

AGENDA ITEM 21

Consider approving County Judge to accept federal property from the Texas 1033 Surplus Property Program.

Moved: **Judge Doerfler**

Seconded: **Commissioner Limmer**

Motion: To approve County Judge to accept federal property from the Texas 1033 Surplus Property Program.

Vote: **4 – 0**

< Attachment >

TEXAS 1033 SURPLUS PROPERTY PROGRAM APPLICATION LETTER

TO: Office of the Governor
CJD - 1033 Program
P.O. Box 12428
Austin, Texas 78711-2428

SUBJECT: Request for Screening Authorization Action

1. Our agency requests that the personnel noted on the attached Law Enforcement Agency Data Sheet be granted authority to screen for excess federal property as defined in the Defense Authorization Act, 1997, Public Law 104-181, Section 1033, Transfer of Excess Personal Property.
2. We the undersigned understand and agree that failure to comply with the terms of this application is in direct conflict with the intent of this program, and failure on our agency's part to abide by the terms and conditions of the Texas 1033 Program may result in termination from the program and other sanctions including civil or criminal prosecution.
3. We understand and agree that we are responsible for all transportation costs incident to the redistribution or collection of any transferred property. Transferred property must be removed from the Defense Reutilization and Marketing Offices (DRMO) within 14 days, or sooner if so directed by the DRMO. Failure to claim and remove property will result in the redistribution of the property to another agency.
4. We understand and agree that this property is transferred from the Department of Defense (DoD). Transferred property must have a direct application to the LEA's street law enforcement, arrest and apprehension mission. Transferred property may not be disposed of, sold, bartered or transferred without prior notification, written authorization and instructions from the Texas 1033 Program Office, including instances in which property is no longer serviceable for law enforcement use.
5. We have read and understand, in its entirety, this Texas Military Surplus Property & Procurement Program booklet. We understand and agree to comply with the terms and conditions of the Texas 1033 Program and have signed the Release of Liability Statement.
6. We understand that the Federal Freedom of Information Act and the Texas Open Records Act apply to all property received under the Texas 1033 Program.
7. We understand and agree that our authority to screen expires one year from the date on the LESO-West authorization letter. We also understand that it is our responsibility to submit a new

Law Enforcement Agency Data Sheet at least thirty (30) days prior to expiration of the LESO-West authorization letter, as well as anytime the information on the Data Sheet changes.

8. We understand that the LEA must compile and maintain a detailed inventory of all transferred property obtained throughout the Texas 1033 Program. We further understand that a detailed inventory report, as outlined in the program overview, (Attachment 6) is due at the Criminal Justice Division - Texas 1033 Program office not later than January 20th of every year.

9. We understand that if a vehicle is obtained through the Texas 1033 Program, the LEA will forward photocopies of both (1) the United States Government Certificate to Obtain Title to a Vehicle (SF 97); and (2) the Texas Certificate of Title (Form 30-C) to the Texas 1033 Program office within thirty (30) days of receipt.

John A. Maspero
LEA CHIEF EXECUTIVE'S SIGNATURE

10/19/00
DATE

JOHN A. MASPERO, SHERIFF

LEA CHIEF EXECUTIVE'S TYPED NAME & TITLE

John C. Doerfler
AUTHORIZED OFFICIAL*

10-31-00
DATE

JOHN C. DOERFLER, COUNTY JUDGE

AUTHORIZED OFFICIAL'S TYPED NAME & TITLE

*Authorized official – county judge, mayor, or city manager

LAW ENFORCEMENT AGENCY DATA SHEET

Date _____

Agency: WILLIAMSON COUNTY SHERIFF'S DEPARTMENT

Address: 508 SOUTH ROCK **E-Mail:** _____

City: GEORGETOWN **State:** TX **Zip:** 78626 -

Phone: (512) 943 - 1300 Fax: (512) 943 - 1444

Number of Full-Time, Compensated Officers: 231

Number of Full-Time, Sworn Narcotics Officers: 3

Number of Full-Time, Sworn Tactical Officers: _____

Screener #1: Sergeant David McGarah

[illegible]

Weapons Officer: Sergeant David McGarah

Must be sworn Officer	Rank	Name
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Signature: [Signature] Chief Executive Official of Agency
Signature: John C. Dwyer 10-31-00 Authorized Official

Name: (print) JOHN A. MASPERO **Name:** (print) JOHN C. DOERFLER
Chief Executive Official of Agency Authorized Official

Title: SHERIFF
Chief Executive Official of Agency

Title : COUNTY JUDGE
Authorized Official

***The authorized Official is the individual authorized to apply for, accept, decline or cancel participation of the applicant agency. This person may be the executive director of a state agency, county judge, mayor, city manager or a designee as authorized through a resolution by the governing body.**

Note: This form must be filled out annually or as changes occur by the LEA and submitted through the State Coordinator.

Signature: _____
Robert J. Bodisch, Sr.
Texas 1033 State Coordinator

STATE OF TEXAS
RELEASE OF LIABILITY
(NEW 4-98)

OFFICE OF THE GOVERNOR
CRIMINAL JUSTICE DIVISION

RELEASE OF LIABILITY -TRANSFERRED PROPERTY

AGENCY: WILLIAMSON COUNTY SHERIFF'S DEPARTMENT, GEORGETOWN, Texas
City / county

The Texas Law Enforcement Agency ("LEA") designated above acknowledges receipt of excess property of the Department of Defense transferred pursuant to Section 1033 of the National Defense Authorization Act for Federal Fiscal Year 1997 (the "Act"). Such excess property transferred pursuant to the Act may include small arms and ammunition (hereinafter referred to collectively as the "Transferred Property").

The LEA acknowledges that the Transferred Property is considered excess to the needs of the Department of Defense and that the Transferred Property may be in any condition from new to unserviceable. The LEA acknowledges that there may be hazards associated with the use of the Transferred Property, which could cause damage to property and serious injury or death. The term "use" with respect to the Transferred Property is acknowledged to include, but is not limited to, active deployment, passive transportation, and mere possession. The LEA agrees to provide appropriate and adequate training to any person who may use the property. The LEA agrees that it IS NOT the responsibility of the Department of Defense, the Office of the Governor's Criminal Justice Division ("CJD") or the State of Texas to provide appropriate or adequate training to any person using the Transferred Property.

Neither CJD nor the State of Texas assumes any liability whatsoever for damages to property or injuries/death to any person arising from the use of the Transferred Property. By signing this agreement, the LEA agrees to be solely responsible for any and all suits, actions, demands or claims of any nature arising from the use of the Transferred Property. The LEA agrees to maintain, at its expense, adequate liability and property damage insurance and workman's compensation insurance to cover any such claims.

The LEA accepts the Transferred Property "as is" with no warranty of any kind. Neither CJD nor the State of Texas makes any claims or warranties, expressed or implied, concerning the Transferred Property, including but not limited to, any warranty of fitness for a particular purpose.

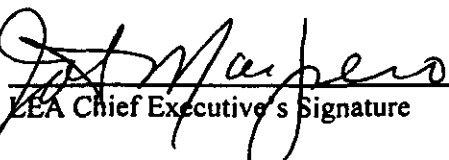
The LEA acknowledges that any item of the Transferred Property meeting the definition of "machine gun" found in 26 U.S.C. 584(b)* must be registered with the Bureau of Alcohol, Tobacco and Firearms ("ATF") with an ATF Form-10 (Application for Registration of Firearm Acquired by Certain Governmental Entities). Upon receipt of a properly executed Form-10, ATF will accept the registration of the machine gun and notify the LEA. Any machine gun registered in this manner is restricted for law enforcement use only. The LEA agrees to provide CJD a copy of an approved Form-10 for each machine-gun that is part of any Transferred Property received. The LEA must execute a separate transfer agreement with the United States Army, through the 1033 Program, for any small arms/weapons.

The LEA acknowledges that it is solely responsible for any and all costs associated with the Transferred Property, including but not limited to, packing, crating, handling, transportation, repossession, and disposal.

The LEA acknowledges that Transferred Property may be disposed of only with the express approval of the 1033 Program and in accordance with local, state, and federal laws, and the regulations and guidelines of the 1033 Program. The LEA specifically acknowledges that the preceding rule includes, but is not limited to, the transfer, destruction or abandonment of any Transferred Property constituting small arms/weapons and weapons parts.

Subject to the conditions set fourth herein, title to the Transferred Property is assumed by the LEA upon written acceptance hereof from the LEA.

The chief law enforcement executive and the authorized official signing below certify that he or she has the authority to legally bind the LEA.

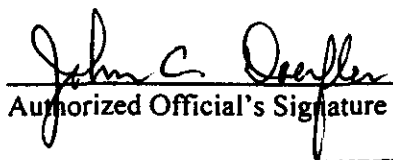


LEA Chief Executive's Signature

JOHN A. MASPERO, SHERIFF

LEA Chief Executive's Typed Name & Title

10/22/00
Date



Authorized Official's Signature **

JOHN C. DOERFLER, COUNTY JUDGE

Authorized Official's Typed Name & Title

10-31-00
Date

* 28 U.S.C. 584(b) - The term 'machine gun' means any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger. The term shall also include the frame or receiver of any such weapon, any part designed and intended solely and exclusively, or combination of parts designed or intended, for use in converting a weapon into a machine gun, and any combination of parts from which a machine gun can be assembled if such parts are in the possession or under the control of a person.

** Authorized Official - county judge, mayor or city manager

AGENDA ITEM 22

Consider approving CAMPO PLAN as Williamson County's transportation plan.

No action was taken on this item, which will be added to the November 7, 2000, agenda.

< Attachment >



To: Cities and Counties within the CAMPO metropolitan area
 From: Michael Aulick, Executive Director
 Subject: **CAMPO 2025 Transportation Plan Adoption &
 Request for Adoption by Jurisdictions**
 Date: October 18, 2000

A copy of the CAMPO 2025 Transportation Plan (*CAMPO Plan*) adopted by the CAMPO Policy Advisory Committee on June 12, 2000 and modified on August 7th was sent to you in late August. It is a transportation planning guide for the next 25 years (to the year 2025). The Plan contains policies and projects for congestion/demand management, transit, bicycles and pedestrians, roadways and freight movement. The *CAMPO Plan's* primary use is as a regional long-range plan for federally funded projects, and it also serves as a comprehensive, coordinated transportation plan for all governmental jurisdictions within the CAMPO area. Its adoption was required by the federal Transportation Equity Act for the 21st Century (TEA 21).

The CAMPO Policy Advisory Committee requests that your jurisdiction adopt the *CAMPO Plan* as its own transportation plan. Plan Policy A-1 on page 10-1 states:

Policy A-1: CAMPO will work with member jurisdictions to achieve compatibility of the *CAMPO 2025 Transportation Plan (CAMPO 2025 Plan)* with local plans and TxDOT's functional classification system. Adoption of *CAMPO Plan* by member jurisdictions is a necessary condition to be eligible for CAMPO approval of federal funds to that jurisdiction.

CAMPO will be adopting our Transportation Improvement Program for FY 2002-2004 in December of this year. If you have submitted projects for federal funding consideration, I request that you consider adoption of the CAMPO Plan prior to the CAMPO PAC consideration of those requests at the December 11th meeting.

Thank you for your consideration and please call me at 499-6441 if you have any questions or need any assistance. If you need another copy of the CAMPO Plan please call Elizabeth at 499-2275 or, you can download the Plan from our web site at: www.ci.austin.tx.us/ats/

Sincerely,

Michael R. Aulick
 Executive Director