June 16, 2003, but may be extended for two additional three-year terms. At the Dallas County Commissioner's Court meeting of September 2, 2003, the Court made an interim extension of the original contract, but allowed for further negotiation of a long-term extension. As such, we propose that County extend the original contract with regards to financial advisory services and request that the County adopt the attached new fee schedule for those services.

Throughout the last several years the financial advisory business has undergone a multitude of changes that include the need for an expanded level of service, a respect for additional transaction liability, and general economic cost inflation. We feel that this competitive fee structure will allow RBC Dain to offer the high level of service that you deserve while allowing us to carry out our business in a cost effective manner. The current fee structure was put in place in 1991 and has not been altered since.

We would like to reiterate our thanks for such a great relationship that has lasted several years and our desire to continue to serve as financial advisor to the County. We value our relationship with the County and encourage any dialogue necessary to facilitate this proposal. We look forward to many more years of service to the County.

Most sincerely,

Matthew Boles
Principal

Attachments

Accepted and Approved:
By: ______________________
Name: _____________________
Date: _____________________

Member NYSE • SIPC
We propose an annual retainer approach for our fees similar to that used in the 1991 and 1998 contracts. Specifically we propose:

- An annual retainer of $60,000. This fee would cover professional services in connection with one issuance per year of Dallas County General Obligation bonds, certificates, or notes sold for “new money” capital needs of the County, periodic consulting with the County on debt planning, rating agency relations, investment policy, depository contracts, legislative initiatives or any other general finance issues related to debt issuance.

- County financings over and above the one general obligation financing covered in the retainer (e.g. financings such as refunding transactions, revenue bonds, lease financings or other financings) would be compensated at the following hourly rates. RBC Dain would not undertake such a financing project without prior written County approval.

<table>
<thead>
<tr>
<th>Description</th>
<th>Hourly Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clerical and Administrative</td>
<td>$ 50.00</td>
</tr>
<tr>
<td>Professional staff -</td>
<td></td>
</tr>
<tr>
<td>Analyst, Associate, Associate Vice President</td>
<td>$ 125.00</td>
</tr>
<tr>
<td>Senior Professional Staff -</td>
<td></td>
</tr>
<tr>
<td>Vice President, Principal</td>
<td>$ 200.00</td>
</tr>
<tr>
<td>Executive Professional Staff</td>
<td></td>
</tr>
<tr>
<td>Managing Director</td>
<td>$ 250.00</td>
</tr>
</tbody>
</table>

Each general obligation financing and/or project undertaken by RBC Dain that is over and above the one general obligation financing covered in the retainer would be capped by a not-to-exceed amount of $50,000 (except stadium finance project).

- Other complex financings (e.g. those involving new credits, complex debt and legal structures, conduit financings, project finance – i.e. stadium finance, etc.) undertaken by RBC Dain for the County or any conduit of the County (such as for the North Central Health Facilities Development Corporation and Dallas County Housing Finance Corporation) will be compensated pursuant to a negotiated fee, in writing, that is mutually agreeable to RBC Dain and the County.

- Fees for Bidding Agent services will be negotiated with the County at such time when the County requests services for investment of bond funds or other County proceeds.

- The above fee schedule includes expenses incurred by RBC Dain such as travel to the County, telephone, copying, courier and presentation materials. The above fee schedule does not include extraordinary out-of-pocket expenses such as rating agency presentation travel expenses, travel on behalf of the County, or any other pre-approved out-of-pocket expenditures made on behalf of the County in carrying out our financial advisory role.
ORDER NO: __________________

DATE: __________________

STATE OF TEXAS

COUNTY OF DALLAS

BE IT REMEMBERED at a regular meeting of Commissioners Court of Dallas County, Texas held on the ___________ day of ______________________, 2003 on motion made by __________________________________, and seconded by __________________________________, the following order was adopted:

WHEREAS, Dallas County’s contract with RBC Dain Rauscher, Dallas County’s Financial Advisory Services, expired on June 16, 2003, and

WHEREAS, upon review, the Dallas County Commissioners Court has determined its desire to enter into a Professional Services Contract with the firm of RBC Dain Rauscher for a continuation of said services, and

WHEREAS, RBC Dain Rauscher has submitted a Letter Agreement for Financial Advisory Contract Extension, for two (2) three (3) year extensions, at the option of Dallas County, and

WHEREAS, the services and fees are set forth in the attached letter and contract from RBC Dain Rauscher dated November 18, 2003.

IT IS HEREBY ADJUDGED, DECREED AND ORDERED that the Dallas County Commissioners Court does hereby authorized the County Judge to sign the Letter of Agreement for an additional three (3) year term for Financial Advisory Services with the firm of RBC Dain Rauscher at the option of Dallas County, to become effective June 17, 2003.

DONE IN OPEN COURT this __________ day of ______________________, 2003.

________________________________________
Margaret Keliher, County Judge

___________________________ _____________________________
Jim Jackson, Comm. Dist. #1 John Wiley Price, Comm. Dist. #3

___________________________ _____________________________
Mike Cantrell, Comm. Dist. #2 Kenneth A. Mayfield, Comm. Dist. #4

RECOMMENDED FOR APPROVAL:

________________________________________
Lisa Hembry, County Treasurer
November 19, 2003

To: Dallas County Commissioners Court

From: Lisa Hembry, Dallas County Treasurer

Re: Great West Life & Annuity Insurance Company

BACKGROUND: In an effort to provide Dallas County employees with an enhanced array of 457 Deferred Compensation products, Dallas County entered into an agreement with Great West Life & Annuity Insurance Company on May 26, 1998. On October 15, 2002, Court Order Number 2002 1891 authorized an additional five (5) year term of the contract. During the contract period, Great West has experienced a significant and burdensome turnover of local and regional staff and executives. Consequently, the Dallas County Treasurer’s Office and other county offices have been repeatedly asked to provide contract documentation, plan updates, and other information which Great West should maintain in its corporate file.

Seventy-four (74) Dallas County personnel, representing approximately .01% of the total county payroll, are currently enrolled in the Great West deferred compensation program. A cursory review of the products and services offered by Great West are similar, if not identical, to services offered by Dallas County’s other deferred compensation provider. By contrast Nationwide Retirement Solutions has 1639 Dallas county deferred compensation enrollees, or 26% of the total county payroll, and requires a fraction of the time and energy that Great West demands.

RECOMMENDATION: Based on the limited number of employees served by Great West and in consideration of the disproportionate administrative issues associated with the contract, it is the recommendation of the Dallas County Treasurer that the contract with Great West be cancelled with 90 days notice. Dallas County employees will have the opportunity to transfer their deferred compensation accounts to Nationwide, in order to continue the payroll deduction option. Employees that choose to remain with Great West may contribute to their account directly.

Great West has aggressively marketed its program to Dallas County employees however the effort far outweighs the results. It is mutually beneficial for Dallas County and Great West to terminate this contract upon due notice and without prejudice.
November 25, 2003

To: Commissioners Court
From: Dan Savage, Assistant Administrator
Subject: Briefing and Court Order Same Day Rationale
George L. Allen Sr. Courts Building Addition and Renovation – Change Order No.2

It is recommended that Change Order No. 2 to the Haws & Tingle contract for the George Allen project be briefed and approved on the same agenda to expedite the work and thereby maintaining the project construction schedule.
November 25, 2003

TO: Commissioners Court

FROM: Earl Dedman, Project Coordinator

THROUGH: Dan Savage, Assistant Administrator for Operations

SUBJECT: George L. Allen Sr. Civil Courts Building Addition and Renovation
         Dallas Water Utilities, Plumbing, Piping and Testing Changes

BACKGROUND:
Court Order No. 2003-1312 dated 07-22-2003 authorized Haws and Tingle, Ltd contract for
general construction of Addition and Renovation of George Allen Sr. Courts Building.

IMPACT/OPERATIONS: Haws and Tingle has begun work on the George Allen Sr. Courts
building project. During the initial demolition process, several existing unknown conditions were
identified that required re-design of the utility systems. Additionally, the City of Dallas Water
Utility Department required modifications to the fire water and sewer drainage systems that
were not anticipated in the original design. To mitigate these additional costs, the project team
performed Value Engineering that reduced construction costs without reducing quality.

The additional costs for unanticipated work have been offset by the Value Engineering cost
savings to result in a small net decrease in the contract price of the project. The specific items
of work and VE items that constitute Change Order No. 2 are shown in the table below. Further,
the project team is continuing to identify and evaluate other VE items to increase the
contingency fund or reduce the cost of the project even further.

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Description</th>
<th>Schedule</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.01</td>
<td>Convert water meter to 8&quot; combined service as requested by City of Dallas Water Utility inspection / guidelines</td>
<td>No impact on schedule</td>
<td>$30,390.00</td>
</tr>
<tr>
<td>2.02</td>
<td>Add two 8&quot; sewer laterals with manhole and add interior piping to clear area for building demolition</td>
<td>Change could require 3 weeks. Schedule will be adjusted when the work is finished.</td>
<td>$76,789.00</td>
</tr>
<tr>
<td>2.03</td>
<td>Remove Construction Testing services from Haws &amp; Tingle contract. Testing is included in the PSI IDIQ contract</td>
<td>No impact on schedule</td>
<td>($51,373.00)</td>
</tr>
<tr>
<td>2.04</td>
<td>Change stone on building from Indiana Limestone to Texas Lueders Limestone</td>
<td>No impact on schedule</td>
<td>($66,00.00)</td>
</tr>
</tbody>
</table>

Total – net deduct ($10,851.00)
Dallas County Commissioner's Court  
Briefing Agenda – Haws & Tingle Change Order No. 2  
November 25, 2003

LEGAL: N/A

M/WBE INFORMATION: N/A

FINANCIAL IMPACT: The total cost of Change Order No. 2 to the Haws and Tingle contract is a net reduction of $10,851.00. Funding for the project is appropriated from Fund 196.0.08130.2004.0.70128 (Major Capital Improvements, Buildings, FY2004, and Civil Courts).

| Original Contract Amount | $38,291,000.00 |
| Change Order No. 1       | (-0-)         |
| Proposed Change Order No. 2 | ($10,851.00) |
| Total Revised Contract Amount | $38,280,149.00 |

RECOMMENDATION: It is recommended that the Commissioners Court authorize Change Order No. 2 to the Haws and Tingle contract for the addition and renovation of the George Allen Courts Building, in the amount of ($10,851.00 credit) and the County Judge to sign on behalf of Dallas County.

Approved by:

Dan Savage, Assistant Administrator for Operations
October 24, 2003

Mr. Earl Dedman  
Owner's Representative  
Dallas County Engineering & Project Management  
600 Commerce Street, 9th Floor, Suite 900  
Dallas, Texas 75202  

Re: George L. Allen Sr. Civil Courts  
Addition & Renovation  
Proposal Request #1 dated 10/3/03

Dear Earl,

Enclosed please find our quotation for the above mentioned Proposal Request. The total  
is a credit in the amount of ($51,373.00). Also enclosed is a copy of our back-up for  
your review.

Should the above be acceptable, please include this amount in an upcoming change order.

Very truly yours,  
Haws & Tingle  

Ken A. Evans  
Sr. Project Manager  

cc: 23005.G.03.04  
PR#1 file
## CHANGE ORDER / PROPOSAL QUOTATION

**No. 001**

### PROJECT: George Allen Civil Courts Building

**Quote No.:** PR # 1  
**Date Quoted:** 21 Oct 05

### TO:

**Description:**
DELETE CONSTRUCTION TESTING SERVICES

### SUBCONTRACTORS / VENDORS

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Work Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>PSI</td>
<td></td>
<td>(48,133)</td>
</tr>
</tbody>
</table>

**Self Performed Work**

### APPROVAL

<table>
<thead>
<tr>
<th>Arch</th>
<th>Date</th>
<th>Owner</th>
<th>Date</th>
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</thead>
<tbody>
<tr>
<td></td>
<td></td>
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<td></td>
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</table>

**Subtotal:**

<table>
<thead>
<tr>
<th>Fee Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

**Total Request Amount:** (48,133)

### DISTRIBUTION

**Signed By:** [Signature]  
**Date:** 10/21/03
# CHANGE ORDER / PROPOSAL QUOTATION

<table>
<thead>
<tr>
<th>PROJECT:</th>
<th>George Allen Civil Courts Building</th>
</tr>
</thead>
<tbody>
<tr>
<td>QUOTE NO.:</td>
<td>3</td>
</tr>
<tr>
<td>DATE QUOTED:</td>
<td>11/17/03</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>TO:</th>
<th>Earl Dedman</th>
</tr>
</thead>
<tbody>
<tr>
<td>HLM Design</td>
<td></td>
</tr>
<tr>
<td>600 Commerce St - 9th Floor</td>
<td></td>
</tr>
<tr>
<td>Dallas, TX 75202</td>
<td></td>
</tr>
<tr>
<td>(Phone) 214-653-6730 (Fax) 214-653-6729</td>
<td></td>
</tr>
</tbody>
</table>

## DESCRIPTION:

Add 2 ea. 8' sewer laterals with manhole and provide additional MEP piping, routing and tie-ins to allow for building demo.

Note: The work associated with this change has a direct negative effect to the critical path of the project. However, at this time the full impact is unknown. In fairness to both parties, we suggest that additional time and associated costs be addressed upon completion of the work.

<table>
<thead>
<tr>
<th>SUBCONTRACTORS / VENDORS</th>
<th>SUB / VENDOR WORK DESCRIPTION</th>
<th>AMOUNT:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tri Dal Utilities</td>
<td></td>
<td>$51,170</td>
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<tr>
<td>Way Engineering</td>
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<td>$18,077</td>
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<tr>
<td>Premier Electric</td>
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<td>$2,542</td>
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</table>

**SELF PERFORMED WORK**

| AMOUNT: | $0 |

## APPROVAL

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>DATE:</td>
</tr>
<tr>
<td>OWNER:</td>
</tr>
<tr>
<td>DATE:</td>
</tr>
</tbody>
</table>

## DISTRIBUTION

**HAWS & TINGLE, LTD**

Signed By: [Signature]

Date: 11/17/03
**CHANGE ORDER / PROPOSAL QUOTATION**

**NO.** 2

**PROJECT:** George Allen Civil Courts Building  
**QUOTE NO.:** 2  
**DATE QUOTED:** 11/17/03

**PROJECT NO.:** 23005  
**DAYS ALLOWED FOR APPROVAL:**  
**EXPIRATION DATE:** 11/17/03  
**ADDITIONAL DAYS FOR COMPLETION OF THE CONTRACT:**

**DESCRIPTION:**  
Convert water meter to 8" combined service

---

<table>
<thead>
<tr>
<th>SUBCONTRACTORS / VENDORS</th>
<th>SUB / VENDOR WORK DESCRIPTION</th>
<th>AMOUNT:</th>
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<tbody>
<tr>
<td>Tri Dal Utilities</td>
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<td>$10,401</td>
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<td>Way Engineering</td>
<td></td>
<td>$6,320</td>
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<tr>
<td>Strategic Fire Protection</td>
<td></td>
<td>$11,935</td>
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**SELF PERFORMED WORK**  
$0

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<tbody>
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<td>ARCH:</td>
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<tr>
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</tr>
<tr>
<td>OWNER:</td>
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<tr>
<td>DATE:</td>
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<table>
<thead>
<tr>
<th>DISTRIBUTION</th>
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</table>

<table>
<thead>
<tr>
<th>HAWS &amp; TINGLE, LTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Signed By:</td>
</tr>
<tr>
<td>Ken Edwards, Sr. Project Manager</td>
</tr>
<tr>
<td>Date: 11/17/03</td>
</tr>
</tbody>
</table>
**CHANGE ORDER / PROPOSAL QUOTATION**

<table>
<thead>
<tr>
<th>NO.</th>
<th>5</th>
</tr>
</thead>
</table>

**PROJECT:** George Allen Civil Courts Building  
**QUOTE NO.:** 5  
**DATE QUOTED:** 11/19/03  
**PROJECT NO.:** 23005  
**DAYS ALLOWED FOR APPROVAL:**  
**EXPIRATION DATE:** 11/19/03  
**ADDITIONAL DAYS FOR COMPLETION OF THE CONTRACT:**

**TO:** Earl Dedman  
HLM Design  
600 Commerce St. - 9th Floor  
Dallas, TX 75202  
(Phone) 214-653-6730 (Fax) 214-653-6729

**DESCRIPTION:**
Change Indiana Limestone to Reuders Limestone per Value Engineering.

**SUBCONTRACTORS / VENDORS**

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**SELF PERFORMED WORK**

| $0 |

**APPROVAL**

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**DISTRIBUTION**

**HAWS & TINGLE, LTD**

Signed By: Ken Evans, Sr. Project Manager  
Date: 11/19/03

**SUBTOTAL:** $-66,000

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| $-66,000 | $0 |

**TOTAL REQUEST AMOUNT:** $-66,000
RATIONAL FOR SAME DAY BRIEFING/AWARD JUSTIFICATION

November 25, 2003

TO: THE HONORABLE COMMISSIONERS COURT
FROM: PHILLIP J. VASQUEZ, PURCHASING DIRECTOR
SUBJECT: AGREEMENT BETWEEN DALLAS FEDERAL EMPLOYEE CHILD CARE CORPORATION, GENERAL SERVICES ADMINISTRATION AND DALLAS COUNTY

In an effort to expedite this in a timely fashion and to avoid any potential lapse in child care services to eligible County employees this is being briefed on the same day the Court Order is scheduled for award.
November 25, 2003

TO: The Honorable Commissioners Court
FROM: Linda Boles, Purchasing Supervisor
SUBJECT: Agreement between Dallas Federal Employee Child Care Corporation, General Services Administration and Dallas County

Background/Issue
On September 30, 2003, the Commissioners Court authorized the County to enter an agreement with Dallas Federal Employee Child Care Corporation (operating a child care facility known as Children's World Learning Center) and the General Services Administration for the leasing of space and child care benefits for eligible County employees. The agreement requires the Corporation/Center to provide various insurance coverages/certificates. The purpose of this briefing is to request that the agreement as executed be amended to exclude the following currently required insurance coverages: workers' compensation, automobile liability and professional liability.

Legal Impact
The Corporation/Center's neither enters county premises, transports County employee's children, nor gives expert advise to County personnel which would ultimately warrant the required insurance coverages. As a result, the County's Risk Manager and Legal Department have concluded that the workers compensation, automobile liability and professional liability coverages are not warranted for this particular agreement and thus should be removed.

Recommendation
It is the recommendation of the Purchasing Department, in conjunction with the County's Risk Manager and Civil DA Office, that the Commissioners Court amend the Agreement between Dallas Federal Employee Child Care Corporation, General Services Administration and Dallas County to exclude the workers' compensation, automobile liability and professional liability insurance requirement as it pertains to the Corporation/Center. It is further recommended that the Commissioners Court authorize the Auditor's Office to process all payments owed to the Corporation/Center that may be received and/or currently being withheld due to the lack of compliance with the aforementioned insurance requirements.

In an effort to expedite this process in a timely fashion and to avoid any potential lapse in child care services to County employees, a Court Order has been prepared for this Court Session for formal consideration/action.

Recommended for Approval by:

[Signature]

Phillip J. Vasquez, Purchasing Director

c: Jim Gresham, County Risk Manager
November 19, 2003

TO: The Honorable Commissioners Court

FROM: Robbie Placino, Senior Buyer

SUBJECT: Various Annual Contracts and Insurance Requirements

Background/Issue

The Dallas County Commissioners Court has approved a new/revised Vendor Insurance requirement policy (Ref. Court Order 2003-1792). There are various contracts that will need to be amended to be in compliance with the newly adopted policy. It is requested that the following contracts be amended:

- Bid #2003-048-1283 to Eagle Brush & Chemical, Inc. per Court Order #2003-499. Workers compensation insurance, automobile coverage and general liability coverage are not required because the items that are delivered to the County are shipped via common carrier.

- Bid #2003-073-1312 to Ennis Paint, Inc. per Court Order #2003-719. Workers compensation insurance, automobile coverage and general liability coverage are not required because the items that are delivered to the County are shipped via common carrier.

- Bid #2003-048-1283 to Joy Detergent Mfg., Midas Investment and Boritex, Inc. per Court Order #2003-499. Workers compensation insurance, automobile coverage and general liability coverage are not required because the items that are delivered to the County are shipped via common carrier.

- Bid #2003-001-1229 to Patterson Meat Company. Workers compensation insurance, automobile coverage and general liability coverage are not required because the items that are delivered to the County are shipped via common carrier.

- Bid #2003-080-1319 to Custom Products Corp. per Court Order #2003-845. Workers compensation insurance, automobile coverage and general liability coverage are not required because the items that are delivered to the County are shipped via common carrier.

This is a request to waive various insurance requirements pursuant to the County's revised Vendor Insurance requirement policy (Ref. Court Order 2003-1792). There will be additional briefings on this matter while implementing this policy.
Financial Impact

Dallas County Auditors is withholding payment on the following bids:

- Bid #2003-048-1283 to Eagle Brush & Chemical, Inc. in the amount of $1,879.20.
- Bid # 2003-073-1312 to Ennis Paint, Inc. in the amount of $30,044.20.
- Bid # 2003-048-1283 to Joy Detergent Mfg., Midas Investment and Boritex, Inc. in the amount of $2,540.16.
- Bid # 2003-001-1229. to Patterson Meat Company in the amount of $432.00
- Bid # 2003-080-1319. to Custom Products Corp. in the amount of $3,539.13.

Recommendation

The Purchasing Department recommends that the various insurance requirements be waived in accordance with Court Order 2003-1792 and payment of all invoices being held by the Auditor's office be released.

Should the Commissioners Court concur with this recommendation, a Court Order will be scheduled for the next formal agenda.

Recommended for Approval by:

Phillip J. Vasquez, Purchasing Director

C: File
November 25, 2003

TO: The Honorable Commissioners Court

FROM: Gloria McCulloch Webb, Purchasing System Specialist/Analyst

SUBJECT: Contract Extension – Annual Contract for the Purchase of Computer Paper and Labels (IT Services), Bid No. 2003-026-1258

BACKGROUND/ISSUE

Dallas County Commissioners Court, at their regularly scheduled session held on December 10, 2002, authorized the award of Bid No. 2003-026-1258, Annual Contract for the Purchase of Computer Paper and Labels with Court Order 2002-2219, for the period of December 10, 2002 through December 9, 2003 to Accurate Forms & Supplies.

The contract provides various types of blank and custom continuous computer forms and labels that are utilized in the daily production of reports for numerous county departments. In accordance with the contract terms and mutual agreement by all parties, the contract may be extended for an additional twelve (12) month period based on the original prices, terms and conditions set forth in the bid award. As a result of Accurate Forms & Supplies, compliance with contract specifications, it is recommended, that the county exercise the first twelve (12) month extension option contained within Bid No. 2003-026-1258. Accurate Forms & Supplies has agreed to extend their contract with Dallas County in accordance with the existing terms, conditions, and prices set forth in the original bid award. Accurate Forms & Supplies is compliance with all insurance requirements as set forth in Bid No. 2003-026-1258 (see attachments).

FINANCIAL IMPACT

For the period of December 10, 2002 through November 14, 2003, Dallas County’s total expenditures for the above referenced contract were approximately $121,365.00.

RECOMMENDATION

It is the recommendation of the Purchasing Department and IT Services that the Dallas County Commissioners Court authorizes the first twelve (12) month extension of Bid No. 2003-026-1258, Annual Contract for the Purchase of Computer Paper and Labels (IT Services) with Accurate Forms & Supplies, for the period of December 10, 2003 through December 9, 2004.

Should the Court concur with recommendations, a Court Order will be scheduled for the next regular agenda.

Approved by:  
Phillip J. Vasquez, Purchasing Director

c: John Henessey, MIS Director  
Rodney Christian, Project Manager  
Bid No. 2003-026-1258
Gloria McCulloch-Webb  
Dallas County Purchasing Department  
509 Main Street/Records Building  
6th Floor/Room 623  
Dallas, Texas 75202

Dear Gloria:

Re: BID # 2003-026-1258 Annual Contract for the Purchase of Computer Paper and Labels

This letter is to confirm that we will extend our current prices on bid #2003-026-1258 for another 12-month period. Current prices shown below:

Form 7001 $5.48/M  
Form 7000 $5.48/M with or without perfs – whichever is preferred  
Form 7114 $9.07/M  
Form 109 $25.20/M  
Form 7009 $29.68/M  
Form 7008 $26.07/M  
Form 7136 $8.69/M  
Form 15 $136.26/M  
Form 7010 $17.20/M  
Form 7117 $1.46/M

Please send us a confirmation letter showing the extension of this contract as soon as possible. We appreciate your continued business and we look forward to working with you throughout the New Year.

Thank you,

Mike Raffetto

MR/cas
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CHECK ONE: 
- Minority-Owned Firm Certification # 
- Women-Owned Firm Certification # 
- Non-Minority Owned Firm 

Issued by: NCTIRA 
Typed Name and Title: Cheryl Salinas/Dept. 
Signature: Cheryl Salinas / Admin
CERTIFICATE OF LIABILITY INSURANCE

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policies below.

**Insurers Affording Coverage**

**Ohio Casualty Companies**

IND: A

**INSURER**

Ohio Casualty Companies

**VENDOR**

Data Distribution Service, Inc

1721 Susan Drive

Arlington TX 76010

**COVERAGES**

The policies of insurance listed below have been issued to the insured named above for the policy period indicated. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies. Aggregate limits shown may have been reduced by paid claims.

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**CANCELLATION**

Should any of the above described policies be cancelled before the expiration date thereon, the issuing insurer will endeavor to mail notice to the certificate holder named to the left, but failure to do so will impose no obligation or liability of any kind upon the insurer, its agents or representatives.
November 19, 2003

TO: Commissioners Court

THROUGH: J. Allen Clemson, Administrator

FROM: Rick Loessberg, Director of Planning & Development

SUBJECT: Requested Chapter 381 Loan for City Center Parking Garage

BACKGROUND

The City of Dallas has recently authorized the release of $2.5 million of increment that the County previously provided to the City Center TIF district and has requested that the County use these proceeds, along with $7.5 million of previously-provided City increment that will also be released, to fund a $10 million loan for the construction of a $13 million, 370-car parking garage within the TIF district. In accordance with this request, the following material has been provided for the Court’s consideration.

DESCRIPTION OF PROJECT

The lack of covered parking in strategic locations has been regarded by the City Center TIF district, the Central Dallas Association, and other downtown property-owners and advisors as being one of the major impediments to downtown reinvestment. The proposed parking garage is located on one of the two priority sites identified in a 2001 City-adopted downtown parking study. Consisting of six-to-seven levels with the ground floor containing at least 20,000 square feet of retail space, the garage will occupy the vacant site between the Davis Building (1309 Main) and the Gulf States Building (1415 Main) and will be first significant example of in-fill development to occur in downtown in about fifteen years. Besides closing this undeveloped gap and creating a continuous stretch of development between Field Street and Akard, this garage will provide dedicated parking spaces to the Gulf States Building. In so doing, it will allow this building, which has been vacant for about twenty years, to be converted into sixty-five units of housing at a cost of about $11 million.

Brook Partners, which developed the Magnolia Theater in the Cityplace area and is now renovating the Southwestern Life Insurance Building in downtown, would be the recipient of the loan and would be responsible for building the garage, operating it, and complying with the terms of the loan. The City would be responsible for originating and servicing this loan which would have a ten-year term. In lieu of paying interest, the borrower would be required to remit the garage’s annual net operating revenue to the City who would share this revenue with the County on a pro-rata basis (the borrower
would be responsible for covering any operating losses). At the end of ten years, the borrower would be responsible for repaying the original $10 million loan, and in the event the value of the property has appreciated significantly (i.e., has a value of at least $14.75 million), then the borrower will also be responsible for providing the City/County with an additional payment equal to 12.5% of the amount in excess of $14.75 million.

The loan will be secured by a lien on the property, and the City will only disburse the loan proceeds when the borrower has acquired the project site, obtained a building permit, and advanced an amount equal to 25% of the project's total cost. In the event of a default, the City and the County will either share in the proceeds if the garage is sold or the City may purchase the County's share of the project.

All terms, conditions, responsibilities, and obligations will be formalized and incorporated into contractual agreements between the borrower and the City as well as between the City and the County.

**IMPACT ON OPERATIONS**

This project, which represents the first time the County has been asked to make a loan for economic development purposes, has a number of unique issues associated with it. The City had originally sought to provide funding for this project through its normal TIF process. However, while providing funding for a parking garage is an eligible TIF project, providing the funding as a loan is not specifically authorized under the TIF statute. As a result, the City had to go through the step of authorizing the release of the $10 million from the City Center district so that this previously-provided increment can now be used for this purpose.

The County's authority to make loans for economic development purposes is provided for by Chapter 381 of the Local Government Code. Under this authority, which was granted by the Legislature in 2001 so that counties would be able to undertake many of the same economic development activities as cities, a county may now make “loans and grants of public money” in order “to stimulate business and commercial activity” as well as provide unilateral tax abatements.

This project represents the first time the County has been asked to provide direct financial assistance under Chapter 381. As the County does not currently have a policy to govern how such assistance might be provided, if the Commissioners Court is interested in providing Chapter 381 assistance for this project, staff would propose that the Court also adopt a policy that would outline under what conditions the County might consider providing Chapter 381 assistance for future projects.

A draft copy of such a policy, which is modeled on the County's abatement and TIF policies, is attached. Very briefly, the Commissioners Court would only consider providing Chapter 381 assistance when all of the following conditions have been met:
The request is in writing;
(2) The assistance would only be provided in a repayable loan form;
(3) The assistance would be used to undertake an activity within a TIF district;
(4) The project would finance an activity that is otherwise eligible under both the State TIF statute and the County's TIF policy and that is consistent with the TIF district's final project/finance plan;
(5) The assistance would be funded from previously-provided County increment which a city has agreed to release and which shall not exceed more than 25% of the total amount provided by the host city, the County, and any other local taxing entity; and
(6) The recipient certifies that it is an Equal Opportunity Employer and demonstrates that it provides health insurance to its full-time permanent employees.

This policy has been designed to be very narrow and to only apply to projects similar to the one presently before the Court. It would not, for instance, allow Chapter 381 assistance to be provided outside of a TIF district or authorize the provision of a grant that would be used to pay for such non-TIF-eligible activities as relocation expenses, tenant finish-out, or employee training. It also does not address Chapter 381 tax incentives which are already included in the County's tax abatement policy.

Meeting all of the aforementioned conditions would not require the County to provide assistance to the applicant; it would only allow the applicant to be eligible for consideration. The actual decision of whether to provide assistance for any given project would be based on a number of factors such as the background and experience of the applicant and the scope, nature, and impact of the proposed activity. Approved loans would have maturities no greater than twenty years, would have to be originated and serviced by the host city, and be adequately secured.

Apart from the larger policy issues of whether to provide Chapter 381 assistance for this or for any other project, the impact of this project on County operations could be slight. It will be the City's responsibility to originate and service the loan, and the borrower's responsibility to construct and operate the garage. However, in the event the City and the County have to foreclose on the loan, then the two entities will have to decide how to manage and/or dispose of the garage.

IMPACT ON FINANCE

Because the publicly-funded cost of this project is significantly larger than any other single TIF-related activity that has been undertaken, the City has proposed providing this funding as a loan rather than as a grant so that this funding can be recouped. In authorizing the release of these funds, it was anticipated, but not specifically required, that these funds would only be used for this project.

As mentioned earlier, in lieu of being paid interest on this ten-year loan, the City and the County will receive the garage's net operating revenues each year. The City has estimated that it will cost about $270,000-$530,000 a year to operate the garage and that it will generate about $323,600-$795,000
a year in revenue (which is equivalent to about $3.50-$8.00 per weekday per parking space). The County’s estimated pro rata share of the net revenues would be about $25,000-$65,000 per year and could be used for any purpose that the County desires.

Similarly, when the loan is repaid at the end of ten years, then the $2.5 million that the County receives, as well as any additional payment if the property has appreciated significantly, can also be used for whatever the County desires.

The parking garage will be subject to the County’s property tax. With the garage expected to increase the site’s assessed valuation by about $4.5 million-$9.1 million during the loan’s ten-year life, the garage will produce about $9200-$18,600 a year in additional tax revenue. Of this amount, 53% will continue to be provided to the City Center TIF district until 2012 when the district terminates with the other 47% being retained by the County for whatever purpose it desires. After the TIF district expires, the County will be able to fully retain all of the tax revenue associated with this property.

Having the City release the previously-provided $10 million should not affect the $3 million in TIF proceeds that has been allocated for the County’s plaza. The City Center district is currently receiving about $2 million a year in new revenue, and in FY2004, the City began a practice of reserving $750,000 a year over the next four years for the plaza. Using this approach, the full $3 million will be available in FY2007. In the event that the County needs to access all of the $3 million prior to that date (under the project’s current schedule, the soonest this money would be needed would be Summer 2005), the City has suggested that the County submit a formal TIF assistance application as soon as possible so that the full $3 million could possibly be reserved from increment that is already on-hand. Accordingly, staff has begun preparing such an application and hopes to have it submitted within the next few weeks.

PROJECT SCHEDULE

It is estimated that it will take about six months to prepare the necessary documents and to close the loan. Once the loan has been closed, it should take about twelve months to construct the parking garage. The renovation and conversion of the adjacent Gulf States Building should begin in early 2004 and be completed within about eighteen months.

RECOMMENDATION

It is recommended that the County, using recently-released increment from the City Center TIF district, provide a $2.5 million loan to Brook Partners for the construction of a 370-car parking garage on Main Street between Field and Akard. It is also recommended that the County adopt the attached policy to govern future requests for similar types of financial assistance.
Recommended by:

J. Allen Clemson, Administrator

attachment

cc: Virginia Porter, Auditor
    Ryan Brown, Budget Officer
    Karl Stundins, City of Dallas
BE IT REMEMBERED, at a regular meeting of the Commissioners Court of Dallas County, Texas, held on the _______________ day of ________________________, 2003, on motion made by _________________________________, and seconded by _________________________________, the following Order was adopted:

WHEREAS, on November 18, 2003, the Dallas County Commissioners Court was briefed on a proposed policy that would govern the consideration of all requests for non-tax abatement Chapter 381 assistance that the County receives; and

WHEREAS, this policy, which outlines the conditions under which the County will consider providing non-tax abatement Chapter 381 assistance, will help ensure that these requests will be consistently reviewed in the same manner and that assistance will be provided to only the most appropriate projects.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Dallas County Commissioners Court adopts the attached policy which shall govern the consideration of all requests for non-tax abatement Chapter 381 assistance that the County receives.

DONE IN OPEN COURT this the __________ day of ________________________, 2003.

Margaret Keliher
County Judge
Jim Jackson
Commissioner District #1
Mike Cantrell
Commissioner District #2

John Wiley Price
Commissioner District #3
Kenneth A. Mayfield
Commissioner District #4

Recommended by: ________________________________
DALLAS COUNTY CHAPTER 381 POLICY

I. INTRODUCTION

Texas counties are authorized under Chapter 381 of the Local Government Code to undertake a number of activities, including tax abatement, loans, and grants, in order to stimulate business and commercial activity. To help ensure that requests for Chapter 381 assistance will be consistently reviewed in the same manner and that assistance is provided for only the most appropriate projects, the following policy has been adopted. It shall govern the consideration of all requests for non-tax abatement Chapter 381 assistance that Dallas County receives.

II. CHAPTER 381 OBJECTIVES

Chapter 381 assistance shall only be provided if it will generate meaningful investment or fill a key void within a distressed area; substantially increase the level, type, and rate of development within a non-distressed area; produce a project with regional economic implications; facilitate alternative forms of transportation; or create affordable/moderately-priced single-family housing.

III. ELIGIBILITY REQUIREMENTS

Dallas County will only consider providing Chapter 381 assistance when one of the aforementioned Chapter 381 objectives and all of the following applicable conditions are first met:

1. The requested assistance is in the form of a repayable loan.

2. The assistance will be used to undertake an activity that is located within a tax increment finance (TIF) district, that is allowable under both the State TIF statute and the County’s TIF policy, and that is consistent with the TIF district’s final project/finance plan.

3. The assistance will be funded from previously-provided County increment that the host city is willing to release for this purpose and shall be no greater than 25% of the total amount provided by the host city, the County, and any other local taxing entity.
(4) At least twenty percent of any housing directly constructed with assistance provided under this policy shall be affordable (as defined by HUD) to low/moderate income people.

(5) The project does not involve the relocation of an existing firm or facility from one Dallas County municipality to another Dallas County municipality unless this move has the formal approval of the original host city.

(6) The firm that would receive the Chapter 381 assistance certifies that it is an Equal Opportunity Employer and demonstrates that it provides its full-time permanent employees with health insurance.

Requests for Chapter 381 assistance covered by this policy will not be considered if, prior to the submission of an application, the project is already substantially underway or completed. A project will be considered to be substantially underway if more than ninety days has passed since the project received formal approval from the host city for other forms of assistance, if a building permit has been issued for construction not associated with mitigating an environmental hazard, if the project’s site has been cleared and prepared for development, if construction (including renovations or tenant finish-out) has begun, if site specific infrastructure has begun to be installed, or if equipment, inventory, or employees have been relocated to the new site. However, the execution of a lease, the mitigation of environmental problems, the purchase of land, the completion of an environmental assessment, or the preparation of architectural and engineering plans does not constitute a project being substantially underway nor does the prior preparation of an historic building for demolition (if the building is to now be preserved) or the stabilization of an historic building.

Requests for Chapter 381 assistance will not be considered for property that will be used in whole or in part for a sexually-oriented business, including but not limited to condoning, legitimizing, or promoting obscene materials, nude or topless modeling or dancing, adult motel operations, escort services, sexual encounter centers, sex phone centers, or any other sexually-oriented business activity or for an establishment that derives more than 25% of its revenue from the sale of alcoholic beverages and/or tobacco products.

Requests for assistance will also not be considered if the assistance will be utilized by a firm in which the County is currently involved in litigation or a pending claim or in which the County has experienced unsatisfactory contractual performance (including previous abatements or Chapter 381 awards) within the past thirty-six months.
A request for Chapter 381 assistance will be considered by Dallas County only after it meets the aforementioned provisions of this policy. However, meeting these provisions only qualifies the request for consideration; it does not obligate the County to actually provide Chapter 381 assistance.

IV. DEFINITIONS AND GENERAL CONDITIONS

For the purposes of this policy, an area will be defined as "distressed" if it meets three of the four following criteria:

- The assessed valuation of the city in which the TIF district is located grew at a rate during the last five years that is less than the rate at which the County grew;

- No more than 60% of the land in the TIF district is vacant/undeveloped;

- The percentage of housing contained in the TIF district's census tract that was built before 1960 is greater than the County average; and/or

- The TIF district is located in an area that is defined as being distressed under the County's tax abatement policy.

A Chapter 381 project will be considered to possess regional economic implications if it will create a major sports/cultural/recreational venue, generate at least 1000 new full-time permanent manufacturing or technology-related jobs within three years of funding approval, or create at least 250 new full-time permanent jobs within three years of funding approval if the project is located in a census tract with a median family income that is no greater than 150% of the poverty level for a family of four.

Loans authorized under this policy must be originated and serviced by the host city, adequately secured, and have terms no greater than twenty years.

V. APPLICATION AND EVALUATION PROCESS

Dallas County will consider providing Chapter 381 assistance on a case-by-case basis when the request is made in writing to the County's Director of Planning & Development (Dallas County Commissioners Court, 411 Street, Dallas, Texas 75202) and when the request is
accompanied by all of the information outlined below which will be used to evaluate the request:

(1) A description of the project that will be undertaken with the requested assistance, including its location, its estimated cost, the schedule for undertaking the project, the amount of investment that will occur, and the amount of funding that the applicant will provide.

(2) A description of the type of Chapter 381 assistance that is needed, including proposed interest rate, maturity schedule, and repayment terms and an explanation of why this assistance is needed.

(3) A description of the project's impact on the local economy and the County's property tax base and, if applicable, a description of the number/types of new permanent jobs to be created and the projected payroll and/or the number/types of housing units to be created and the projected sales/rental prices for each type of housing. An explanation of how the project addresses this policy's Chapter 381 objectives should also be included in this description.

(4) A copy of a map which clearly illustrates the location of the proposed project and the boundaries of the TIF district in which it is located.

(5) An explanation of how the use of previously-provided tax increment for this assistance will affect the TIF district.

(6) The amount of acreage that the project will utilize and the current total of assessed valuation of this property.

(7) A description of the developer's/firm's background, its record at undertaking similar projects, the background of its major principals, its relocation/expansion history over the past fifteen years, its financial condition (including whether it has ever declared bankruptcy and copies of audited balance sheets and annual income statements for each of the most recent two years), and its source of financing for this project.

(8) An explanation, if applicable, of how the project will revitalize economically distressed areas and/or provide employment for the chronically unemployed.

(9) The identification of any environmental problems and a discussion of how they will be resolved.
(10) A discussion of whether any existing businesses or residents will be displaced and how the adverse impact of this displacement will be alleviated.

(11) The status of financial assistance requests with other public entities.

(12) A copy of firm’s current EEO-1 report which shows the composition of the firm’s workforce by occupation, gender, race, and ethnicity and material that confirms that firm provides medical insurance to full-time permanent employees.

(13) The name, address, and telephone number of a contact person.

(14) Any other information that may be requested.

The Dallas County Commissioners Court will be responsible for determining whether Dallas County provides Chapter 381 assistance. In determining the level, if any, at which the County will provide Chapter 381 assistance, the Commissioners Court will consider a number of factors. These factors shall include, but not be limited to, the proposed terms for the assistance, the location of the project, the nature and the level of investment that is projected to occur, the increase in the local property tax base that is expected to occur, the background and qualifications of the entity that will be receiving the assistance, the likelihood that the assistance will be repaid, the feasibility and the appropriateness of the proposed project, the impact it will have on transportation and on the cost of providing County/Hospital District services, the amount of new sales tax and hotel tax revenue that will be generated by the district, the extent to which the city contributes these new revenues to similar activities within the same area, the availability of other financing mechanisms, and the likelihood of other development occurring within the area.
TO: John M. Hennessey  
Dallas County M.I.S. Director

FROM: Randy Powell, Lead Consultant  
Dallas County Information Technology Services/SchlumbergerSema

SUBJECT: System Integration Architecture Assessment

DATE: November 25, 2003

Background:

Dallas County currently has an increasing number of systems used throughout the county to facilitate departmental duties. There is an ever-increasing need for these systems to share information, produce common reporting, and even begin automated processes triggered by the completion of other departmental efforts. Historically, handoffs between departmental processes have been performed by a series of reporting and re-entry. The requirements for increased speed of information flow, enhanced reporting to citizens, other county employees as well as state entities drives a need for increased data and system integration.

In many areas within the county there is information integration being conducted. This is primarily built using a point-to-point integration effort. This is accomplished by building a small, typically mainframe, application that takes data from one output and enters it in the database of the other. There are a few challenges that this method will cause Dallas County over time. With the implementation of new, non-mainframe, technology throughout the county, integration between these applications becomes more difficult. With changing regulations, state reporting requirements, and desires for better communications of information, these small application need to be changed more often. This is often identifiable by increasing application support needs.

There is another option Dallas County needs to explore. Using an Enterprise Application Integration (EAI) architecture, disparate technology system can be integrated together with greater control, flexibility, sustainability and at level maintenance costs. Typical EAI solutions provide a number of benefits not currently available using point-to-point integration; namely business process modeling, multiple technology integration, data integrity monitoring, tighter security capabilities, and increased scalability.

Dallas County needs to perform an assessment to identify the true technological requirements for system integration, propose an EAI solution adequate to the needs of Dallas County, and evaluate potential integration opportunities to provide visible return on investment.

Operational Impact:

509 Main St., Suite 504 Dallas, TX 75202 Phone: 214.653.6141 Fax: 214.653.6372
The System Integration Assessment will have no impact on operations. Once completed, an EAI architecture will be proposed that provides:
- Reduced maintenance cost for interface integrations
- Increased access to information (County, Citizen, Local and State Agencies)
- Justifiable information integration candidates

Financial Impact/Considerations:
Total allocation of the assessment is $36,110. $36,110 will be used against the Value Added Services dollars included in the IT Services Master Services Agreement. $0 will be billed to the County.

Funding:
The implementation of the project will be allocated from the Value Added Services dollars within the SchlumbergerSema IT Services Master Services Agreement.

Reviewed By: [Signature]
John M. Hennessey
M.I.S. Director
STATE OF TEXAS
COUNTY OF DALLAS

BE IT REMEMBERED, at a regular meeting of the Commissioners Court of Dallas County, Texas, held on the 2nd day of December, 2003, on motion made by ____________________________, and seconded by ____________________________, the following order was adopted:

WHEREAS, Commissioners Court was briefed on November 25, 2003 about the proposal for performing an Information Integration Architecture assessment; and

WHEREAS, The total allocation of the project will be $36,110; and

WHEREAS, The total billable cost to the County is $0; and

WHEREAS, The implementation of the project will be allocated from the Value Added Services dollars as part of the SchlumbergerSema IT Services Master Services Agreement.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Dallas County Commissioners Court approves the Project proposal of the Information Integration Architecture

509 Main St., Suite 504 Dallas, TX 75202 Phone: 214.653.6141 Fax: 214.653.6372
Assessment Project. Thus allocating in the amount of $36,110 for the project, from the Value Added Services dollars as part of the SchlumbergerSema IT Services Master Services Agreement.

DONE IN OPEN COURT this the 2nd day of December, 2003.

Margaret Keliher, County Judge

Jim Jackson, Commissioner
Road and Bridge, District 1

John Wiley Price, Commissioner
Road and Bridge, District 3

Mike Cantrell, Commissioner
Road and Bridge, District 2

Kenneth A. Mayfield, Commissioner
Road and Bridge, District 4

RECOMMENDED BY: John M. Hennessey, M.I.S. Director

Randy Powell, Lead Consultant
I.T. Services/SchlumbergerSema
Project Information

<table>
<thead>
<tr>
<th>Organization</th>
<th>Dallas County IT Services</th>
<th>Date</th>
<th>10/27/2003</th>
</tr>
</thead>
<tbody>
<tr>
<td>Requestor</td>
<td>John Hennessey</td>
<td>Project Sponsor</td>
<td>John Hennessey</td>
</tr>
<tr>
<td>Requestor Phone</td>
<td>(214) 653-7339</td>
<td>Requestor E-Mail</td>
<td><a href="mailto:jhennessey@dallascounty.org">jhennessey@dallascounty.org</a></td>
</tr>
<tr>
<td>Priority</td>
<td>Medium</td>
<td>Due Date</td>
<td></td>
</tr>
<tr>
<td>Project Name</td>
<td>Integration Architecture assessment</td>
<td>Project Number</td>
<td></td>
</tr>
<tr>
<td>Description of Services to be provided</td>
<td>Assess the current technical requirements for EAI architecture to be deployed within Dallas County. Identify initial integration opportunities and business cases.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Project Description

Dallas County has a need for an architecture that supports enterprise integration of information. This architecture will potentially replace the current point-to-point methodology utilized today. Utilizing this architecture will allow disparate systems (mainframe, server), disparate databases (SQL Server, Oracle), and disparate technologies (Message based, XML, SQL, etc) to be integrated into a seamless enterprise. This solution will provide a flexible and simplified integration for system interfaces (CUC, TxDPS, TCIC, NCIC, etc) and provide a mechanism for automating the current manual processes.

Benefits

- Reduced maintenance cost for interface modifications
- Provide increased access to information from other systems
- Provide business case for automation of current manual processes.

Statement of Work

The countywide integration architecture is required prior to capitalizing on integration opportunities across the county. This assessment will analyze the technical requirements for the new architecture as well as the enhanced requirements by the county. A recommendation and implementation plan will be delivered at the conclusion of this assessment.

The scope of the project will include the following components in order to achieve the project goal above:

1) Assess current technical requirements within the county.
   a. Identification of all operating system technologies to be used within the integrated enterprise
   b. Identification of all interface technologies required within the integrated enterprise
c. Identification of all database technologies required within the integrated enterprise

2) Assess possible initial integration alternatives
   a. Produce list of integration alternatives
   b. Produce initial integration business cases

3) Design an integration architecture
   a. Produce a recommended SW/HW solution

4) Develop a countywide integration architecture implementation project plan and proposal

The scope of the project does not include the following:

1) The purchase or implementation of any computer or network equipment or software
2) The actual implementation of the integration architecture

Deliverables

The following deliverables are associated with the Integration Architecture assessment:

- Inventory of County technology requirements
- Recommended Integration Architecture (SW/HW)
- Implementation project plan
- Implementation proposal
Project Resources

In order to accomplish the Integration architecture assessment Schlumberger will utilize three resources. A Principle Engineer, with significant experience in system integration projects will lead the effort. Mainframe and Server engineers will assist with technical details regarding current and future technologies capabilities.

<table>
<thead>
<tr>
<th>Project Roles</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principle Engineer</td>
<td>1</td>
</tr>
<tr>
<td>Server Specialist</td>
<td>2</td>
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</tbody>
</table>

Pricing

This section details the estimated costs to complete the Integration Architecture assessment project.

<table>
<thead>
<tr>
<th>Value Added Service Costs</th>
<th>Labor Costs</th>
<th>Resources</th>
<th>Estimated Total Hours</th>
<th>Estimated Total Service Value</th>
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</thead>
<tbody>
<tr>
<td>Value Added Service Costs</td>
<td></td>
<td>Principle Engineer</td>
<td>160</td>
<td>$22,400</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Server Specialists</td>
<td>80</td>
<td>$9,600</td>
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<td></td>
<td></td>
<td>Total Cost</td>
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<td>$32,000</td>
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</table>

Note: The Value Added Services Cost is based on the services defined in the Statement of Work section of this document.

* SchlumbergerSema will only bill Dallas County for actual hours worked.

<table>
<thead>
<tr>
<th>Project Travel Costs</th>
<th>Travel Costs</th>
<th>Items</th>
<th>Estimated Cost per unit</th>
<th>Estimated Expense</th>
</tr>
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<tbody>
<tr>
<td>Air Fare</td>
<td>3 trips</td>
<td>$300</td>
<td>$900</td>
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</tr>
<tr>
<td>Hotel</td>
<td>12 days</td>
<td>$120</td>
<td>$1,440</td>
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</tr>
<tr>
<td>Car</td>
<td>12 days</td>
<td>$60</td>
<td>$720</td>
<td></td>
</tr>
<tr>
<td>Meals</td>
<td>15 days</td>
<td>$50</td>
<td>$750</td>
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<tr>
<td>Misc.(Cab Fare)</td>
<td>6 trips</td>
<td>$50</td>
<td>$300</td>
<td></td>
</tr>
<tr>
<td>Total Cost</td>
<td></td>
<td></td>
<td>$4,110</td>
<td></td>
</tr>
</tbody>
</table>

The resource rates are listed below:

<table>
<thead>
<tr>
<th>Role</th>
<th>Commercial Rate</th>
<th>Dallas County Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principle Engineer</td>
<td>$175</td>
<td>$140</td>
</tr>
<tr>
<td>Server Specialist</td>
<td>$150</td>
<td>$120</td>
</tr>
</tbody>
</table>
TO: John M. Hennessey  
Dallas County M.I.S. Director

FROM: Randy Powell, Lead Consultant  
Dallas County Information Technology Services/SchlumbergerSema

SUBJECT: Storage Management Assessment

DATE: November 25, 2003

Background:

Dallas County currently owns and operates over 80 computer servers throughout the county. More than 8 new servers have been added to the network over the past 12 months alone. With the continual automation of business processes and increased storage of electronic media (Images, Databases, eForms, etc), this trend will continue. This advancement is positive and necessary. Also necessary is for Dallas County to ensure that investments are leveraged for maximum utilization across the enterprise.

An assessment of all current applications running within the county needs to be performed. This assessment will analyze what the processing and data storage requirements are for each application. Once completed, a data storage management architecture will be designed to outline how to leverage network storage purchases, increase data access, increase disaster recovery options and reduce overall support costs. A plan will also be built to consolidate over 80 servers into a smaller number of load-balanced servers for reduced downtime, increased support, at a reduced support cost.

Operational Impact:
The storage management assessment will have no impact on operations. Once completed, a server consolidation project will be kicked off that could minimally impact active applications.

Once completed there should be increased capabilities with reduced support cost.

- Increased resiliency of data
- Increased data access rates for frequently used data
- Increased disaster recovery options
- Reduced number of servers for lower maintenance costs

509 Main St., Suite 504  Dallas, TX 75202  Phone: 214.653.6141  Fax: 214.653.6372
Financial Impact/Considerations:
Total allocation of the assessment is $26,160. $26,160 will be used against the Value Added Services dollars included in the IT Services Master Services Agreement. $0 will be billed to the County.

Funding:
The implementation of the project will be funded by allocated from the Value Added Services dollars within the SchlumbergerSema IT Services Master Services Agreement.

Reviewed By: John M. Hennessey
M.I.S. Director
COURT ORDER

ORDER NO: _______________________

DATE: _________________________

STATE OF TEXAS
COUNTY OF DALLAS

BE IT REMEMBERED, at a regular meeting of the Commissioners Court of Dallas County, Texas, held on the 2nd day of December, 2003, on motion made by ____________________________, and seconded by ____________________________, the following order was adopted:

WHEREAS, Commissioners Court was briefed on November 25, 2003 about the proposal for implementation for the Storage Management Assessment; and

WHEREAS, The total allocation of the project will be $26,160; and

WHEREAS, The total billable cost to the County is $0; and

WHEREAS, The implementation of the project will be allocated from the Value Added Services dollars as part of the SchlumbergerSema IT Services Master Services Agreement.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Dallas County Commissioners Court approves the Project proposal of the Storage Management Assessment
Project. Thus allocating in the amount of $26,160 for the project, from the Value Added Services dollars as part of the SchlumbergerSema IT Services Master Services Agreement.

DONE IN OPEN COURT this the _2nd_ day of _December_, 2003.

Margaret Keliher, County Judge

Jim Jackson, Commissioner
Road and Bridge, District 1

John Wiley Price, Commissioner
Road and Bridge, District 3

Mike Cantrell, Commissioner
Road and Bridge, District 2

Kenneth A. Mayfield, Commissioner
Road and Bridge, District 4

RECOMMENDED BY:  John M. Hennessey, M.I.S. Director

Randy Powell, Lead Consultant
I.T. Services/SchlumbergerSema

509 Main St., Suite. 504  Dallas, TX  75202  Phone: 214.653.6141  Fax: 214.653.6372
Statement of Work (SOW) Authorization Form

Form Number: IT Services Department 1004

Project Information

<table>
<thead>
<tr>
<th>Organization</th>
<th>Dallas County IT Services</th>
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<td>Project Sponsor</td>
<td>John Hennessey</td>
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<tr>
<td>Requestor Phone</td>
<td>(214) 653-7339</td>
<td>Requestor E-Mail</td>
<td><a href="mailto:jhennessey@dallascounty.org">jhennessey@dallascounty.org</a></td>
</tr>
<tr>
<td>Priority</td>
<td>Medium</td>
<td>Due Date</td>
<td></td>
</tr>
<tr>
<td>Project Name</td>
<td>Storage Management Assessment</td>
<td>Project Number</td>
<td></td>
</tr>
<tr>
<td>Description of Services to be provided</td>
<td>Assess the server application requirements for Dallas County. Produce a storage architecture design and using application requirements, build a proposal for a county-wide server consolidation project.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Project Description

Dallas County currently has approximately 81 applications servers scattered around the county. More than 5 new servers are purchased each year for departmental requirements. Often these servers are oversized for the potential needs of the individual applications. The storage management assessment project will inventory the applications on the various servers across the county, analyze the technical requirements of all applications (CPU, memory, disk requirements, support requirements, etc), build a data storage management architecture design, and build a proposal for a countywide server consolidation project.

Benefits

- Evaluation of all county server applications. Provide an accurate inventory and requirements assessment.
- Provide a storage management architectural design. If implemented, the new design will provide increased data access, disk space leveragability and scalability, increased recovery and business continuity capabilities.
- Provide a proposal for a countywide server consolidation project. If implemented will reduce support cost by limiting HW/SW maintenance and monitoring costs.
Statement of Work

The storage management assessment is the first step in leveraging Dallas County hardware purchases across the county. With this assessment we will build a data storage management architecture that will allow applications requiring data storage to leverage hardware purchases, provide quicker response time, and ensure higher levels of access, support, back-up, recovery and monitoring.

The scope of the project will include the following components in order to achieve the project goals above:

1) Assess all applications running on IT monitored Servers
   a. Assess current CPU requirements
   b. Assess current memory requirements
   c. Assess current storage requirements
   d. Assess all application requirements for Business Continuity and/or Isolation
   e. Assess application availability service requirements (24/7 vs 8/5)

2) Server Inventory
   a. Inventory of each server available for county use.
      i. Inventory of CPU, Memory capabilities
      ii. Inventory of Storage capabilities
   b. Assess reusability of each server
      i. Identify purchase fund for each server
      ii. Identify rules for reuse of each purchase fund

3) Development of a Storage Management Architecture design
   a. Recommendation for Database storage
   b. Recommendation for file storage
   c. Recommendation for archive storage

4) Develop a Server Consolidation Project plan and proposal

The scope of the project does not include the following:

1) The purchase or implementation of any computer or network equipment
2) The actual consolidation of any applications and/or servers
Deliverables

The following deliverables are associated with the Storage Management assessment:

- Application and Server Inventory
- Storage Management Architecture Design
- Server Consolidation Project Plan
- Server Consolidation Implementation proposal
Project Resources

In order to accomplish the storage management assessment Schlumberger will utilize three resources. A Principle Engineer, with significant experience in storage architectures and server consolidation projects will lead the effort. Network and Server engineer will assist with technical details regarding current and future capabilities.

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<td>Server Specialist</td>
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</tr>
<tr>
<td>Network Specialist</td>
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</tr>
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Pricing

This section details the estimated costs to complete the Storage Management assessment project.

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<th>Estimated Total Service Value</th>
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</thead>
<tbody>
<tr>
<td>Principle Engineer</td>
<td>1</td>
<td>160</td>
<td>$22,400</td>
</tr>
<tr>
<td>Network Specialists</td>
<td>1</td>
<td>24</td>
<td>$2,880</td>
</tr>
<tr>
<td>Server Specialist</td>
<td>1</td>
<td>24</td>
<td>$2,880</td>
</tr>
</tbody>
</table>

| Total Cost | $26,160 |

* SchlumbergerSema will only bill Dallas County for actual hours worked.

The resource rates are listed below:

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<td>Server Specialist</td>
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</table>
TO: John M. Hennessey  
   Dallas County M.I.S. Director

FROM: Randy Powell, Lead Consultant  
      Dallas County Information Technology Services/SchlumbergerSema

SUBJECT: Countywide Receipting Assessment

DATE: November 25, 2003

Background:

Dallas County currently has numerous financial locations across the county. The process by which money is received in each of these locations is varied. The similarity in all of them is that the process is highly manual and burdensome. Auditing and reporting of the receipting process is also very manual and time consuming. The Auditing department has reviewed this process and would like to implement a countywide receipting package.

An assessment needs to be performed to review the improved automated process. Analysis will include the impacts to each of the receipting locations, the potential for expanding each receipting locations capabilities with regard to what types of payments they can collect, and the integration of a countywide receipting software package within county financial and other systems needs.

Operational Impact:
The Countywide receipting assessment will have no impact on operations. Once completed, a countywide receipting package will be implemented, a new receipting process will be implemented and financial collections will be integrated into the county financial systems. This will provide:
- More efficient financial receipting process
- Improved audit reporting
- Increased payment options for the citizens
Financial Impact/Considerations:
Total allocation of the assessment is $19,750. $19,750 will be used against the Value Added Services dollars included in the IT Services Master Services Agreement. $0 will be billed to the County.

Funding:
The implementation of the project will be allocated from the Value Added Services dollars within the SchlumbergerSema IT Services Master Services Agreement.

Reviewed By:
John M. Hennessy
M.I.S. Director
COURT ORDER

ORDER NO: ______________________

DATE: ______________________

STATE OF TEXAS
COUNTY OF DALLAS

BE IT REMEMBERED, at a regular meeting of the Commissioners Court of Dallas County, Texas, held on the 2nd day of December ____________, 2003, on motion made by ____________________________, and seconded by ____________________________, the following order was adopted:

WHEREAS, Commissioners Court was briefed on November 25, 2003 about the proposal for implementation for the Countywide Receipting Assessment; and

WHEREAS, The total allocation of the project will be $19,750; and

WHEREAS, The total billable cost to the County is $0; and

WHEREAS, The implementation of the project will be allocated from the Value Added Services dollars as part of the SchlumbergerSema IT Services Master Services Agreement.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Dallas County Commissioners Court approves the project proposal of the Countywide Receipting Assessment.
Project. Thus allocating, in the amount of $19,750 for the project, from the Value Added Services dollars as part of the SchlumbergerSema IT Services Master Services Agreement.

DONE IN OPEN COURT this the _2nd_ day of _December_, 2003.

__________________________
Margaret Keliher, County Judge

__________________________  __________________________
Jim Jackson, Commissioner  John Wiley Price, Commissioner
Road and Bridge, District 1  Road and Bridge, District 3

__________________________  __________________________
Mike Cantrell, Commissioner  Kenneth A. Mayfield, Commissioner
Road and Bridge, District 2  Road and Bridge, District 4

RECOMMENDED BY: ____________________________
John M. Hennessey, M.I.S. Director

__________________________
Randy Powell, Lead Consultant
I.T. Services/ SchlumbergerSema
Project Information

<table>
<thead>
<tr>
<th>Organization</th>
<th>Dallas County IT Services</th>
<th>Date</th>
<th>10/27/2003</th>
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<tr>
<td>Requestor</td>
<td>John Hennessey</td>
<td>Project Sponsor</td>
<td>John Hennessey</td>
</tr>
<tr>
<td>Requestor Phone</td>
<td>(214) 653-7339</td>
<td>Requestor E-Mail</td>
<td><a href="mailto:jhennessey@dallascounty.org">jhennessey@dallascounty.org</a></td>
</tr>
<tr>
<td>Priority</td>
<td>Medium</td>
<td>Due Date</td>
<td></td>
</tr>
<tr>
<td>Project Name</td>
<td>Countywide Receipting Assessment</td>
<td>Project Number</td>
<td></td>
</tr>
<tr>
<td>Description of Services to be provided</td>
<td>Assess the required receipting processes to provide a proposed solution for county wide receipting and receiving.</td>
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</table>

Project Description

Dallas County currently has many financial receipting locations. The process by which money is received by the County is both highly manual and extremely burdensome. This assessment is targeted at researching the existing work. Build a process flow and produce recommendations for an improved financial receipting process. Incorporated in the recommendation will be a strategy to implement a countywide receipting package, integration into the county financial packages, as well as automated audit reporting.

Benefits

- Provide a more efficient financial receipting process.
- Increased payment options for citizens.
- Provide a recommendation and plan for implementation of a countywide receipting system and integration with the county financial systems.
- Provide business case for migration from current processes.

Statement of Work

The countywide receipting assessment is the first step in streamlining the financial flow within the county. It will include audit reporting, integration within the county financial systems and process definitions for the new countywide receipting system. The scope of the project will include the following components in order to achieve the project goal above:

1) Assess current receipting points within the county.
a. Identification of all points where money is received within the county
b. Review current procedures at each location money is received within the county
c. Assess process improvement opportunities

2) Assess Auditor and Treasurer requirements within the financial process

3) Design a new countywide financial receipting process
   a. Build recommended process map
   b. Recommend countywide receipting system
   c. Recommendation integration points into financial systems

4) Develop a countywide receipting project plan and proposal

The scope of the project does **not** include the following:

1) The purchase or implementation of any computer or network equipment or software
2) The actual implementation of the receipting system

**Deliverables**

The following deliverables are associated with the Countywide Receipting assessment:

- Recommended receipting process map
- Recommended receipting package (SW/HW)
- Implementation project plan
- Implementation proposal
Project Resources

In order to accomplish the storage management assessment Schlumberger will utilize three resources. A Project manager will lead the effort. A lead Consultant will be responsible for the business process assessment. One Systems Engineer will be responsible for assessing the integration into the financial systems.

<table>
<thead>
<tr>
<th>Project Roles</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Manager</td>
<td>1</td>
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<tr>
<td>Lead Consultant</td>
<td>1</td>
</tr>
<tr>
<td>Systems Engineer</td>
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</table>

Pricing

This section details the estimated costs to complete the Storage Management assessment project.

<table>
<thead>
<tr>
<th>Value Added Service Costs</th>
<th>Labor Costs</th>
<th>Resources</th>
<th>Estimated Total Hours</th>
<th>Estimated Total Service Value</th>
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<td>32</td>
<td>$3,840</td>
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<td><strong>Total Cost</strong></td>
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<td></td>
<td><strong>$19,750</strong></td>
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</table>

Note: The Value Added Services Cost is based on the services defined in the Statement of Work section of this document.

* Schlumberger/Sema will only bill Dallas County for actual hours worked.

The resource rates are listed below:

<table>
<thead>
<tr>
<th>Role</th>
<th>Commercial Rate</th>
<th>Dallas County Rate</th>
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</thead>
<tbody>
<tr>
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<td>$140</td>
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<tr>
<td>Lead Consultant</td>
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<td>$140</td>
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<tr>
<td>Server Technician</td>
<td>$150</td>
<td>$120</td>
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Date: November 19, 2003

To: Members of Commissioners Court

From: Mattye Mauldin-Taylor, Ph.D., Director

Subject: Request for Temporary Exception to the Residence Requirement – District Clerk

Background
The Honorable Jim Hamlin, District Clerk, is requesting a twelve (12) month temporary exception to the Residency Policy, Sections 86-191 to 86-200 of the Dallas County Code, for the position of Courts Operations Manager. The candidate is a current Dallas County employee who resides in Plano, Texas, in Collin County. The District Clerk’s Office has determined that the selected candidate is the best fit for the position. The temporary exception would allow the candidate an opportunity to relocate to Dallas County. The selected candidate fully intends to comply with the Dallas County residence requirement within twelve (12) months of the promotion.

Section 86-195 of the Dallas County Code states that probationary employees may be granted a maximum of three months after completion of the probationary period to comply with the residence requirement, for a total of nine (9) months.

Impact on Operations
Any continued vacancy for this position will adversely affect the department’s objectives set by Commissioners Court.

Financial Impact
There is no additional financial impact associated with this request.

Recommendation
The Human Resources/Civil Service Department recommends Commissioners Court approve this request, as it is within a short time frame of that which is outlined in the current policy. Therefore, Human Resources/Civil Service respectfully submits Mr. Hamlin’s exception request to Commissioners Court for further consideration.

Recommended by: Mattye Mauldin-Taylor, Ph.D.

Attachment
November 14, 2003

TO: Mattye Mauldin-Taylor  
Director, Dallas County Human Resources/Civil Service

FROM: Angie Morton  
Chief Deputy

RE: Residency Requirement Exception Request

The District Clerk’s Office would like to request a one year exception from the residency requirement for the position of Courts Operations Manager, grade 1, position number 9914. We have conducted interviews and have selected the applicant we feel is the best fit for the position.

is currently our Family/IV-D Courts Supervisor, grade E, position number 9911. has been with our office since March 24, 1975. moved to Plano and purchased a home there in 1988. At this time she is still residing in Plano.

We have discussed the residency requirement with her, and has agreed to relocate within the one-year time frame, if this exception is granted by the Court.

We would like to extend the an offer to and promote her into the Courts Operations Manager position effective November 29, 2003.
November 18, 2003

TO: Commissioners Court

THROUGH: Ryan Brown
Budget Officer

FROM: Greg Allbright
Budget and Policy Analyst

SUBJECT: FY2004 DDA Rollover

Background
Each year, the Office of Budget and Evaluation and Auditor’s Office collaborate on a reconciliation of the prior year ending balance in each department’s D.D.A. account. After completion of the reconciliation of accounts, the D.D.A. rollover from FY2003 to FY2004 totals $615,354 (See Attachment A). Based on current D. D. A. policy, departments are entitled to have this balance rolled into FY2004 for their use.

Financial Impact
Approximately $598,200 is budgeted in the FY2004 budget to cover D.D.A. rollovers from FY2003 to FY2004. This leaves a shortfall of roughly $42,700 that is needed to cover the rollover. Should Commissioners Court approve the Office of Budget and Evaluation’s recommendation below, funds from Unallocated Reserve will be used to cover this shortfall.

A portion of the rollover amount to several courts includes amounts associated with DDA Contract Court Reporter initiatives. The cost of the contract reporter is deducted from the potential salaried reporter, with half of the savings going to the respective court. For FY2003, eight courts generated roughly $233,000 in savings, with half that amount, roughly $117,000 going to the participating courts (See Attachment B).

Recommendation
The Office of Budget and Evaluation recommends Commissioners Court authorize the transfer of $42,700 from Unallocated Reserves to the FY2004 DDA roll-over account, to cover all DDA balance roll-overs.
### ATTACHMENT A

#### FY2003 DDA September Balances

<table>
<thead>
<tr>
<th>Department</th>
<th>Budget</th>
<th>Encumb</th>
<th>Actual</th>
<th>Funds Avail*</th>
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<td>1,490</td>
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</table>

* Includes court reporter initiative funds
<table>
<thead>
<tr>
<th>Department</th>
<th>Budget</th>
<th>Encumb</th>
<th>Actual</th>
<th>Funds Avail*</th>
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* Includes court reporter initiative funds

Total $ 640,901
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<th>With benefits</th>
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October 17, 2003

TO: Commissioners Court

FROM: Ryan Brown  
      Budget Officer

SUBJECT: Capital Improvement Plan

BACKGROUND

During the FY2004 budget process the FY2004 Capital Improvement Plan (CIP) was discussed to facilitate the planning of large capital expenditures such as transportation, parks and open space, building projects and technology improvements. The plan contains all planned capital expenditures other than the remaining projects associated with the 1991 bond program and is consistent with the pay-as-you-go plan adopted by Commissioners Court. The proposed FY2004 Capital Improvement Plan contains the latest revenue projections.

FINANCIAL IMPACT

The FY2004 Capital Improvement Plan is a planning document rather than a legal appropriation of funds. The appropriation of funds for the FY2004 projects were included in the budget adopted on September 30, 2003.

RECOMMENDATION

The Office of Budget and Evaluation recommends that Commissioners Court adopt the proposed FY2004 Capital Improvement Plan.
November 25, 2003

TO: Commissioners Court

THROUGH: Ryan Brown, Budget Officer

FROM: Shannon Brown, Assistant Budget Officer

SUBJECT: Dallas County’s Participation in the Office of the Attorney General’s Title IV-D Child Support Enforcement Program

Background

In July 2003, the Child Support Administrator briefed Commissioners Court on the basic structure of the Integrated Child Support System operated by the Office of Attorney General (OAG), referred to as the “local rule” program. This system will implement a child support enforcement program in Dallas County. At that time, Commissioners Court asked the Office of Budget and Evaluation to present a full briefing, including recommended staffing changes, on the program and its implementation.

The purpose of this briefing is to evaluate the operational issues associated with the local rule program, explain the agreement requirements, and make a recommendation on the implementation of the program.

Operational Impact

Under a local rule program, the Judges in the Family District Courts adopt a rule that divorce cases that involve child support will be monitored through the Dallas County Child Support Office through the County’s agreement with the Office of Attorney General (OAG). The Family District Judges have drafted an application of a local rule to send to the Texas Supreme Court for approval as required (Attachment A). Currently, five of the seven Family District Judges have agreed to participate in the local rule program. Judges Coen, Green, Harris, Lewis, and Rankin will be adopting the local rule. Judges Fowler and Johnson are electing not to participate at this time.
Not every child support case in the participating courts will be a part of the local rule program. Examples of cases that will not be a part of the local rule program include: paternity issues, inter-state cases, and bankruptcy cases. These cases will continue to be handled by the OAG. In addition, a custodial parent may opt out of the local rule program by completing a refusal of services form. However, it is not anticipated that many custodial parents will select this option. The experience of other Counties is that 8%-10% of the custodial parents eligible for the program will opt out.

Local rule cases will be closely monitored for payment compliance through the OAG’s computer system, Texas Child Support Enforcement System (TXCSES). TXCSES has many administrative tools that can be used to enforce payment obligations such as locator services, license suspensions, bank account seizures, and IRS information.

Once operational, it is anticipated that 230 cases per month will be referred to this program. Bexar and Tarrant County have been participating in the local rule program since 2000. Currently, the Attorney General’s Office is also in negotiations with Harris, Travis, Bell, and Taylor Counties to implement local rule enforcement programs.

**Tarrant County Program**

Several Family District Judges and staff members have visited the Tarrant County office to observe the operation, discuss implementation, and gain an understanding of the program. Tarrant County has been very pleased with the program and the assistance and support received from the OAG.

The Tarrant County program is utilized by five (5) District Courts and has a current caseload of approximately 5,000 cases. The program is receiving 130-140 new cases each month. As shown in the performance measure data provided below, Tarrant County’s program has reached and maintained a high level of obligated, paying cases.

Tarrant County currently refers 40-45 cases a month for legal action. Of these referrals, an average of 35-40 cases are filed each month for enforcement (approximately 90%). Given Tarrant County’s current caseload of approximately 5,000 cases, this represents just under 1% of the caseload resulting in legal action. This figure is consistent with data from Bexar County and from discussions with the OAG. Based on Dallas County’s expected caseload (Attachment D), it is projected that 22 cases would be filed for enforcement each month when the program is fully operational in FY2005, increasing each year as the total caseload increases.
**Staffing**

Under the local rule program, the Child Support Office will transition from serving primarily as a payment processing center with customer service provided for all Dallas County cases to a child support monitoring and enforcement operation providing customer service (including reduced payment processing) for all Dallas County cases.

Prior to FY2004, the Child Support Office operated with 16 full-time positions and one part-time position divided into two divisions. One division performs payment processing functions (6 full-time positions), one division performs customer service functions (6 full-time positions) and there are four full-time administration positions. A current organizational chart with annual salaries is provided in Attachment B.

As a part of the FY2004 budget process, the department eliminated two positions performing payment processing functions (the Assistant Manager and a clerk) due to the decreasing volume of payments processed as a result of the centralized State Disbursement Unit (SDU). Payments processed have fallen from an average of 35,500 per month in FY2000 to 19,000 per month in FY2003, a 47% decrease. The Office of Budget and Evaluation estimates that payment processing will continue to decline by 15%-20% per year, although complete phase-out of the function is not anticipated until FY2015.

The customer service division is responsible for responding to all inquiries concerning accounts from custodial parents, non-custodial parents, courts, employers participating in wage withholding, and attorneys. As the payment disbursements decline, the customer service function will become the main focus of this division of the office. It is anticipated that the County will continue to provide customer service for all Dallas County cases, even those disbursed through the state disbursement unit, and be reimbursed for this service through a separate agreement with the OAG. This agreement is projected to generate $40,000 in FY2004. This division is also responsible for collecting the annual account fee of $36 for all cases being monitored by the office.

With the implementation of the local rule program, the department will combine the payment processing and customer service functions into one division with seven (7) full-time positions and create a monitoring/enforcement division with four (4) full-time positions. A copy of the proposed positions, annual salaries and organizational chart is provided as Attachment C.

The new division will be comprised of an attorney, a program supervisor, an interviewer and an intake clerk. The Judges are requesting that the Child Support Office's reporting relationship change to a direct reporting line to a Commission of Family District Judges, comprised of the Judges participating in the program. This reporting relationship change will hold the Child Support Office, and consequently the local rule program, directly accountable to the Judges. A brief description of each of the new positions and other personnel changes recommended by the Office of Budget and Evaluation are provided in the paragraphs on the next page.
One attorney position is recommended for the local rule program. Tarrant County has one attorney dedicated to local rule activities. This is the only new position being added to implement the program. All other positions will be transitioned from the existing Child Support program.

The suggested timing for the hiring of this position is January 1, 2004 to allow the individual to participate in implementation process when legal procedures and decisions are being developed. The attorney will be responsible for accepting cases from the enforcement employees and making a determination if the criteria for filing a motion for court have been met. In addition, the attorney will be responsible for presenting all motions and ensuring that the legal framework for each case is maintained. The attorney will be available to the enforcement staff during day-to-day operations to assist in maximizing the tools available for enforcement prior to filing a legal case.

The Family District Judges also plan to utilize the attorney in other areas of child support. For example, the attorney can assist with the collection of the $36 annual fee on customer service cases and fines ordered by the Family District Judges and the IV-D courts and serve as the friend of the court for certain cases not participating in the local rule program. As shown in the organizational chart (Attachment C), the attorney will report directly to the Commission of Family District Judges.

The other three positions for the local rule program will be transitioned from the current payment processing/customer service functions (three existing positions will be deleted). A program supervisor is recommend to serve as the departmental lead in the program. This position will be responsible for the daily monitoring of cases by the other employees and will be the point person for interaction with OAG. In the TXCSES computer system, cases are assigned to a specific staff member for monitoring. It is anticipated that the supervisor will initially have a caseload as the program is implemented. This caseload will decrease in FY2005 and FY2006 as additional interviewer positions are added and the supervisor will begin to focus more on overall case management and difficult cases. This position will have the final authority to recommend a case to the attorney for enforcement.

Two clerical positions are recommended for case management. Each case that qualifies for and accepts local rule services will be required to submit information to be entered into the TXCSES system. The intake clerk will perform this function on the anticipated 230 cases received each month. The interviewer position will be the individual primarily responsible for daily monitoring of the cases for enforcement action.

In the department’s original briefing on the local rule program, a third clerical position was suggested. This position would be responsible for answering phone calls related to the local rule program and manage arranging appointments for clients. The Office of Budget and Evaluation does not recommend this position at this time. The department currently has a clerical position assigned to answer incoming telephone calls. If during the implementation period, a separate need for a dedicated telephone position in the local rule program is identified, the department should submit documentation on the anticipated call volume with a request for additional staff resources.
In addition to these new positions, the Office of Budget and Evaluation recommends that the following positions be reviewed for appropriate classifications and titles: Child Support Manager, Research & Data Specialist and Case Management Supervisor. The duties and/or scope of these positions are changing as a result of the implementation of the local rule program. The current Manager position is being recommended for review due to the new administrative duties associated with the local rule program and the change in the reporting relationship with the Family District Judges. This position will now be responsible for implementing and managing the local rule program, including monitoring agreement compliance, meeting State established performance goals, and billing for reimbursement.

Integrating the State's technology into the County's system environment will be essential to the success of the local rule program. As discussed in the "Technology" section below, the local rule program will rely on at least three (3) State systems that must be coordinated with the County system on a daily basis. The existing Research & Data Specialist position will be required to manage this integration and serve as the main contact between the County's information technology vendor, the State's information technology department, and various software vendors. This position will also serve as the training coordinator for the TXCSES system as new employees are added to the program.

The Case Management Supervisor position is recommended for review due to the consolidation of payment processing and customer service functions under one division. This position will have supervision responsibilities for one additional employee and be responsible for some accounting activities.

**Technology**

The success of the enforcement program relies heavily on technology provided by the OAG. As previously mentioned, the TXCSES system has many powerful administrative tools that staff use to monitor the cases and encourage payment. The system notifies staff each day of cases where there has been some sort of activity (such as non-payment, change in employment, new address) and requires staff to record their actions on the case. The system retrieves information from the Texas Workforce Commission and other databases to track non-custodial parents. Essentially, the system notifies staff of potential problems almost immediately. The system also has the ability to retrieve bank account and IRS information and issue writs and delinquency letters automatically. These letters are generated and issued through the State mail facility in Arlington and require no additional County resources.

In addition to the TXCSES system, it is anticipated that the County will need to be connected to two other State systems. Case information will need to be uploaded to the TXCSES system from the County's case management system as new cases are received.

The OAG will reimburse the County for the purchase of computers and technology to operate the TXCSES system (66% reimbursement as outlined in the agreement). In addition, the OAG will provide one computer to access the State system that will not be connected to the network to allow the office to download forms and files from the OAG's intranet.
The Child Support Office is scheduled to receive new computers as a part of the Civil Court System automation project. It is recommended that four (4) computers be purchased from this project for the local rule implementation (one each for attorney, supervisor, interviewer, and intake clerk) and that the reimbursement for this purchase be credited back to the project when received. This will allow the office to purchase the computers immediately to maximize the availability of implementation funds.

During the implementation period, the Child Support Office and Family District Judges should explore the option of using imaging technology for file storage rather than using paper files for each local rule case. Any proposal developed for the use of imaging technology will be presented to the MIS Coordinator for his review and will be briefed to Commissioners Court.

**Space Issues**

There has been some discussion on the volume of cases from this program and the impact on the need for court space as a part of the George Allen building project. Based on enforcement statistics from Tarrant County, it does not appear as if additional court space needs to be programmed into the construction.

The 3rd floor of the George Allen Civil Courts Building will include space for a total of five (5) Title IV-D courts. Since the State is currently operating 2 ½ courts, there is sufficient courtroom space in the existing plans for future expansion of the Title IV-D courts and the local rule program. As shown on Attachment D, the monthly volume of cases needing court action will be minimal during FY2005 and FY2006. As the caseload increases in FY2007 and beyond, the number of cases will require more court time. However, this caseload is not projected to result in the addition of a full-time court.

Under the current construction plan, the Child Support Office is expected to stay in their current location on the 1st floor with some slight changes (losing space from one wall and gaining space from another). The existing space has sufficient room for approximately 20 staff members, which will allow for some growth in the staff as the caseload continues to increase. The office may need to augment its existing modular furniture arrangement to provide office space for the additional staff.

The only new space need associated with the local rule program is for interview/conference space. The staff will have periodic meetings with custodial and non-custodial parents. Currently, there is no meeting space in the Child Support Office. It is estimated that a small conference room could be constructed for $5,000. The agreement allows for the reimbursement (at 66%) of any renovation costs. The Child Support Office will work with Dan Savage and Facilities Management to see if space can be identified for this need during the implementation period.
There is a proposal to possibly locate a cafeteria/food service area on the 1st floor of the George Allen building. If this option is implemented, the entire Child Support Office will need to be moved to another location. There is sufficient space in the basement of the building to accommodate the office. This space could also be used as the local rule staff is expanded in future years.

**Implementation and Timeline**

The agreement with OAG requires the designation of a project manager and deputy project manager dedicated to the project and who must remain on the project for six (6) months after the first case is received. The current Manager will be designated the project manager and the Research & Data Specialist will be the deputy project manager.

The implementation period will begin immediately upon execution of the agreement. This time period will be used to finalize the day-to-day operating details of the program, such as the exact criteria for accepting a case, the criteria for filing for enforcement, how cases will be routed to the local rule office from the courts. The new staff positions will be hired and trained on the TXCSES system. Attachment 10 to the agreement is the Work Plan that details all of the individual steps that must be accomplished in order for the local rule program to begin.

The target start date for the Dallas County local rule program to receive its first case is July 1, 2004. This start date will allow for approximately seven months of implementation preparation time.

There will be additional briefings to Commissioners Court as new issues are identified. In addition, the Child Support Office will prepare an implementation update for March 2004 to provide the status of the local rule program.

**Financial Impact**

The agreement allows the OAG to reimburse through two methods. The first method is during the implementation period when the County is reimbursement at a rate of 66% of the cost of implementing the program for furniture, equipment, and staff time. The Child Support Office will submit a monthly invoice to the OAG detailing the expenses. When the implementation period is over and the program begins accepting cases (the operations phase), the reimbursement method shifts to a per case per month reimbursement.

**Implementation Phase**

It is estimated that the total implementation costs will be $182,000 based upon the costs detailed in Table 1. Staff not dedicated 100% to the local rule program will be required to keep time sheets to document their time spent working on the project. The net cost after accounting for the staff time already included in the FY2004 budget and the reimbursement percentage will be $4,000.
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**Operations Phase**

Once the first case is received for monitoring and enforcement, the implementation cost reimbursement ends and the County begins receiving the per case per month reimbursement provided by the agreement. The current rate of reimbursement is $9.98 per case per month. The revenue estimates for FY2004 and the following fiscal years is provided in Attachment D. It is projected that the program will be cost neutral by FY2006. The annual revenue generated by the program will stabilize at approximately $1.6 million by FY2009.

The per case per month reimbursement rate is adjusted every two years during the agreement renewal period. The OAG calculates a cost per case based on the operational cost of the local rule program in Bexar County. This office is operated as a State program and serves as the baseline in staffing for all OAG county agreements.
**Incentive Payments**

The agreement allows the County to benefit from any incentive payments received from the federal government for meeting statewide performance measures. These payments are over and above the monthly per case reimbursement. In order to receive incentive payments, the County must commit to a base year funding amount and meet the County’s performance goals. Dallas County will not be eligible for incentive payments until FY2005. If an incentive payment is made, the County must use the funds to supplement and not supplant funding for the local rule program. It is anticipated that incentive payments would be used to augment the program by purchasing equipment or technology that would improve the operations of the office.

The Office of Budget and Evaluation recommends that the base year funding amount for the agreement be set at $216,000. This figure represents the annual cost of the four positions dedicated to the local rule program.

**Future Resources**

The cost estimates and operational impact discussions in this briefing primarily addresses implementation costs and the first twelve months of operations. As the local rule caseload increases in FY2005 and FY2006, it is anticipated that additional staff will be needed (such as a second and third interviewer and perhaps an attorney or paralegal). Tarrant County is currently operating their program with one attorney, one program manager, three monitors and two clerks. They have approval to add one attorney and one monitor in FY2004.

Other costs will include the payment of a visiting judge, court reporter, and pool bailiff to hear cases where a motion to enforce has been filed. In Tarrant County, the local rule cases are heard by the existing State Title IV-D Associate Judges as space is available on their dockets. The Dallas County Title IV-D courts currently have 85-100 cases set on each of their dockets per day, leaving no room for additional cases generated by the local rule program. The Family District Judges have submitted a proposal to expand the use of Public Defenders in the Family Courts. This plan anticipates that Public Defenders will be available to serve local rule cases where a court appointed attorney is needed. These issues will be presented as a part of the FY2005 budget process. Commissioners Court will be briefed as additional resource needs are identified.

**Performance Measures**

Performance measurement is an important component in the agreement (section 8). The agreement details the measures that will be evaluated. The goal for the County in each of these measures is established by the Regional Administrator who will consider factors such as caseload size, staff resources available and the regional goal set by the State office. If the goals are not met, the County will be required to submit a corrective action plan and will not be eligible to receive any incentive payments awarded by the federal government. Goals will not be established for Dallas County until closer to the implementation of the program. Since Tarrant County is in the same region, it is anticipated that the goals will be similar. Tarrant County’s goals are provided in the performance data table below.
The Office of Budget and Evaluation requested data on the effectiveness of the local rule enforcement program in Bexar and Tarrant Counties. The OAG provided the information on the two programs as summarized in Tables II and III below.

**Table II**

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<tr>
<td>Active cases (per month)</td>
<td>10,223</td>
<td>10,776</td>
</tr>
<tr>
<td>Avg. payment per case</td>
<td>$391</td>
<td>$362</td>
</tr>
<tr>
<td>% obligated cases</td>
<td>99%</td>
<td>100%</td>
</tr>
<tr>
<td>% paying cases</td>
<td>76%</td>
<td>74%</td>
</tr>
<tr>
<td>% current on payments</td>
<td>N/A</td>
<td>81%</td>
</tr>
</tbody>
</table>

**Table III**

<table>
<thead>
<tr>
<th>Measure</th>
<th>Tarrant County</th>
<th>Non-Local Rule Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FY2001</td>
<td>FY2002</td>
</tr>
<tr>
<td>Active cases (per month)</td>
<td>N/A</td>
<td>2,579</td>
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<tr>
<td>Avg. payment per case</td>
<td>$403</td>
<td>$503</td>
</tr>
<tr>
<td>% obligated cases</td>
<td>N/A</td>
<td>96%</td>
</tr>
<tr>
<td>% paying cases</td>
<td>N/A</td>
<td>83%</td>
</tr>
<tr>
<td>% current on payments</td>
<td>N/A</td>
<td>82%</td>
</tr>
</tbody>
</table>

This data indicates that local rule cases have a higher payment per case, a higher percentage of cases obligated, a higher percentage of cases paying, and a higher percentage of cases current on payments. Clearly the local rule enforcement efforts result in more child support payments being made. The Office of Budget and Evaluation believes that while the automated child support monitoring system and the administrative tools available to the enforcement program certainly drive the success of the program, the type of case in the local rule program also contributes to the high success rate. Local rule cases will not include some of the more difficult cases such as those involving paternity issues or those where bankruptcy has been filed. These cases will be transferred to the OAG's office for monitoring and enforcement. As shown by the number of active cases for each of the Counties listed above, local rule cases only represent 10%-15% of the total number of child support cases in the County.
Legal Impact

The Office of the Attorney General has presented the attached agreement for the implementation of the integrated child support system in Dallas County (Attachment E). The Civil Section of the District Attorney’s Office has reviewed the agreement and has approved as to form. Dallas County has several agreements with the OAG and the language is consistent with other agreements dealing with child support issues. The Auditor’s Office has reviewed the auditing requirements and the MIS Coordinator has reviewed the data security requirements.

The term of the agreement is through August 31, 2005. The OAG will notify the County by June 1, 2005 of the intent to renew the agreement for an additional two-year term.

Recommendation

The Office of Budget and Evaluation recommends the implementation of the local rule program in Dallas County and the execution of the contract with the Office of the Attorney General to operate an integrated child support system. In order to begin this program, the following operational changes are recommended. All new positions will be reviewed by Human Resources to be presented to the Civil Service Commission for the appropriate classification.

Staffing/Organization

- Creation of four positions to be effective January 1, 2004 (attorney, local rule supervisor, interview clerk, and intake clerk)
- Deletion of three positions as new positions are implemented (clerk II #501, clerk I #497, and clerk 1 #4422)
- Review of three positions for appropriate classifications and titles (manager, case management supervisor, research and data specialist)
- Change in reporting relationship to the Commission of Family District Judges

Financial

- Transfer $124,100 from Unallocated Reserves for the unbudgeted costs associated with the program start-up
- Utilize funds budgeted for the purchase of new computers planned through the Civil Court System Replacement project for four (4) computers for the local rule program with reimbursement to be credited back to project

Operational

- Designate current manager and research and data specialist as project manager and deputy project manager
- Study use of imaging technology for file storage
- Explore options for availability of interview/conference space
DRAFT

Application for and Refusal of IV-D Child Support Services

I. Each (final) judgement in a Divorce which orders child support to be monitored through the Dallas County Child Support Office, shall be deemed to include an application for IV-D child support services provided through the Dallas County Child Support Office and the Office of the Texas Attorney General, pursuant to Section 231 of the Texas Family Code. This rule shall apply to the appropriate divorce decrees entered by the Dallas County District Courts after the effective date of this rule.

II. Unless required to accept such services pursuant to other laws, an obligee of child support entitled to receive IV-D child support services pursuant to this rule may decline such services by filing a written “Refusal of Child Support Services” with the District Clerk of Dallas County, Texas.

III. Refusal of IV-D child support services pursuant to this rule does not preclude that person from making a subsequent written application for IV-D child support services with the Office of the Texas Attorney General.

Jeffery Coen, Judge 254th
Frances Harris, Judge 302nd

Brenda Greeen, Judge 256th
Marilea Lewis, Judge 330th

Susan Rankin, Judge 301st
Dallas County Child Support Office
Current Organizational Structure

Payment Processing

Sr. Secretary
Grade 8 $29,224

Asst. Manager
Grade D Deleted FY2004

Clerk I (Poster)
Grade 5 $22,256

Clerk I (Poster)
Grade 5 $22,566

Clerk I (Poster)
Grade 5 Deleted FY2004

Accounting Clerk I
Grade 6 $24,814

Clerk I (Mail Out)
Grade 5 $22,547

Part-time (Mail)

Customer Service

Manager
Grade J $59,204

R&D Specialist
Grade 10 $30,306

Fiscal Monitor
Grade E $41,048

Case Management Supv.
Grade C $39,280

Case Specialist
Grade A $32,698

Clerk I (Cashier)
Grade 6 $29,286

Clerk II (Fee Clerk)
Grade 6 $24,814

Clerk II (New Accts.)
Grade 6 $24,315

Full-time Positions 4 6 4 14
Annual Salaries $92,185 $172,940 $159,782 $424,907
Annual Benefits 34,888 57,930 45,805 138,622
Total Annual Salaries $127,073 $230,870 $205,587 $563,529
Dallas County Child Support Office
Proposed Organizational Structure

Monitoring/Enforcement

Commission of Family District Judges

Sr. Secretary
Grade TBD
$29,224

Attorney
Grade TBD
$79,759

Local Rule Supv.
Grade TBD
$36,314

Interviewer
Grade TBD
$28,350

Clerk II (intake)
Grade TBD
$24,315

Clerk II (New Accts)
Grade 6
$24,315

Clerk I (Poster)
Grade 5
$22,568

Clerk I (Mail Out)
Grade 5
$22,547

New Positions (Highlighted)
Attorney
Local Rule Supervisor
Interviewer

Classification Reviews/Title Changes (Dotted Outline)
Manager/Director
Case Management Supervisor
R&D Specialist/Project Manager/Software Analyst

Deleted Positions (X'd)
Clerk II (New Accounts)
Clerk I (Poster)
Clerk I (Mail Out)

Customer Service/Payments

Director
Grade TBD
$70,897

Fiscal Monitor
Grade E
$41,048

Program Manager/Software Analyst
Grade TBD
$36,635

Case Management Supv.
Grade TBD
$38,963

Case Specialist
Grade A
$32,998

Accounting Clerk I
Grade 6
$24,814

Clerk II (Cashier)
Grade 6
$20,286

Clerk II (Fee Clerk)
Grade 5
$24,814

Clerk I (Poster/Mail)
Grade 5
$22,256

Clerk I (Phone)
Grade 5
$22,547

Part-time (Mail)

Mont./Enforcement
Cust. Service/Pay. Administration
Full-time Positions

4
7
4
Total

4

Annual Salaries
$168,738
$194,978
$177,804
$541,520

Annual Benefits
47,251
66,489
48,715
162,455

Total Annual Salaries
$215,989
$261,467
$226,519
$703,975
## Local Rule Caseload and Revenue Estimate

### Assumptions
- **Projected No. of Cases per Month**: 230
- **Target Start Date**: July 1, 2003
- **Per case per month reimbursement**: $9.98

### FY2004 to FY2009 Caseload and Revenue Estimate

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<thead>
<tr>
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<td>October</td>
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<td>3,680</td>
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<td>1,610</td>
<td>16,068</td>
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<td>4,370</td>
<td>43,613</td>
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<td>7,130</td>
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<td>71</td>
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<td>98,702</td>
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<td>1,840</td>
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<td>4,600</td>
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<td>7,360</td>
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<td>2,070</td>
<td>20,059</td>
<td>21</td>
<td>4,830</td>
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<td>48</td>
<td>7,590</td>
<td>75,748</td>
<td>76</td>
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<td>103,293</td>
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<td>2,300</td>
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<td>27,645</td>
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<td>30</td>
<td>5,750</td>
<td>57,385</td>
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<td>September</td>
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<td>34,431</td>
<td>35</td>
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<td><strong>$1,583,826</strong></td>
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</tr>
</tbody>
</table>

*Revenue estimates for FY2004 include reimbursements for implementation costs.*
Upon request, “Attachment E” of the Attorney General’s Title IV-D Child Support Enforcement Program Briefing, is available for viewing in the Administrator’s Office.
November 19, 2003

Memorandum

To: Allen Clemson  
Commissioners Court Administrator

From: Virginia A. Porter  
County Auditor

Subject: Rationale for Same Date Briefing and Court Order

Due to tight reporting requirements of the Federal Equitable Sharing Agreement which requires certified reports to be filed within 60 days after the fiscal year end and time requirements to complete an audit, we submit the audit reports for certification by court order with an effective date of November 25, 2003. We request that both the briefing and court order be allowed during the same court session.

attachments

509 Main Street  
Suite 407  
Dallas, Texas 75202  
214-653-6472  
FAX 214-653-6440
November 19, 2003

Memorandum

To: Allen Clemson
Commissioners Court Administrator

From: Virginia A. Porter
County Auditor

Subject: Federal Equitable Sharing Agreement Filing

FY2003 audits were performed according to requirements contained in the Department of Justice’s Addendum to A Guide to Equitable Sharing. The certified reports are to be delivered to the U.S. Department of Justice and the U.S. Department of Treasury no later than 60 days after the fiscal year end. According to the Federal Equitable Sharing Agreement, the head of the law enforcement agency and a designated official of the governing body are required to sign the Annual Certification Report certifying that the accounting of funds received and spent by the law enforcement agency is accurate and in compliance with the guidelines and statutes that govern the equitable sharing program. The federal equitable sharing audit includes a review of the proceeds and property from criminal seizures or forfeitures by Dallas County’s law enforcement agencies.

We ask Commissioners Court to certify the attached documents which will be forwarded to the appropriate law enforcement agency for the additional required certification.

Forfeiture and seizure records included in the audit were for:

- 535 & 540 – District Attorney Forfeiture (Attachment A)
- 91002 – Sheriff - Federal Asset Sharing (Attachment B)
- 91001 – Constable Precinct No. 4 Forfeiture (Attachment C)

attachments
November 19, 2003

To: Commissioners Court

From: Jim Jackson

The Policy Analysis Group (P.A.G.) consisting of representatives of each elected County office has been meeting at Texas Association of Counties to address Texas County issues.

One of the initiatives put forth by P.A.G. is an effort to get a referendum on both parties primary ballots calling for a Constitutional Amendment banning unfunded mandates.

County representatives will appear before the resolution committees of both Political Parties State Executive Committees requesting the issue be placed on the primary ballot.

Counties, and our County organizations have long supported curbs on unfunded mandates and this sounds like a good effort. We are being asked to support a county resolution in support of the effort to constitutionally restrict unfunded mandates. I have been a participant and generally support the effort.

However, there are some questions that make me wonder if this is as good as policy as it is as politics.

For example, the Legislative effort last year to raise non hospital district Counties base responsibility for indigent care from 25% to 100% of F.P.C. would be an unfunded mandate. So would any other legislation that simply tried to level the playing field by placing the same financial responsibility on all Counties that might currently only be required of the same. In other words, it could constitutionally lock in existing inequities.

So before putting this resolution on the Courts Agenda, I want some dialogue and feedback from other members to insure we know what we are asking for.

Please review the accompanying materials.
Referendum
for Republican & Democratic Primary Ballots
March 9, 2004 Primary Election

“For or against a constitutional amendment protecting taxpayers by prohibiting state mandates that require local property tax increases.”
County of 

State of Texas

Resolution

WHEREAS, .......... County operates and manages many and various governmental programs as required or authorized by law; and

WHEREAS, some county government programs are fully or partially supported with funds disbursed by the state of Texas pursuant to the state appropriations process; and

WHEREAS, the state of Texas, acting through the Texas Legislature or through a state agency or executive order, may enact laws or promulgate rules or issue orders that have the unintended consequence of imposing mandatory financial obligations upon Texas counties; and

WHEREAS, from time to time, the state of Texas, acting through the Texas Legislature or through a state agency or executive order, mandates that counties implement certain governmental programs or perform certain duties and obligations that include financial commitments by a county to expend county funds in connection therewith; and

WHEREAS, during each regular session of the Texas Legislature, all state funds that support county programs are reviewed through the state appropriation process and by other state budgetary review systems; and

WHEREAS, the aforementioned review process may result in a reduction, or cessation, of state financial support of county government programs causing an unforeseeable disruption and interruption of the county budget and county fiscal operations; and

WHEREAS, Texas counties cannot achieve reliable financial planning and the necessary and superior bond ratings sufficient to back up county related obligations under circumstances where the state mandates a new program that is not fully funded or under conditions where the state scales
back or fully withdraws prior funding and disbursement for county government programs.

NOW, THEREFORE, the county of ______________ does hereby resolve that for the foregoing reasons, it is in the best interests of Texas counties to support and favor the passage of legislation, including a constitutional amendment to the Constitution of the State of Texas, that would expressly prohibit the imposition of a mandatory governmental program on Texas counties, whether by an act of the Texas Legislature or a state agency or by executive order, without the state of Texas first fully funding and disbursing all necessary monies to enable Texas counties to sufficiently operate said government program.

IT IS SO ORDERED THIS THE _____ DAY OF __________ 200__.

SIGNED AND ENTERED ON THE ABOVE DATE BY THE FOLLOWING MEMBERS OF THE COMMISSIONERS COURT

________________________
County Judge

________________________  __________________________
County Commissioner  County Commissioner
Precinct No. 1 Precinct No. 2

________________________  __________________________
County Commissioner  County Commissioner
Precinct No. 3 Precinct No. 4
<table>
<thead>
<tr>
<th>State</th>
<th>Constitution/Statue</th>
<th>Key Language</th>
<th>Exceptions</th>
<th>Comments</th>
</tr>
</thead>
</table>
| Florida | Constitution        | "No county or municipality shall be bound by any general law requiring such county or municipality to spend funds or to take an action requiring the expenditure of funds... unless 1) the law fulfills an “important state interest” and funds have been appropriated based on estimates at the time of enactment to sufficiently fund expenditures or 2) local government is authorized to enact funding source not currently available to cover cost of mandate.                                                                                          | • Acts adopted by 2/3 voting members of each house.  
• Laws of general application  
• Federal mandates  
• Pension benefits  
• “Criminal laws”  
• Election laws  
• General and special appropriations acts  
• Laws with “insignificant fiscal impacts”  
• Laws creating, modifying or repealing noncriminal infractions | Florida Association of Counties reports that it is too easy for the legislature to declare an “important state interest” and appropriate a reduced amount to cover cost-estimates at the time of passage. In addition, securing a 2/3 vote is not difficult.                                                                                                                                                                                                                             |
| Illinois | Statute             | State Mandates Act has three purposes:  
1. "to provide for the collection and periodic publication of information on existing and future state and federal mandates".  
2. "to enunciate policies, criteria and procedures to govern any future state-initiated specification of local government services...without appropriate reimbursement or other appropriate fiscal participation on the part of state government".  
3. "to provide for a review of existing mandates and an identification of the nature and magnitude of corrective action needed to produce a consistent and equitable framework of state-local relations regarding mandated services, standards, and expenditures".                                           | • Laws regarding the organization and structure of local government (i.e. establishment of multi-county districts, local elections, the designation of public officers, etc)  
• Laws regarding due process (i.e. notification and conduct of public hearings, administration of justices, etc.)  
• Requirements under the Steel Products Procurement Act | According to the United Counties Council of Illinois, the legislature passes bills explicitly stating: “statutory provisions notwithstanding, this language will become law” or “exempt from State Mandates Act”  

The Council is convinced that protection against unfunded mandates would be greater if expressed in Illinois’ constitution. Right now, the Act is a toothless tiger.                                                                                                                                                                                                                      |
| Louisiana | Constitution       | "No law or state executive order, rule or regulation requiring increased expenditures for any purpose shall become effective within a political subdivision until..." 1) approved by local government ordinance and the legislature appropriates funds for the mandate or 2) until a law provides a revenue source for the mandate and local government ordinance authorizes the political subdivision to levy and collect such revenue. | • Local government requested mandate  
• Newly defined crimes  
• Mandates prior to 1991  
• Federal mandates  
• Pension benefits for firemen and municipal policemen  
• Acts adopted by 2/3 voting members of each house.  
• Acts with “Insignificant Fiscal Impacts” | According to the Police Jury Association of Louisiana, the Legislature has not abused the 2/3 vote exemption. The “Insignificant Fiscal Impact” language has not caused problems.                                                                                                      |
<table>
<thead>
<tr>
<th>State</th>
<th>Constitution/Statute</th>
<th>Key Language</th>
<th>Exceptions</th>
<th>Comments</th>
</tr>
</thead>
</table>
| Alabama   | 2 Constitutional Provisions (Amendment 474 and Amendment 621)  
*Referred*               | Amendment 474: "...new or increased expenditures of county funds...shall become effective...[on] the first day of the fiscal year next following the passage of such law" unless 1) county approves, by resolution, the new responsibility prior to the start of the next fiscal year or 2) such law provides counties with new revenues sufficient to fund new or increased expenditures.  
Amendment 621: Retiterates and elaborates on Amendment 474. Extended protection to municipalities. Specifically states that unfunded mandates are not permitted unless "...approved by an ordinance enacted...by the governing authority...and only as long as, the Legislature appropriates funds for the purpose...and only to the extent and amount that the funds are provided, or until a law provides for a local source of revenue within the...county". | (Found in Amendment 621)  
- Required school board expenditures  
- Newly defined crimes  
- Mandates prior to 1998  
- Federal mandates  
- Acts adopted by 2/3 voting members of each house.  
- Acts with an "aggregate insignificant fiscal impact" on affected municipalities, counties or instrumentalities. "Aggregate insignificant fiscal impact" means an impact of less than $50,000/yr.  
- Compensation for public officials | According to Association of County Commissions of Alabama, amendments have been hugely successful. |
| California | Constitution  
*Initiated*                | If legislature or agency mandates 'new program or higher level of service", the state shall provide a "subvention of funds" to "reimburse local governments.  
Amendment 474: "...new or increased expenditures of county funds...shall become effective...[on] the first day of the fiscal year next following the passage of such law" unless 1) county approves, by resolution, the new responsibility prior to the start of the next fiscal year or 2) such law provides counties with new revenues sufficient to fund new or increased expenditures.  
Amendment 621: Retiterates and elaborates on Amendment 474. Extended protection to municipalities. Specifically states that unfunded mandates are not permitted unless "...approved by an ordinance enacted...by the governing authority...and only as long as, the Legislature appropriates funds for the purpose...and only to the extent and amount that the funds are provided, or until a law provides for a local source of revenue within the...county". |  
- Local government requested mandate  
- Newly defined crimes  
- Mandates prior to 1975 | California State Association of Counties reports that the legislature frequently claims laws to be of "general application". By doing so, the mandate in question is determined non-reimbursable. |
| Colorado  | Statute  
(CRS 29-1-304.5)  
*Implemented in CRS 29-1-304.7 and CRS 29-1-304.8*  
*In 1995, the Colorado Supreme Court held that Weld and Mesa Counties exist as administrative arms for the convenient administration of state government and therefore their efforts to utilize this area of TABOR were ineffective.* | "No new state mandate or an increase in the level of service for an existing state mandate beyond the existing level of service required by law shall be mandated by the general assembly or any state agency on any local government unless the state provides additional moneys to reimburse such local government for the costs of such new state mandate or such increased level of service. In the event that such additional moneys for reimbursement are not provided, such mandate or increased level of service for an existing state mandate shall be optional on the part of local government. " |  
- Federal mandates  
- State or Federal Court Orders  
- Modifications in School District Financing  
- Mandates prior to 1991  
- Local government requested mandate | Section 9 of TABOR stated that: "...a local district may reduce or end its subsidy to any program delegated to it by the general assembly for administration. For current programs, the state may require 90 days notice and that the adjustment occur in a maximum of three equal annual installments."  
Implemented in CRS 29-1-304.7 and CRS 29-1-304.8  
In 1995, the Colorado Supreme Court held that Weld and Mesa Counties exist as administrative arms for the convenient administration of state government and therefore their efforts to utilize this area of TABOR were ineffective. |
Examples of Unfunded Mandates from Past Legislative Sessions

Unfunded mandates are not a new creation. They did not begin with the most recent legislative session but have occurred in years past.

Two glaring examples stem from 1985 and 2001 respectively:

• Prior to the enactment of the *Indigent Health Care Act (Health & Safety Code)*, counties had a general obligation to care for paupers. The Act, passed in 1985, established 138 counties and all public hospitals as the payer of last resort and statutorily set out specific duties and responsibilities. The mostly unfunded state mandate provided for a county spending limit of $30,000.00 per person and statutory list of mandated health care services and medication regimen. The state did provide for a reimbursement threshold for funds expended by a county on indigent health care in excess of 10% of the county budget (since been lowered to 8%). However, the reimbursement is limited and subject to funds being available.

• County governments continue to wrestle with the fiscal impacts of *Senate Bill 7* from the 77th Legislature. The law, passed in 2001, requires counties to provide criminal defense services to indigent defendants but was only partially funded by state lawmakers. Its continuing impact on county budgets showed up in a resolution passed by the County Judges and Commissioners Association of Texas at its annual conference in October 2003. Resolution No. 13: Indigent Criminal Defense asked that the 78th Legislature address the issue in any upcoming special session and states:

WHEREAS, Senate Bill 7 has required additional county taxpayer expense to provide indigent criminal defense services; and

WHEREAS, Senate Bill 7 has added administrative duties and reporting requirements to county offices; and

WHEREAS, the current appropriation is insufficient to reimburse counties for these mandated costs; now

THEREFORE, BE IT RESOLVED that the County Judges and Commissioners Association of Texas urges the Legislature, during special session, to revise the provisions of Senate Bill 7 to simplify the administrative and reporting requirements and improve the efficiency of the indigent criminal defense program; and

BE IT FURTHER RESOLVED that the Legislature, during special session, either 1) authorize sufficient funds to commensurate counties for the full costs of implementing the mandates of the indigent criminal defense program or 2) repeal the mandatory, unfunded and/or under-funded provisions of Senate Bill 7.
Unfunded Mandates from the 78th Legislative Session

HB 401 relating to the testing of certain public safety personnel for accidental exposure to hepatitis B or hepatitis C. Requires the employer of EMS personnel, firefighters, peace officers or first responders to pay the cost of a Hepatitis B and Hepatitis C test on the patient who received services from the EMS personnel, firefighter, peace officer or first responder, if there is a belief of exposure to one of the providers. This would also apply to volunteers who are rendering assistance. While such services are essential to the well being of emergency personnel and should be rendered, the state elected not to help counties pay for the program.

HB 1 relating to the appropriations of money for the 2004-2005 Biennium.

Article I

Historical Commission-Courthouse Preservation, loss of $5 million for the biennium

Article II

Health Department-Indigent Health Care Program, loss of $22,965,580 for the biennium

Other areas of concern under Article II, possible fiscal impacts to counties.

- The CHIP Program keeps eligibility at 200% of the poverty level, but adds an asset limit to CHIP and eliminates most income disregards. Additionally, there are additional changes to the program which reduce benefits as follows: (1) a 90-day waiting period for enrollment, (2) reducing continuous eligibility to 6 months (from the current 12 months), and (3) requiring higher co-payments and premiums from clients. According to the Center for Public Policy Priorities these changes are projected to reduce the number of children enrolled by 169,295 below projected enrollment in 2005 (or, 166,897 below May 2003 enrollment). These kids will no longer be treated for acute care and will be treated in the emergency room of a hospital at a much higher cost. This will be in a public hospital or a hospital district, both of which are supported to a substantial extent by county tax dollars.

- Due to the cuts in Medicaid services such as mental health services and podiatry services the costs of these services will be shifted to the county either by using a public funded hospital or by using the county jail as the mental health facility. It is not possible to quantify the amount; however, county leaders expect the costs will be substantial.
Article IV

Office of Court Administration, Texas Judicial Council
Information Technology, loss of $1,072,168 for the biennium
Assistance to administrative judicial regions, loss of $52,756 for the biennium
Rider 5-Information services for trial courts, reduced by $288,344

Judiciary Section, Comptroller’s Department
Visiting retired judges, (regions) loss of $5,499,934 for the biennium
Witness expenses, loss of $1 million for the biennium
Statutory court judge GR supplement, loss of $140,000 for the biennium
Felony prosecutors travel, loss of $23,500
Prosecutors expenses, loss of $213,924 for the biennium

Article V

As listed in the 2004-2005 State Appropriations Budget, counties will lose funding under the Challenge Grant and Non-Residential Program funding under the Juvenile Probation Commission’s budget (funding for both programs was cut for fiscal years 2004 and 2005).

- The Challenge Grant Program assisted 24 counties (Bexar, Brazoria, Brazos, Comal, Dallas, El Paso, Gray, Guadalupe, Hale, Harris, Hidalgo, Jefferson, Lubbock, Montgomery, Nueces, Randall, San Patricio, Smith, Tarrant, Taylor, Tom Green, Travis, Van Zandt, Williamson) and was budgeted at $677,721.00 in 2002-2003.

- The Non-Residential Program assisted 11 counties (Coke, Dewitt, Hale, Harrison, Houston, Karnes, Kaufman, Lampasas, Milam, Polk, Rockwall) and was budgeted at $250,000.00 in 2002-2003.

Another area of concern under Article V, is the elimination of the Criminal Justice Policy Council. The Council served as great resource for counties when looking at jail overcrowding issues. The statistical data generated by the Policy Council that assisted counties in making financial projections and construction plans (jail contracts and personnel) is no longer available. It is not possible to estimate or quantify this loss to counties. However, the elimination of the Policy Council will most assuredly result in substantial financial adversities to counties, including inefficiencies and waste attributable to incarceration emergencies and jail inmate contingencies that were previously predictable.
Article VII

Texas Department of Transportation, Rider 18: Road Materials. A fiscal appropriation for counties is now transferred into a physical appropriation of road maintenance materials. Whereas Rider 22 of the 2002-2003 biennium provided for counties to receive a portion ($4.1 million in calendar 2002) of Gross Weight and Axle Weight fees collected by the state (Transportation Code 621.353), Rider 18 of the 2004-2005 biennium provides for disbursement of double the amount of road materials, but no fiscal appropriations.
UNFUNDED MANDATES
GENERAL TALKING POINTS

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- directives to counties without providing the necessary funding to carry out the directives;
- withdrawal of or cuts in state funding to carry out existing directives; and
- changes in state operations which inadvertently result in county expenses and inefficiencies.

County government is an arm of state government and carries out the state’s directives. However, it is important to remember that the burden of paying for unfunded state directives falls squarely upon local property taxpayers.

Unfunded mandates are often an unintended consequence of legislative action or state administrative action. In other words, legislators and state executives do not willingly intend to cause increases in local property tax rates, but their directives result in local tax hikes because they do not put in place statewide mechanisms to pay for their directives and administrative changes.

The problem of unfunded mandates did not begin with the most recent legislative session. Past legislatures and state agencies have done the same thing to counties and taxpayers. It is an on-going dilemma and will continue to be so, especially in times of economic stress for the state.

This is not a partisan issue. It cuts across both political parties, and no one political party is to blame.
Currently, the financial circumstances and economic climate in the state are not that wholesome, and the projections for recovery may not be as sound as some would have us believe. There is the worry that the state will resort to even more severe cuts in existing programs that will keep counties in a state of financial uncertainty, materially interfere with meeting budgetary essentials and cause a loss in bond ratings.

Local property taxpayers often do not understand the subtleties of the way our governments are organized. Hence, when their property taxes rise due to unfunded mandates, taxpayers know only to blame their local elected officials, whose hands are tied by state government. It is crucial to educate the public so they will understand the workings of unfunded mandates and make their concerns known to their legislators.
FOR IMMEDIATE RELEASE
[FILL IN DATE OF RELEASE]

CONTACT: [NAME]
[PHONE AND/OR E-MAIL]

LOCAL COUNTY OFFICIAL SEEKS TO PROTECT TAXPAYERS
FROM UNFUNDED MANDATES

[Full name and title] said [he or she] supports allowing voters to decide if unfunded mandates from the state to counties should be reined in to protect taxpayers from being saddled with higher property taxes.

[Last name] joins county officials from across Texas in seeking a constitutional amendment that would limit state actions which mandate counties to spend additional funds, unless the state steps in to help pay for its mandates.

“Our property taxpayers currently have no protection against state actions that force counties to raise taxes,” [Last name] said. “We believe a constitutional amendment would curtail many of the unfunded mandates.

“The mandates are often unintended consequences of legislative action or state administrative action,” [Last name] noted. “While legislators and state executives do not willingly intend to cause local tax increases, their actions too often result in tax hikes because they do not put in place statewide funding mechanisms to pay for the directives to counties.”

To get the ball rolling, the Subcommittee on Unfunded Mandates of the Policy Analysis Group (PAG) met recently at the Texas Association of Counties (TAC) in Austin. The subcommittee decided to seek a referendum in both the Republican and Democratic Party primary elections next spring.

The referendum was proposed by Bee County Tax Assessor-Collector Andrea Gibbud and quickly approved by other members of the subcommittee who were present, including its Chairman and Brazoria County Commissioner Jack Harris, Fort Bend County Tax Assessor-Collector Marsha Gaines, Dallas County Commissioner Jim Jackson and Gibbud.

The referendum would give primary voters the opportunity to express their feelings on better protecting local taxpayers through a proposed constitutional amendment. The amendment will be presented to the Legislature when it meets again.

The referendum states: “For or against a constitutional amendment protecting taxpayers by prohibiting state mandates that require local property tax increases.”

“The subcommittee believes there should be a grass roots effort to pass this very important constitutional amendment,” Subcommittee Chairman Harris said. He added that the amendment would be known as the Taxpayer Protection Amendment.

Subcommittee members noted that legislative budget actions during tough financial times often have a direct impact on counties and their property taxpayers, even when legislators do not
intend to burden the counties. During the 78th session that ended earlier this year, examples include cuts to health care, mental health and the Children’s Health Insurance Program (CHIP) that have resulted in counties having to pick up more of the tab. Under-funded or unfunded mandates from previous legislatures have included the 1985 Indigent Health Care Act and the 2001 law mandating indigent criminal defense services.

TAC is composed of local elected officials from all Texas’ 254 counties. The PAG was formed in 1997, and its members selected issues upon which to focus, including unfunded mandates.

-30-

For additional background information, contact Elna Christopher at 1-800-456-5974 or elnac@county.org.
"Across Texas, local governments saddled with state-mandated costs have had to raise taxes...Counties were hit particularly hard by a state budget that sloughed obligations onto them. Locally, our county faces pressing needs like juvenile justice, overburdened courts and jails."

John Young, Opinion Page Editor
Waco Tribune-Herald, Oct. 1, 2003

"[State budget cuts] will shrink government, but they will do nothing to stanch demand driven by current need and burgeoning population. Nor will the proposed cuts prevent county governments from raising local taxes to make up the difference and, down the road, pick up the tab for added strain on emergency and trauma care centers, crisis services for patients with uncontrolled mental illness, and county-run operations, like jails and probation programs, because of the problems that fester...

"The pain will fall squarely on the county’s shoulders to do more with even less funding from outside,’ Harris County Commissioner El Franco Lee says...Lee is a Democrat, but the budget concerns cut across party lines. Harris County Constable Bill Bailey, a Republican, is president of TAC...The group also is working to pass a resolution for a constitutional amendment, HJR91, that would require the state to fund all mandates it prescribes for local governments."

Houston Chronicle Editorial Board
May 9, 2003

"Government is like water, says Hunt County Judge Joe Bobbitt. It all runs downhill. In Texas, county governments are at the bottom of that hill...

"...reductions in programs like Medicaid and the Children’s Health Insurance Program will roll down the hill toward counties and force them to face their own tough questions..."

William McKenzie, Editorial Columnist
Dallas Morning News
April 29, 2003

"To the state of Texas: Don’t send El Paso any mandates you can’t fund. Following that common-sense advice would go a long way toward making El Paso a participant in, rather than a victim of, the state’s budget process."

El Paso Times Editorial Board
April 29, 2003

"Here’s another economic lesson that taxpayers should understand: The need for health care and the delivery of it in crisis circumstances for the working poor will not end when the Legislature leaves Austin...No, the burden will shift to the John Peter Smiths (public hospitals) of Texas – and when the money runs out there, the Tarrant County Commissioners Court will have to step
up. And you do know that increased taxes from the county show up on the property tax bill, don't you?"

Fort Worth Star-Telegram Editorial Board
May 10, 2003

"An 'unfunded mandate' is a law passed from a higher branch of government down to a lower one with no means provided to pay for it. In many states, the practice is illegal. In Texas, counties have tried without success for years to get funding provided for all new laws. Comal County officials have long lamented unfunded state and federal mandates."

Ron Maloney, Reporter
New Braunfels Herald-Zeitung
August 14, 2003

"The Texas Legislature effectively pulled the plug Friday on visiting judges, leaving one felony court in Smith County with no judge and courts at law preparing to juggle increasing criminal dockets with civil tort trials expected to last for several months...(George Cowart, office manager for the First Judicial District) said dealing with unexpected court matters and crowded dockets without relying on visiting judges will be a first in Texas. 'We're trying to be as creative as possible to keep the wheels of justice from falling apart' Cowart said."

Anne Wright, Reporter
Tyler Morning Telegraph
August 30, 2003

"For example, it's the state that requires (El Paso's) Thomason Hospital to provide emergency medical services to anyone who walks in the door. Yet, Thomason...is not allowed to ascertain citizenship...More poor people will seek treatment in Thomason's emergency room. Simple infections that could be treated for a few dollars will cost hundreds, possibly thousands, to treat in the ER. Who will pay for this? You, the local taxpayer."

Bernadette Self, Editorial Columnist
El Paso Times
May 9, 2003

"...the county gets stuck prosecuting many federal drug cases, and paying to hold these inmates in the county jail. Local taxpayers are footing the bill, to the tune of millions of dollars, for state and federal responsibilities."

Bernadette Self, Editorial Columnist
El Paso Times
May 9, 2003
As requested, attached are four items regarding unfunded mandates.

1. General talking points.
2. Examples of UFM from the 78th Legislature in 2003.
3. Examples of UFM from previous legislatures.
4. A blown-up copy of PAG’s proposed primary ballot referendum.

<<UFM-Talking points-FINAL.doc>>  <<UFM-78th lege-Sue-FINAL.doc>>
<<UFM-previous lege info-FINAL.doc>>  <<UFM-primary referendum-FINAL.doc>>

CC: Carey Boethel <CareyB@County.Org>, 'Carey Boethel-...
UNFUNDED MANDATES
GENERAL TALKING POINTS

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Examples of Unfunded Mandates from Past Legislative Sessions

Unfunded mandates are not a new creation. They did not begin with the most recent legislative session but have occurred in years past.

Two glaring examples stem from 1985 and 2001 respectively:

- Prior to the enactment of the Indigent Health Care Act (Health & Safety Code), counties had a general obligation to care for paupers. The Act, passed in 1985, established 138 counties and all public hospitals as the payer of last resort and statutorily set out specific duties and responsibilities. The mostly unfunded state mandate provided for a county spending limit of $30,000.00 per person and statutory list of mandated health care services and medication regimen. The state did provide for a reimbursement threshold for funds expended by a county on indigent health care in excess of 10% of the county budget (since been lowered to 8%). However, the reimbursement is limited and subject to funds being available.

- County governments continue to wrestle with the fiscal impacts of Senate Bill 7 from the 77th Legislature. The law, passed in 2001, requires counties to provide criminal defense services to indigent defendants but was only partially funded by state lawmakers. Its continuing impact on county budgets showed up in a resolution passed by the County Judges and Commissioners Association of Texas at its annual conference in October 2003. Resolution No. 13: Indigent Criminal Defense asked that the 78th Legislature address the issue in any upcoming special session and states:
  WHEREAS, Senate Bill 7 has required additional county taxpayer expense to provide indigent criminal defense services; and
  WHEREAS, Senate Bill 7 has added administrative duties and reporting requirements to county offices; and
  WHEREAS, the current appropriation is insufficient to reimburse counties for these mandated costs; now
  THEREFORE, BE IT RESOLVED that the County Judges and Commissioners Association of Texas urges the Legislature, during special session, to revise the provisions of Senate Bill 7 to simplify the administrative and reporting requirements and improve the efficiency of the indigent criminal defense program; and
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Referendum
for Republican & Democratic Primary Ballots
March 9, 2004 Primary Election

“For or against a constitutional amendment protecting taxpayers by prohibiting state mandates that require local property tax increases.”
November 25, 2003

MISCELLANEOUS

1) **FACILITIES MANAGEMENT DEPARTMENT** - requests approval to print all signs in both English and Spanish at the Cliff House Facility located at 1545 S. Ewing. This is at the request of the Juvenile Department, which states that a significant number of families that are served by this facility, are Spanish speaking only.

2) **OPERATIONS** - requests approval for a No-Cost Extension Request from the Texas Engineering Experiment Station to their Energy Management Baseline Measurement and Monitoring Agreement with Dallas County from May 17, 2003 through December 31, 2003 in order to complete the reporting under Extension 4 of their contract. No additional funding is required.

3) **OFFICE OF BUDGET & EVALUATION** - requests approval:

a) to address accounting issue to charge $69,574.53 in labor charges for FY2003 in-house projects that went over the budgeted amount. The projects are permanent improvement and major capital improvement projects. Funds of $16,183.52 are available in 196.0.8130.2001.0.70125 (Capital Improvement Fund, Building Project) and $53,391.01 are available in 126.0.0.2003 (Permanent Improvement Fund, FY2004). Information item No. 2b shows that of the 26 approved projects 13 were $72,840.53 over budget while 14 were under budget $61,563.66 for 2.5% difference. Recommended by the Office of Budget & Evaluation.

(Please Refer to Information Item No. 2b)

b) to transfer $549.24 to the Tax Court, Business Travel (120.4180.4010.2004) to reimburse Judge Sims for funds expended during travel to an Ad Valorem Taxation Conference in San Antonio, Texas on August 27-29, 2003. Included in the cost is $297.44 in hotel expense, hotel taxes, and parking, $60 for meals, and $191.80 in mileage. There was no registration fee for the conference. Recommended by the Office of Budget & Evaluation.
4) **HUMAN RESOURCES/CIVIL SERVICE** - requests approval to pay $380.57 from the Benefits Trust for supplies used in Annual Enrollment training for Dallas County Benefit Representatives for Plan Year 2004. Recommended by the Office of Budget & Evaluation.

5) **JUSTICE OF THE PEACE, PRECINCT 4, PLACE 1** - On October 14, 2003 Commissioners Court authorized funding for Judge Petty’s request for modifications to Justice Center Precinct 4-1 Grand Prairie location in the amount of $5,750. The Facilities Department has provided the Office of Budget & Evaluation amended estimates of costs for the requested modification. The amended request results in an additional $4,042 required to complete the project. The remodeling request includes two additional work-spaces for the clerks, extending the service counter, removal of existing closets, close door from main hall to clerks area, build storage shelves, build divider wall in Judge’s office and install new door to Judge’s office through a plaster wall. The changes will assist in maximizing the limited space available to improve the efficiency of the courts and provide timely service to customers. A 15% contingency amount has been included in the estimate. It is anticipated the contingency will cover any additional phone/data, electrical, minor painting, and after hours/weekend work. Additional $4,042 funding is available in Permanent Improvement Fund, Minor Building Renovations. Recommended by the Office of Budget & Evaluation.

6) **DISTRICT CLERK** - requests approval for the use of Time Payment fee funds and Law Library Escrow Funds to purchase 8 laptops and associated equipment for eight Criminal District Court Judges. The cost of the computers, docking stations, and software is approximately $25,200. Time Payment Fee Funds will be used to cover the first $10,600, with Law Library Escrow Funds making up the difference of $14,600. Recommended by the Office of Budget & Evaluation.

7) **CRIMINAL DISTRICT COURT NO. 4 (Judge Creuzot)** - requests free parking for two volunteers from SMU that are assisting with data gathering and analysis for the Divert Court. Recommended by Commissioners Court Administration.

8) **COUNTY AUDITOR** - The Truancy Court Coordinator requested change funds be established for use in the truancy courts. The change funds are needed to facilitate collection of court ordered fees. In accordance with V.T.C.A., Local Government Code 130.902, the County Auditor recommends establishing three $100 change funds (totaling $300) for the three truancy courts.
9) **PARKLAND MEMORIAL HOSPITAL** - requests authorization for:

a) Dallas County Hospital District's Vice President for Strategic Sourcing to award and execute a purchase of $436,227.47 to Strategic Equipment Texas for the acquisition of several equipment.

**JUSTIFICATION:**
This equipment is necessary to complete the previously authorized Cafeteria Several Improvements Facilities Construction Project #17028, which has been previously approved and budgeted. This equipment has a 12 - 14 week lead time and should be available for installation at a critical phase of the project. Timing for delivery of this equipment is critical to ensure that Facilities construction and the overall project is not delayed.

**REPLACEMENT/NEW:**
All equipment is to replace current equipment that is either out of service due to unavailability of parts (due to age of equipment purchased in 1972) or the equipment is uneconomic to repair. Additionally, the County Health Department has determined that the issues related to equipment replacement and renovation must be addressed in order for the cafeteria to remain open.

**PURCHASE PROCESS:**
All equipment is being purchased under and existing Novation/UHC GPO contract and therefore does not require the normal RFP process per current Hospital District policy.

b) Dallas County Hospital District's Vice President for Strategic Sourcing to award and execute a purchase of $612,437.00 to EPIC Systems for maintenance and support of patient registration, accounting and clinical software.

**JUSTIFICATION:**
This agreement is necessary for the continued maintenance of Epic Systems software programs in use or under implementation to support the operations of PHHS. These products include cadence Enterprise Scheduling system, Resolute Patient Accounting system, Tapestry Managed Care and utilization Review system and clarity Enterprise Reporting system. This agreement provides telephone and programming support to correct any issues that arise in the use or operation of these products as well as periodic upgrades to the products to provide new capabilities or repair known problems.
REPLACEMENT/NEW:
This is an annual agreement covering 12/13/03 through 12/14/04.

PURCHASE PROCESS:
The software covered by this agreement has already been purchased and is in use or in process of being implemented.

c) Dallas County Hospital District's Vice President for Strategic Sourcing to execute a Purchase Order in the amount of $28,000,000 to Perot Systems for services related to the outsourcing of Information Systems functions

JUSTIFICATION:
This represents the budget for the first year of the Outsourcing Services Agreement awarded to Perot Systems on September 2, 2003 following a competitive RFP process. The amount of the Purchase Order is less than the amount indicated in the Perot Systems proposal for this period to reflect continuing efforts at cost and expense management.

REPLACEMENT/NEW:
This Purchase Order is to cover the first year's monthly payments for this agreement covering 9/2/2003 through 9/11/2004.

PURCHASE PROCESS:
A competitive RFP process was followed in the selection.

TRAVEL REQUESTS

10) ELECTIONS DEPARTMENT - requests approval for:

a) Bruce Sherbet to attend the 2004 IACREOT Mid-Winter Conference in San Antonio, Texas on January 14-18, 2004: $1,026.66 is available in General Fund, Elections Department, Business Travel Account, FY Budget 2004, (00120.1210.04010.2004) and $100 is available in General Fund, Elections Department, Training Fee’s Account, FY Budget 2004, (00120.1210.02460.2004).
b) Danny Clayton to attend the 2004 IACREOT Mid-Winter Conference in San Antonio, Texas on January 14-18, 2004: $1,026.66 is available in General Fund, Elections Department, Business Travel Account, FY Budget 2004, (00120.1210.04010.2004) and $100 is available in General Fund, Elections Department, Training Fee’s Account, FY Budget 2004, (00120.1210.02460.2004).

c) Antoinette Pippins-Poole to attend the 2004 IACREOT Mid-Winter Conference in San Antonio, Texas on January 14-18, 2004: $1,026.66 is available in General Fund, Elections Department, Business Travel Account, FY Budget 2004, (00120.1210.04010.2004) and $100 is available in General Fund, Elections Department, Training Fee’s Account, FY Budget 2004, (00120.1210.02460.2004).

11) HEALTH & HUMAN SERVICES DEPARTMENT - requests approval for:

a) Karin Petties, Jennifer McMillan, and David Blais to attend the North Texas Prevention/Services Coalition Meeting in Fort Worth, Texas on December 5-6, 2003: $400 is available in Grant Fund, Ryan White Title II Department, Workshop Account, FY Budget 2003, (00466.656508.02050.2003).

b) Mitos Llauder to attend the Developing Successful Grants in Dallas, Texas on February 25, 2004: $185 is available in Grant Fund, Ryan White Title-I Department, Workshop Account, FY Budget 2003, (00466.65502.02050.2003).

EXCEPTION TO TRAVEL REQUESTS
UNLESS SPECIFICALLY OBJECTED TO, ALL ITEMS PRESENTED AS EXCEPTIONS ARE CONSIDERED TO BE APPROVED

MISCELLANEOUS EQUIPMENT

(1) DEPARTMENT: Health and Human Services - STD Clinic
ITEMS: 11 - Cell Phones ($264 per annual cost)
        11 - Cigarette Lighter Adapter ($35 per)
ESTIMATED COST: $5,004
FUNDING SOURCE: VD Epidemiology Grant
The Health and Human Services Department request authorization to purchase 11 cell phones for the Sexually Transmitted Disease Control Department. The cell phones have been requested as staff routinely works in the field conducting home visits. The staff will utilize the phones to contact clients, respond to emergencies, and will have for safety as the staff routinely work in high crime areas. Recommended by the Director of Communications and Central Services.

**DEPARTMENT:** 3141
**FUNDING SOURCE:** Reserves and Contingency
**EXPERIMENT SOURCE:** 00466.0000.07213.2003.0000.0000.08706 (Grant Fund, Cell Phones, FY2003, VD Epidemiology Grant)

**PROPOSED ACTION:**

The Sheriff’s Office, Sterrett North Tower, has requested 13 MSA air bottles and 13 fire coats. These items are considered life-safety issues and must be up-to-date and in good condition in order to pass jail inspections. If the air bottles are out-of-date and the life-safety items are not in good condition, then the jail will lose their certification. Recommended by the Office of Budget and Evaluation.

**DEPARTMENT:** 3144
**FUNDING SOURCE:** Reserves and Contingency
**EXPERIMENT SOURCE:** 00120.3141.02090.2004 (General Fund, Sterrett North Tower, Property Less Than $5,000, FY2004)

**PROPOSED ACTION:**

The Sheriff’s Office, Suzanne Kays Jail, has requested 15 air masks, 30 MSA air bottle straps and 7 fire coats. These items are considered life-safety issues and must be up-to-date and in good condition in order to pass jail inspections. If these life-safety items are not in good condition, then the jail will lose their certification. Recommended by the Office of Budget and Evaluation.
(4) DEPARTMENT: 3312
ITEMS: Institute of Forensic Sciences - Office of the Medical Examiner
ESTIMATED COST: Evidence Tracking System
$29,500
FUNDING SOURCE: Major Technology Fund, Prior Years Available, SWIFS Allocation
PROPOSED ACTION: Dr. Barnard of the Institute of Forensic Sciences is requesting permission to purchase and implement an Evidence Tracking System that includes a replacement bar code label printer system and various security system components. Recommended by Office of Budget and Evaluation.

TELECOMMUNICATIONS REQUEST

District Clerk D-0410021 requests to install eleven data-line cables in room 325 of the GACB to support the Imaging project. Installation: $711.25; no monthly service increase. Recommended.

IT Services M-0410056 requests to install two phone line cables on the ground floor of the Henry Wade Juvenile Justice center to support the SBC Gigiman install. Installation: $140.00; no monthly service increase. Recommended.

Facilities Management - requests:
M-0410058 & D-0410023 to relocate an existing phone and data-line to an new location on the 6th floor room 611. Installation: $33.00; no monthly service increase. Recommended.

M-0410059 to relocate a multi-line phone to a new location on the 6th floor room 611 due to changes in the office. Installation: $33.00; no monthly service increase. Recommended.

Juvenile D-0410022 requests to install two data-line cables at the District 5 location to support expansion of the staff. Installation: $110.99; no monthly service increase. Recommended.

Funding for the above request is available from countywide Department 800, line item 432, Telephone Contingency.