



STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 17<sup>TH</sup> DAY OF JUNE A.D., 2014, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

<b>ALBERT H. COBB JR</b>	<b>COUNTY JUDGE</b>
<b>DEBBIE GONZALES INGALSBE</b>	<b>COMMISSIONER, PCT. 1</b>
<b>MARK JONES</b>	<b>COMMISSIONER, PCT. 2</b>
<b>WILL CONLEY</b>	<b>COMMISSIONER, PCT. 3</b>
<b>RAY O. WHISENANT JR</b>	<b>COMMISSIONER, PCT. 4</b>
<b>LIZ Q. GONZALEZ</b>	<b>COUNTY CLERK</b>

**AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:**

Reverend Carl W. Clark gave the invocation. Judge Cobb led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Cobb called the meeting to order.

**PUBLIC COMMENTS**

Constable Pct. 3 Darrell Ayres spoke on agenda item #28 regarding CJD Grant.

**29883 ADOPT A PROCLAMATION DECLARING JUNE, 2014 AS JUNETEENTH MONTH IN HAYS COUNTY**

Rose Brooks, Ollie Giles, and Constable Pct. 1, David Peterson spoke of the Juneteenth Celebration Events. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to adopt a Proclamation declaring June, 2014 as Juneteenth Month in Hays County. All voting "Aye". MOTION PASSED**

**29884 ADOPT A PROCLAMATION RECOGNIZING DR. ALCIDES BALTASAR CAIRUS**

Dr. Cairus spoke of the years of service he's provided for the last 27 years in the San Marcos area and thanked the health care facilities for their support. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to adopt a Proclamation recognizing Dr. Alcides Baltasar Cairus. All voting "Aye". MOTION PASSED**

**29885 APPROVE THE RESTORATION OF THE DR. PETER WOODS MEMORIAL ON THE COURTHOUSE GROUNDS BY THE HAYS COUNTY HISTORICAL COMMISSION**

Kate Johnson President of the Hays County Historical Commission gave a brief history of the Dr. Peter Woods Memorial on East Side of the Courthouse Grounds and plans the Historical Commission is making to restore it and is asking for the Courts permission to proceed. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve the restoration of the Dr. Peter Woods Memorial on the Courthouse Grounds by the Hays County Historical Commission. All voting "Aye". MOTION PASSED**

**PRESENTATIONS ON THE HAYS COUNTY-TEXAS DEPARTMENT OF TRANSPORTATION PARTNERSHIP PROGRAM FM 110 PROJECT**

Laura Harris of HNTB on behalf of Prime Strategies, Kenneth G. Schrock, PE of LJA Engineering, Inc., and Kevin Kennedy, PE of Kennedy Consulting, gave a powerpoint presentation on the FM 110 Project. The Hays County-Texas Department of Transportation Partnership Program was formalized by an Advance Funding Agreement executed between Hays County and the Texas Department of Transportation on December 18, 2013 and an Advance Funding Agreement specifically for the FM 110 project in the process of being executed between Hays County and the Texas Department of Transportation. The presentations will provide project status overviews and anticipated progress schedules for the three segments of the FM 110 project between SH 123 and IH 35 at Yarrington Road.

**29886 APPROVE PAYMENTS OF COUNTY INVOICES**

**A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve payments in the amount of \$743,043.12 as submitted by the County Auditor. All voting "Aye". MOTION PASSED**

**29887 APPROVE COMMISSIONER COURT MINUTES OF JUNE 3, 2014**

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of June 3, 2014 as presented by County Clerk. All voting "Aye". MOTION PASSED

**29888 AUTHORIZE THE CONSTABLE PCT. 1 OFFICE TO PURCHASE EQUIPMENT AND ADDITIONAL AMMUNITION USING SALARY SAVINGS AND AMEND THE BUDGET ACCORDINGLY**

The Constable Pct.1 Office would like to purchase 5 duty uniform DVR cameras at \$160 each, for a total cost of \$800. These cameras are needed to vet out constituent complaints, in an environment increasing with false and questionable accusations related to volatile writs served. Also, additional ammunition for two weapons qualifications is requested at a cost of \$1,450. This will provide our office with a second/biannual qualification for firearms. Salary savings has been identified to fund this request. Budget Amendment: Decrease Staff Salaries: (\$2,250) Increase LE Supplies: \$2,250. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the Constable Pct. 1 Office to purchase equipment and additional ammunition using salary savings and amend the budget accordingly. All voting "Aye". MOTION PASSED**

**29889 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AGREEMENT WITH TRANS UNION (TLO) FOR WARRANT FEE RECOVERY IN THE CONSTABLE PCT. 1 OFFICE AND AMEND THE BUDGET ACCORDINGLY**

The Constable Pct. 1 Office uses this research database service to aid in warrant fee recovery. Prior to this month, TLO offered these services free of charge to law enforcement agencies. The cost for this service going forward will be \$110 monthly for the Constable and Deputy Constables to access this database. Salary savings has been identified to fund this request. Budget Amendment: Decrease Staff Salaries - (\$170) Decrease FICA - (\$200) Decrease Medicare - (\$70) Increase Contract Services - \$440. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an Agreement with Trans Union (TLO) for Warrant Fee Recovery in the Constable Pct. 1 Office and amend the budget accordingly. All voting "Aye". MOTION PASSED**

**29890 APPROVE RENEWAL OF RENTAL AGREEMENT BETWEEN DPS (DEPARTMENT OF PUBLIC SAFETY) AND APPLIED CONCEPTS INC (ACI) FOR THE STALKER RADAR EQUIPMENT AND AUTHORIZE COUNTY JUDGE TO EXECUTE SAME**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Renewal of Rental Agreement between DPS (Department of Public Safety) and Applied Concepts Inc. (ACI) for the Stalker Radar Equipment and authorize County Judge to execute same. All voting "Aye". MOTION PASSED

**29891 ACCEPT THE ANNUAL REPORT FROM THE HAYS COUNTY EMERGENCY SERVICES DISTRICT #1**

A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to accept the Annual report from the Hays County Emergency Services District. All voting "Aye". MOTION PASSED

**29892 AUTHORIZE REAPPOINTMENT OF COUNTY FIRE MARSHAL AS REQUIRED BY LGC 352.011(B)**

This is the reappointment of Mark Chambers to the position of County Fire Marshal as required by Texas Local Government Code 352.011(b). **A motion was made by Commissioner Conley, seconded by Commissioner Ingalsbe to authorize reappointment of County Fire Marshal as required by LGC 352.011(b). All voting "Aye". MOTION PASSED**

**29893 APPROVE A BUDGET AMENDMENT FOR THE PUBLIC HEALTH EMERGENCY PREPAREDNESS GRANT TO USING SAVINGS IN MEDICAL INSURANCE FOR GENERAL SUPPLIES, COMPUTER AND OFFICE SUPPLIES, TRAVEL, CONTINUING EDUCATION, AND APPROVE THE PURCHASE OF AN INFOCUS PROJECTOR FOR \$715 AND AN HP LAPTOP FOR \$1,323**

Savings in medical insurance have been identified and can be used for other items to benefit the program. This budget amendment will help the program spend the remaining award and meet the required 10% local match. Budget Amendment: Decrease Expense 120-675-99-058.5160\_400 Insurance Benefits Medical (\$10,875.00) Increase Expense 120-675-99-058.5201 General Supplies \$4,760.00 Increase Expense 120-675-99-058.5211



Office and Computer Supplies \$2,477.00 Decrease Expense 120-675-99-058.5231 Medical and Safety Supplies (600.00) Increase Expense 120-675-99-058.5501 Travel \$1,000.00 Increase Expense 120-675-99-058.5551 Continuing Education \$1,200.00 Increase Expense 120-675-99-058.5712\_400 Computer Equipment Operating \$2,038.00. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve a budget amendment for the Public Health Emergency Preparedness Grant to using savings in medical insurance for general supplies computer and office supplies, travel, continuing education and approve the purchase of an Infocus Projector for \$715 and HP Laptop for \$1,323. All voting "Aye". MOTION PASSED**

**29894 APPROVE SPECIFICATIONS FOR RFQ#2104-P01, PARKS DESIGN AND CONSTRUCTION, AND AUTHORIZE PURCHASING TO SOLICIT FOR QUALIFICATIONS AND ADVERTISE**

Hays County has received grants from the Texas Parks and Wildlife Department, Recreation Grants Branch (TPWD) for development of park elements at the Jacob's Well Natural Area and the Dahlstrom Ranch Public Access Area. TPWD requires detailed construction plans and specifications for internal review as well as outside review for ADA requirements. This solicitation is for professional services related to the design of park elements and plans and specifications to construct such elements, as well as the provision of limited construction administration to ensure that facilities are being constructed according to the specifications. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve specifications for RFQ#2014-P01, Parks Design and Construction, and authorize purchasing to solicit for qualifications and advertise. All voting "Aye". MOTION PASSED**

**29895 AUTHORIZE THE TAX OFFICE TO ADD A TELEPHONE ALLOWANCE EFFECTIVE JULY 1, 2014 FOR CHIEF DEPUTY, SLOT NUMBER 0323-001 AND AMEND THE BUDGET ACCORDINGLY**

The Chief Deputy has been using her personal cell phone on a daily bases for county related business as she is required to travel to sub-stations as well as the main contact for employees for administrative issues. Budget Amendment 001-619-00.5489 Telephone & Data Lines (\$105.00) 001-619-00.5194 Telephone Allowance \$105.00. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the Tax Office to add a telephone allowance effective July 1, 2014 for Chief Deputy, Slot Number 0323-001 and amend the budget accordingly. All voting "Aye". MOTION PASSED**

**29896 APPROVE UTILITY PERMITS**

**A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve permit #923 on Lewis Land (Cimarron Park Subd) issued to Grubert Equipment and permit #924 on Pursley Road to PEC as submitted by the County Road Department. All voting "Aye". MOTION PASSED**

**29897 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AGREEMENT WITH TRANS UNION (TLO) FOR INVESTIGATIVE SERVICES IN THE DISTRICT ATTORNEY'S OFFICE**

The District Attorney uses this agency to locate witnesses and victims during investigations for upcoming jury trials and cases. Prior to this month, TLO offered these services free of charge to law enforcement agencies. The cost for this service going forward will be \$110 monthly for one Chief and three Investigators to access this database. Savings within the DA budget will fund this request. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an Agreement with Trans Union (TLO) for investigative services in the District Attorney's Office. All voting "Aye". MOTION PASSED**

**29898 APPROVE HAYS COUNTY STORM WATER MANAGEMENT PROGRAM (SWMP) DRAFT DOCUMENT AND RATIFY THE EXECUTION OF THE NOTICE OF INTENT (NOI) FOR STORM WATER DISCHARGES FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS AS REQUIRED UNDER THE TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM (TPDES) PHASE II GENERAL PERMIT (TXR040000); POST DOCUMENTS ON COUNTY WEBSITE; SUBMIT NOI AND SWMP TO TCEQ FOR APPROVAL**

Natural Resources Manager has developed a draft Storm Water Management Program to ensure compliance with State of Texas Environmental Regulations under the Texas Pollutant Discharge Elimination System (TPDES) Phase II MS4 permit (TXR040000). There is a requirement to post a copy of the draft online for a period of two weeks prior to submittal; NOI and SWMP will then be submitted to TCEQ for approval; after reviewing Hays County NOI and SWMP, TCEQ will issue the executive director's preliminary decision. This public notice must then be published in largest circulated paper in the County to provide opportunity for the



public to submit comments on NOI and SWMP. A public meeting will be held if TCEQ determines there is sufficient interest. There is an application fee in the amount of \$100.00. Annual renewal fee is \$100.00. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve Hays County Storm Water Management Program (SWMP) Draft Document and Ratify the execution of the Notice of Intent (NOI) for storm water discharges from small municipal separate storm sewer systems as required under the Texas Pollutant Discharge Elimination System (TPDES) Phase II General Permit (TXR040000); post documents on County website; submit NOI and SWMP to TCEQ for approval. All voting "Aye". MOTION PASSED**

**29899 HOLD A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS (INCREASE SPEED LIMIT TO 50 MPH) ON SAWYER RANCH RD**

Judge Cobb opened the public hearing. No public input was received. Judge Cobb closed the public hearing. Commissioner Whisenant spoke of the speed design. This will be to establish a 50 MPH speed limit for all of Sawyer Ranch Rd (US 290 to Darden Hill Rd). **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to establish traffic regulations from the intersection of US 290 .7 mile South to Belterra Drive set the speed limit to 35 mph and the remainder down to the intersection at Darden Hill Road set the speed limit to 50 mph on Sawyer Ranch Rd.; with the understanding within the next 12-18 months we will review the traffic impact analysis conducted by the Dripping Springs ISD, we will receive a recommendation to setup 1 possibly 2 school zone areas on Sawyer Ranch Rd. All voting "Aye". MOTION PASSED**

**29900 HOLD A PUBLIC HEARING TO ESTABLISH TRAFFIC REGULATIONS (INCREASE SPEED LIMIT TO 50 MPH) ON NUTTY BROWN RD**

Judge Cobb opened the public hearing. No public input was received. Judge Cobb closed the public hearing. This will be to establish a 50 MPH speed limit for all of Nutty Brown Rd (US 290 to FM 1826). **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to establish traffic regulations on Nutty Brown Rd. set speed limit of 35 mph along Nutty Brown Rd. from the intersection of US 290 to Trinity Hills Drive then raise the speed limit to 50 mph for the remainder of Nutty Brown Rd. to the intersection of FM 1826. All voting "Aye". MOTION PASSED**

**29901 HOLD A PUBLIC HEARING TO CONSIDER THE PLACEMENT OF NO PARKING SIGNS ALONG BOTH SIDES OF CREEK ROAD (CR190) FOR .6 MILE EAST BEGINNING AT THE INTERSECTION OF CR190 @ FM165**

Judge Cobb opened the public hearing. No public input was received. Judge Cobb closed the public hearing. This section of roadway is being used as parking for attendees of the newly constructed ballpark on Creek Road. This action is being proposed for safety considerations. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to place "No Parking" signs along both sides of Creek Road (CR 190) for .6 mile East beginning at the intersection of CR 190 @ FM 165. All voting "Aye". MOTION PASSED**

**29902 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SUPPLEMENTAL AGREEMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH HNTB CORPORATION FOR PROFESSIONAL DESIGN, ENGINEERING AND CONSTRUCTION PHASE SERVICES ON THE RR 12 PROJECT IN HAYS COUNTY, INCREASING THE COMPENSATION CAP FROM \$500,000.00 TO \$800,000.00**

With available construction funding from the Texas Department of Transportation, the proposed safety improvements on RM 12 can be extended from Hugo Road to Oakwood Loop. The Proposed Supplemental Agreement No. 1 would provide for additional Design, Engineering and Construction Phase services for the proposed safety improvements on this portion of RM 12. Additional funding will come from the RR 12 Priority Road Bond project account. **A motion was made by Commissioner Conley, seconded by Commissioner Jones to authorize the County Judge to execute a Supplemental Agreement No. 1 to the Professional Services Agreement with HNTB Corporation for Professional Design, engineering and Construction Phase Services on the RR 12 Project in Hays County, increasing the compensation cap from \$500,000.00 to \$800,000.00 for a change of scope and a leveraging of our dollars with TxDOT's commitment on construction. All voting "Aye". MOTION PASSED**



**29903 ACCEPT ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, RELEASE OF THE CONSTRUCTION BOND, AND ACCEPT 2-YEAR MAINTENANCE BOND FOR BELTERRA SUBDIVISION, PH. 4, SEC. 12B**

Staff recommends acceptance of construction of the road and drainage improvements within the ROW. The Road Department has inspected and approved the improvements. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to accept road construction and drainage improvements, Release of the Construction Bond, and accept 2-year maintenance Bond for Belterra Subdivision, Ph. 4, Sec. 12B. All voting "Aye". MOTION PASSED**

**29904 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SUPPLEMENTAL AGREEMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH COBB FENDLEY & ASSOCIATES FOR UTILITY COORDINATION SERVICES ON THE PASS-THROUGH FINANCE PROGRAM IN HAYS COUNTY (FM1626), INCREASING THE COMPENSATION CAP FROM \$500,000.00 TO \$612,997.14**

The additional authorized money will allow for execution of supplementals for both Work Authorization #1 for FM 1626 North and Work Authorization #2 for FM 1626 South. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize the county Judge to execute a Supplemental Agreement No. 1 to the Professional Services agreement with Cobb Fendley & Associations for utility coordination services on the Pass-Through finance program in Hays County (FM 1626), increasing the compensation cap from \$500,000.00 to \$612,997.14. All voting "Aye". MOTION PASSED**

**Clerk's Note Agenda Item #24 RE:** *AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SUPPLEMENTAL AGREEMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH COBB FENDLEY & ASSOCIATES FOR UTILITY COORDINATION SERVICES ON THE HAYS COUNTY/TXDOT PARTNERSHIP PROGRAM (FM150 CTL & I-35/POSEY ROAD), INCREASING THE COMPENSATION CAP FROM \$300,000.00 TO \$600,000.00 – was pulled*

**29905 CALL FOR A PUBLIC HEARING ON JULY 8, 2014 TO DISCUSS FINAL PLAT APPROVAL OF THE REPLAT OF LOT 5, CROOKED OAKS**

Crooked Oaks is a recorded subdivision located near the intersection of Ranch Road 12 and FM 150 in Precinct 4. The proposed re-plat will divide the 33.05 acre lot into two lots. Water service will be provided by Dripping Springs Water Supply and wastewater treatment will be accomplished by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to call for a public hearing on July 8, 2014 to discuss final plat approval of the replat of lot 5, Crooked Oaks. All voting "Aye". MOTION PASSED**

**29906 GRANT A VARIANCE FROM TABLE 10-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES AND APPROVE FINAL PLAT SUB-192 RESUBDIVISION OF LOTS 6, 7, AND 8, BLOCK B, CHAPARRAL PARK SECTION TWO (2 LOTS)**

Chaparral Park Section 2 was platted in 1974 as an 84 lot subdivision, located off of Bliss Spillar Road in Precinct 2. The proposed resubdivision shows the division of the 0.596 acres contained within Lot 7 and added to Lots 6 and 8. Lots 6A and 8A have been in this configuration since 2003 but the plat was never amended. Both lots are currently served by private wells and on-site sewage facilities. The Hays County minimum lot size for new lots located within the Edwards Aquifer Recharge Zone which are served by a private well and OSSF is 3.00. While this resubdivision results in a decrease in density, the minimum lot size requirement cannot be met. Please see the property owner's justification for the variance in backup. This kind of resubdivision is typically approved administratively, however the lot size variance requires Commissioners Court approval. This property is located within the City of Hays' extraterritorial jurisdiction and has been approved by their staff. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to grant a Variance from table 10-1 of the Hays County Rules for On-Site Sewage Facilities and approve final plat Sub-192 Resubdivision of Lots 6, 7, and 8, Block B Chaparral Park Section Two(2 lots). All voting "Aye". MOTION PASSED**

**29907 WAIVE PRELIMINARY PLAN AND APPROVE FINAL PLAT SUB 136- ROCK RANCH SUBDIVISION (2 LOTS)**

The proposed Rock Ranch Subdivision is a 2 lot proposed division of 5.00 acres located off of Williamson Road in Precinct 2. The subdivision will create a single 1.00 acre lot and another 4.00 acre lot, each served by existing Goforth SUD connections and individual private on-site sewage facilities. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to waive preliminary plan and approve final plat Sub-136 Rock Ranch Subdivision (2 lots). All voting "Aye". MOTION PASSED**



**29908 ACCEPT A GRANT AWARD FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION IN THE AMOUNT OF \$58,414.06 AND AMEND THE BUDGET ACCORDINGLY**

On February 26, 2013 the Commissioners Court authorized the submission of a grant application to the Office of the Governor, Criminal Justice Division to purchase equipment, including, body cameras and four in-car video systems for the Sheriff's Office -Traffic Division and School Resource Officer (SRO) and Constable Pct. #3, in the amount of \$58,414.06. Notification has been received that this grant has been approved for the full amount requested. Funding is provided through the federal Edward Byrne Memorial Justice Assistance Grant – Local Program. The award document is attached. Term for this grant period is June 1, 2014 through December 31, 2014. The matching funds identified above will cover the extended warranty that begins immediately after 90 day factory warranty expires, software maintenance and technical support for the 2nd year for at estimate of \$8,346.62. Grant funds can only be used to cover these expenses during the term of the grant, and the warranties and support have been pro-rated to account for these items. Acceptance of the award is done electronically. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to accept a Grant Award from the office of the Governor, Criminal Justice Division in the amount of \$58,414.06 and amend the budget accordingly. All voting "Aye". MOTION PASSED**

**29909 AUTHORIZE APPLYING FOR A COMMUNITY ORIENTED POLICING SERVICES (COPS) HIRING GRANT FOR SCHOOL RESOURCE OFFICERS**

Deputy Jerri Skroki of the Sheriff's Office, and Jeff Hauff Grants Director spoke. Dripping Springs ISD and Hays Consolidated ISD both have asked for additional School Resource Officers. 1 additional is requested for DSISD and 2 additional for HCISD. Deputy Skroki spoke of receiving a 25% commitment by the cooperating agencies and 75% coverage by the grant and on the 4<sup>th</sup> year the full amount would be split by all. Currently, we split the 25% yearly and on year 4 the District's pick up the 75% and the County pays 25%. During the Summer HCISD utilizes the SRO for Summer School. The SRO for DSISD will add additional support to patrol, investigation, and to allow officers to take vacation or time off, or any other area they might be needed within the HCSO. The due date for the application is June 23rd. Using a COPS grant requires matching funds and other requirements. The intent of this item is receive direction from the Commissioners Court regarding pursuing these grant funds for SRO's. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize applying for a Community Oriented Policing Services (COPS) Hiring Grant for School Resource Officers. All voting "Aye". MOTION PASSED**

**29910 APPROVE NEW JACOB'S WELL NATURAL AREA LOGO, SIGNAGE AND INFORMATIONAL KIOSK**

Jennifer Idol and Water Explorers of Texas (WET) dive team have donated their time for the design and installation of an informational kiosk at the new entrance of Jacob's Well Natural Area. The signage includes rules and hours, history, park map, cave profile, underwater photos (Jennifer Idol photo credit). Materials for construction will be paid for with remaining LCRA grant funds for Jacob's Well Natural Area. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve New Jacob's Well Natural Area logo, signage and information kiosk. All voting "Aye". MOTION PASSED**

**WORKSHOP AND PRESENTATION RELATED TO PUBLIC IMPROVEMENT DISTRICTS (PIDS), WITH POSSIBLE DISCUSSION RELATED TO PAST AND CURRENT PID PROPOSALS WITHIN HAYS COUNTY**

Mark Kennedy General Council, Sharon Smith of Armbrust & Brown, Julie Houston of Andrews Kurth gave a Powerpoint Presentation on Public Improvement Districts (PIDS). Luanne Caraway Tax Assessor/Collector spoke of assessments and changes that have to be made to accommodate these assessments. Authority to Create – A county or a municipality may establish a public improvement district (a PID) under Chapter 372 of the Texas Local Government Code, the "Public Improvement District Assessment Act" (the Act). The Act allows the governing body of any county or municipality to levy and collect special assessments on property that is located within the PID. A PID is not a MUD or political subdivision. While a MUD is its own quasi-governmental entity under the law, a PID is NOT an independent entity. A PID is a defined area governed and/or administered by the managing body of the entity that creates the PID (e.g., a Commissioners Court or City Council). Authorized Improvements – Sidewalks, streets, mass transportation facilities any other roadways, water, wastewater, or drainage facilities, or their rights-of-way. Libraries, parks, pedestrian malls, public art, landscaping, fountains, distinctive lighting, signs, off-street parking facilities. The PID governing instruments describe which improvements can be financed by with PID proceeds. Acquisition of real property. Special supplemental services for improvement and promotion of the district. Payment of expenses incurred in the establishment, administration, and operation of the district. The PID governing instruments describe which improvements can be financed by with PID proceeds. A PID Petition Should include – A general nature of improvements. The estimated cost of improvements. The boundaries of the district. The proposed method of assessment, and apportionment of cost between the district and the County. Public Hearing – The governing body must hold a public hearing to determine the advisability of the proposed improvements. PID Order – The governing body must adopt a resolution by majority vote authorizing the creation of the PID. Operating – Five Year Service and Assessment Plan (SAP). Must be prepared. Covers a period of at least five years. Reviewed and updated annually. This is the foundation document that identifies improvements, what they will cost, and



how they will be paid for. Determination of Assessments. The governing body must apportion the cost of an improvement to be assessed against property in a PID per square foot, property value, etc. which must be based on the special benefit accruing to the property due to the improvements. Levy of Assessment – Levy after a public hearing on the proposed assessment, governing body may pass an order levying a special assessment on the property. May later amend assessment, but increases require another public hearing. Interest on assessment – An assessment paid in installments bears interest on terms specified by the governing body (limit to 0.5% more than bond interest rate). Lien – An assessment lien may be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced. Superiority of Lien. Total anticipated assessment may be accelerated. Contracts for Collection of Assessments Fund – The governing body may contract with the governing body of another taxing unit or the board of directors of an appraisal district, to perform the duties relating to collection of special assessments levied under the Act. Pledges – PID bonds may be secured by: Pledge of all or part of the income from improvements financed. Mortgages or deeds of trusts on any real property related to the facilities. All or any part of a grant donation, revenue, or income received or to be received from the federal government or any public or private source. Considerations – Agreements between County, City and Developer – Some typical agreements relating to a PID and the financing of improvement projects include, but are not limited to the following: service and assessment plan, development agreement, financing agreement, cost reimbursement agreement. Future Installment Payments – Not Eliminated by Foreclosure – An assessment is but one installment in the total obligation that accrues to a property within the PID. A foreclosure action could be taken for any delinquent assessments – but not future which are not yet due. Acceleration is not permitted. Subsequent owner (post-foreclosure) would be obligated to pay future assessments.

#### **DISCUSSION OF ISSUES RELATED TO INMATE POPULATION AT THE HAYS COUNTY JAIL**

Sgt. Chad Edwards of the Hays Sheriff's Office gave staff report. Jail Capacity for week of 6/8/2014 thru 6/14/2014. Hays County's current maximum jail capacity is 362 inmates. Jail standards recommends holding approximately 10% of capacity open. That lowers our recommendation to 311. The Jail's daily average was 318 and peak was 328 on June 13, 2014 for the week of June 8, 2014 to June 14, 2014. The maximum female capacity is 56 inmates. Last week's average was 45 and peak was 47 on 6/13/2014. The maximum male capacity is 276 inmates. Last week's average was 273 and peak was 281 on 6/13/2014.

#### **DISCUSSION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION**

Mark Chambers Hays County Fire Marshal gave the drought index – 171. He and the local Fire Marshals are requesting to keep the Burn Ban lifted. Mark Chambers also mentioned that the recent fires we've had in the County have been structural rather than brush fires.

**Clerk's Note Agenda Item #34 RE:** *DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR. POSSIBLE ACTION MAY FOLLOW – was pulled*

**Clerk's Note Agenda Item #35 RE:** *DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY WATER AND SEWER AUTHORITY AND THE WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY – was pulled*

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court.

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**I, LIZ Q. GONZALEZ, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on June 17, 2014.**




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**LIZ Q GONZALEZ, COUNTY CLERK AND EXOFFICIO  
CLERK OF THE COMMISSIONERS' COURT OF  
HAYS COUNTY, TEXAS**

