



STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 15<sup>TH</sup> DAY OF NOVEMBER A.D., 2016, 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:**

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

**PRESENTATION DISCUSSING THE FINDINGS RELATED TO THE TECHNICAL ENERGY AUDIT PERFORMED BY PERFORMANCE SERVICES, INC**

Doug Kirkley of Performance Services gave a brief powerpoint presentation on the Technical Energy Audit performed. On July 19, 2016, Commissioners Court passed a memorandum of understanding authorizing Performance Services Incorporated to perform a technical energy audit and report back to Hays County. The audit is complete and Performance Services Incorporated would like to present their findings.

**PUBLIC COMMENTS**

Hays County Historical Commission Chairman and Kyle resident Kate Johnson and Eric Ross-Buda resident spoke.

**31978 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve payments of County Invoices in the amount of \$1,465,823.48 by the Hays County Auditor. All voting "Aye". MOTION PASSED

**31979 APPROVE COMMISSIONERS COURT MINUTES OF NOVEMBER 1, 2016**

A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of November 1, 2016. All voting "Aye". MOTION PASSED

**31980 AUTHORIZE COMMERCIAL OSSF PERMIT AT 4768 SH 123, SAN MARCOS, TEXAS**

4768 SH 123 LTD is proposing an OSSF to serve 4 office/ warehouse buildings in an existing office park. This property is a 6.6 acre tract in the Seguin Highway Business Park Subdivision, Lot 2. This property is served by a public water supply. The system designer, Steve Wenzel, P.E. has designed a standard treatment system with low pressure dosed disposal. The system is designed to treat 536 gallons per day. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize Commercial OSSF Permit at 4769 SH 123, San Marcos, Texas. All voting "Aye". MOTION PASSED**

**31981 AUTHORIZE COMMERCIAL OSSF PERMIT AT 850 DARDEN HILL ROAD, DRIFTWOOD, TEXAS 78619**

Dave Connell of the Greenhouse at Driftwood event venue is proposing an alteration to an existing OSSF. The existing structure is being converted into a restroom facility that will accommodate up to 418 guests and employees. Weddings will only be held one day per week. This property is 57 acres and will be served by a private well. The system designer, Stephen Jetton, R.S., has designed a system which consists of standard treatment with dispersal into a standard drainfield. Flow equalization will be used for a maximum daily usage rate of 240 gallons. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize Commercial OSSF Permit at 850 Darden Hill Road, Driftwood, Texas 78619. All voting "Aye". MOTION PASSED.**

**31982 APPROVE UTILITY PERMITS**



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Permit: .998 & .999. Road Names: Four Star Blvd and Cascade Trail (Summer Mountain Ranch). Utilities: Gas line (Texas Gas Service) and electric line (PEC). **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to approve Utility Permits .998 and .999 for Four Star Blvd and Cascade Trail (Summer Mountain Ranch) for a gas line (Texas Gas Service) and electric line (PEC). All voting "Aye". MOTION PASSED**

**31983 AUTHORIZE THE SHERIFF'S OFFICE TO ACCEPT TWO DONATIONS TOTALING \$1,500.00 TO THE VICTIM SERVICES PROGRAM AND JR. DEPUTY ACADEMY AND AMEND THE BUDGET ACCORDINGLY**

The Sheriff's Office received two donations totaling \$1,500.00 from the San Marcos Lions Club. The vendor request for \$1,000.00 to be utilized for supplies and services for the Victim Services Program and \$500.00 to be used for the Jr. Deputy Program. Budget Amendment: Increase 052-618-00.4610 Contributions \$500.00; Increase 052-618-00.5222 Special Projects \$500.00. Budget Amendment: Increase 001-618-99-899.4610 Contributions \$1,000.00; Increase 001-618-99-899.5201 General Supplies \$500.00; Increase 001-618-99-899.5551 Continuing Education \$500.00. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to accept two donations totaling \$1,500.00 to the Victim Services Program and Jr. Deputy Academy and amend the budget accordingly. All voting "Aye". MOTION PASSED**

**31984 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AMENDED SOFTWARE LICENSE AGREEMENT WITH TYLER TECHNOLOGIES TO IMPLEMENT A CITIZENS TRANSPARENCY PORTAL**

During the FY17 budget process the Commissioner's Court approved funds to implement a new financial transparency portal. The Auditor's Office has viewed the software and would like to move forward with implementation. This is a hosted service that integrates with our NWS Financial Software and features easy-to-navigate graphics with data organized by category, department, government area, fund and vendor. Tyler Citizen Transparency is updated weekly with most recent closing numbers. The public can review total spending to date or drill down to see how funds are appropriated by department, which vendors receive payments in a given year and more. Interactive charts and graphs will allow citizens to easily analyze our financial data. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an amended software license agreement with Tyler Technologies to implement a Citizens Transparency Portal. All voting "Aye". MOTION PASSED**

**31985 APPROVE AND EXECUTE THE SHERIFF'S OFFICE EQUITABLE SHARING AND AGREEMENT CERTIFICATION IN ACCORDANCE WITH THE STATUTES AND GUIDELINES THAT GOVERN THE FEDERAL EQUITABLE SHARING PROGRAM**

**A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve and execute the Sheriff's Office Equitable Sharing and Agreement Certification in accordance with the statutes and guidelines that govern the Federal Equitable Sharing Program. All voting "Aye". MOTION PASSED**

**31986 AUTHORIZE THE COUNTY JUDGE TO SUBMIT A REVISED GRANT APPLICATION TO THE TEXAS VETERANS COMMISSION, FUND FOR VETERANS ASSISTANCE FOR UP TO \$100,000 IN FUNDING FOR THE HAYS COUNTY VETERANS TREATMENT COURT**

On November 1, 2016 the Commissioners Court approved the submission of three separate grant applications to the Texas Veterans Commission (TVC) for a total of \$85,000 in funding. The three applications included requests for funding to process expunctions for successful participants in the program, funding to cover the salary and some supplies for a probation officer housed within the Community Supervisions and Corrections Department, and funds for a part-time mentor coordinator position for volunteer solicitation and management with the Veterans Treatment Court. TVC staff recently contacted the Grants Office and requested that the three separate projects be consolidated into a single grant application for the Hays County Veterans Treatment Court, as only one grant award will be made to the requesting jurisdiction. A deadline of Tuesday, November 15, 2016 at 5:00pm was given to resubmit the application in order that it move forward for consideration. Because the application must be submitted under a new funding category structured by the TVC (\$100,000), additional hours have been added for the mentor coordinator position (from 20 hours to 29 hours per week), funds for an additional 10 expunctions have been included, and both additional supplies and travel expenses including attendance for the mentor coordinator at the national drug court professionals conference have been added to bring the revised grant application request to \$100,000 as needed under the TVC requirement. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the County Judge to submit a revised grant application to the Texas Veterans Commission, Fund for Veterans Assistance for**



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up to \$100,000 in funding for the Hays County Veterans Treatment Court. All voting "Aye". MOTION PASSED

**31987      AUTHORIZE THE DEVELOPMENT AND COMMUNITY SERVICES DEPARTMENT - PARKS DIVISION TO PURCHASE INTERPRETIVE SIGNAGE, A BRONZE TPWD PLAQUE, AND CONCRETE WORK FOR THE JACOB'S WELL NATURAL AREA UTILIZING EXISTING GRANT FUNDING FROM TEXAS PARKS AND WILDLIFE DEPARTMENT AND PARK BOND FUNDS AND AMEND THE BUDGET ACCORDINGLY**

The Parks Division is closing out work related to a Texas Parks and Wildlife Department grant awarded for improvements at the Jacobs Well Natural area. The improvements will include interpretive signage and graphics, as well as a concrete sidewalk for an ADA compliant trail. A plaque recognizing the Texas Parks and Wildlife Department contribution to the Natural Area is a required grant element, however, will be funded with Park Bond funds budgeted for the JWNA project. Myers Construction - \$18,513 - Grant Funds 001-813-99-407.5741. Interpretive Graphics- \$3,401 - Grant Funds 001-813-999-407.5719\_400. Hill Country Trophy - \$1,484 - Park Bond Funds 150-813-97-407.5719\_400. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to Authorize the Development and Community Services Department - Parks Division to purchase interpretive signage, a bronze TPWD plaque, and concrete work for the Jacob's Well Natural Area utilizing existing grant funding from Texas Parks and Wildlife Department and Park Bond Funds and amend the budget accordingly. All voting "Aye". MOTION PASSED**

**31988      AUTHORIZE THE SHERIFF'S OFFICE AND JAIL DIVISION TO ADD JANITORIAL SERVICES WITH SPOTLESS CLEANING TO THE COUNTY WIDE EXISTING JANITORIAL CONTRACT AND AMEND THE BUDGET ACCORDINGLY**

Lt. Mike Davenport of the Hays County Sheriff's Department spoke. The Sheriff's Office is seeking approval to add services to the existing agreement for janitorial services with Spotless Cleaning effective November 15, 2016. Historically, the Sheriff's Office has utilized inmate labor for cleaning services. With the majority of our inmates being classified as maximum custody level, they are not cleared to participate in the trusty program due to a safety and security risk. The total cost of service is \$711 per month; no additional funds are needed and have been identified in the Sheriff's Office and Jail budgets. Budget Amendment: Sheriff's Office; Decrease 001-618-00.5489 Utilities (\$2,220.00), Increase 001-618-00.5456, Janitorial Services \$2,220.00. Budget Amendment: Jail Operations; Decrease 001-618-03.5489 Utilities (\$5,300.00), Increase 001-618-03.5456 Janitorial Services \$5,300.00. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the Sheriff's Office and Jail Division to add janitorial services with Spotless Cleaning to the County Wide existing janitorial contract and amend the budget accordingly. All voting "Aye". MOTION PASSED**

**31989      AMEND A RESOLUTION RELATED TO THE FEDERAL OFF-SYSTEM BRIDGE PROGRAM, TO BE ADMINISTERED BY TXDOT WITHIN HAYS COUNTY**

One project is being added to the existing Resolution, which already identified a match of \$58,000.00 for work on Hidden Hills Drive. The Project to be added is Sycamore Creek/Twin Creeks Dr., with a match of \$88,736.00. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to amend a resolution related to the federal Off-System Bridge program, to be administered by TXDOT within Hays County. All voting "Aye". MOTION PASSED**

**31990      AUTHORIZE PURCHASING TO REJECT ALL BIDS AND RE-ADVERTISE IFB#2017-B01, AND AUTHORIZE PURCHASING TO WORK WITH STAFF TO IMPLEMENT REVISIONS TO THE ORIGINAL IFB, AS NEEDED TO YIELD ACCEPTABLE BIDS**

The original IFB only yielded 2 bids, one of which was more than the amount budgeted for the project(s) and one of which appears to be disqualifiable for technical reasons. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize Purchasing to reject all bids and Re-Advertise IFB#2017-B01, and authorize Purchasing to work with Staff to implement revisions to the original IFB, as needed to yield acceptable bids. All voting "Aye". MOTION PASSED**

**31991      AUTHORIZE THE COUNTY JUDGE TO SIGN AN UPDATED ADVANCED FUNDING AGREEMENT (AFA) WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) REGARDING ADMINISTRATIVE CHANGES TO THE ORIGINAL AFA PASSED ON AUGUST, 2, 2016 FOR THE IMPROVEMENT OF THE INTERSECTION OF SH 80 AT CR 266**



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This AFA is for Design and Construction of improvements to the intersection of SH80 and CR266. Hays County's contribution to the project in the form of providing engineering, environmental clearance, and ROW acquisition is limited to \$300,000. This version of the AFA has updated costs from TxDOT that do not change Hays County's contribution. Additionally administrative changes by TxDOT were undertaken in section 23 of the document. The original AFA authorized by Commissioners Court was passed on August, 2nd, 2016. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to sign an updated Advanced Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) regarding administrative changes to the original AFA passed on August, 2, 2016 for the improvement of the intersection of SH 80 at CR 266. All voting "Aye". MOTION PASSED**

**31992 ACCEPT AN ADDITIONAL ONE TIME DISBURSEMENT FROM THE TEXAS JUVENILE JUSTICE DEPARTMENT, AMENDMENT NUMBER TWELVE FOR REGIONALIZATION DIVERSION PROGRAM SUPPLIES AND AMEND THE BUDGET ACCORDINGLY**

The Juvenile Probation Department has received an additional award from the Texas Juvenile Justice Department for one time funding to purchase supplies and treatment materials to support a Regionalization Diversion Program. No matching county funds are required. Budget Amendment: Increase Intergovernmental Revenue; Increase Expenditures for General Supplies, Software for Treatment Programs and Inmate Uniforms. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to accept an additional one time disbursement from the Texas Juvenile Justice Department, Amendment Number Twelve for Regionalization Diversion Program supplies and amend the budget accordingly. All voting "Aye". MOTION PASSED**

**31993 APPROVAL TO AWARD RFP 2016-P12 RESTORATION OF BUCK WINN MURALS TO HARTMANN FINE ART CONSERVATION SERVICES AND NEGOTIATE CONTRACT**

Purchasing received 3 proposals. Proposals were received from Brown Mountain Art Restoration, FACL, and Hartmann Fine Art Conservation Services. After an extensive evaluation process of all three firms it is the decision of the evaluation committee to award a contract for conservation services of the Buck Winn murals to Hartmann Fine Art Conservation Services. Hartmann has presented the "best value" determined to be in the best interest of Hays County based upon evaluation of the responses submitted. **A motion was made by Commissioner, seconded by Commissioner to approve award RFP 2016-P12 Restoration of Buck Winn Murals to Hartmann Fine Art Conservation Services and negotiate contract. All voting "Aye". MOTION PASSED**

**31994 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SUPPLEMENTAL AGREEMENT NO. 1 TO THE PROFESSIONAL SERVICE AGREEMENT WITH LJA ENGINEERING FOR THE FM 110 NORTH PROJECT IN HAYS COUNTY INCREASING THE COMPENSATION CAP FROM \$2,133,062.00 TO \$2,320,000.00**

The additional authorized money will allow for the requested scope and fee associated with the City of San Marcos Airport Access Road and other additional design services along the norther segment of FM 110. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Whisenant to authorize the County Judge to execute a Supplemental Agreement No. 1 to the Professional Service Agreement with LJA Engineering for the FM 110 North project in Hays County increasing the Compensation Cap from \$2,133,062.00 to \$2,320,000.00. All voting "Aye". MOTION PASSED**

**31995 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SUPPLEMENTAL AGREEMENT NO. 5 TO THE PROFESSIONAL SERVICES AGREEMENT (PSA) WITH REYNOLDS, SMITH & HILLS CS, INC. (RS&H) FOR THE FM 1626 NORTH CONSTRUCTION MANAGEMENT PROJECT AS PART OF THE PASS-THROUGH FINANCE PROGRAM IN HAYS COUNTY, INCREASING THE COMPENSATION CAP BY \$40,000 FROM \$2,560,000 TO \$2,600,000**

The additional authorized money will allow for the execution of a Supplemental #8 to Work Authorization #1 for FM 1626 North construction management services to provide review & responses to address SEMA's request for additional compensation due to utility delays and complete the remaining close out activities. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Supplemental Agreement No. 5 to the Professional Services Agreement (PSA) with Reynolds, Smith & Hills CS, Inc. (RS&H) for the FM 1626 North construction management project as part of the Pass-Through Finance Program in Hays County, increasing the Compensation Cap by \$40,000 from \$2,560,000 to \$2,600,000 All voting "Aye". MOTION PASSED**



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**31996 ACCEPTANCE OF ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS, AND RELEASE OF THE CASH BOND FOR \$665,769.31 FOR THE PRESERVE AT LA VENTANA SUBDIVISION, PHASE 3**

Director of Transportation Jerry Borcharding gave staff recommendation. Staff recommends acceptance of construction of roads and drainage improvements within the County ROW, and all regulatory signage as posted. The Transportation Department has inspected and approved the improvements. There is a cash bond of \$665,769.31 recorded at the Treasurer's Office for release back to the contractor. These will be privately maintained roads. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to accept the of road construction and drainage improvements, and release of the cash bond for \$665,769.31 for The Preserve at La Ventana subdivision, Phase 3. All voting "Aye". MOTION PASSED**

**31997 ACCEPT BOND NO. 106314519 FOR STREET AND DRAINAGE IMPROVEMENTS FOR NORTH BELTERRA COMMERCIAL IN THE AMOUNT OF \$746,544.20**

County Planner Caitlyn Hairell gave an update. The final plat for the North Belterra Commercial Subdivision has been reviewed under the interlocal cooperation agreement with the City of Dripping Springs and has been approved by County staff. While the plat has been approved administratively, formal acceptance of fiscal surety is required by Commissioners Court action. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to accept Bond No. 106314519 for street and drainage improvements for North Belterra Commercial in the amount of \$746,544.20. All voting "Aye". MOTION PASSED**

**31998 AUTHORIZE THE COUNTY JUDGE TO SIGN A PSA WITH DAN ROGERS DESIGN SERVICE FOR THE DESIGN OF INTERSECTION IMPROVEMENTS ON U.S. 290 AT TRAUTWEIN ROAD AND HOLDER LANE**

If approved by the Court, this PSA will Authorize Dan Rogers Design Service to design intersection improvements on US 290 at Holder Lane and Trautwein Roads, to include Dos Lagos and Whirl Away Drive. Specific items to be addressed include a center left turn lane at Holder Lane and Sight Distance issues on Trautwein Road. Please note that this DESIGN effort is NOT part of the 2016 Road Bond program. Funding for design is coming from the Transportation Department's budget. **A motion was made by Commissioner Whisenant, seconded by Commissioner Ingalsbe to authorize the County Judge to sign a PSA with Dan Rogers Design Service for the design of intersection improvements on U.S. 290 at Trautwein Road and Holder Lane. All voting "Aye". MOTION PASSED**

**31999 ACCEPTANCE OF BID ON PROPERTY HELD IN TRUST**

General Counsel Mark Kennedy spoke. Consider bid of \$2,000.00 for Lot 1, Block 19, Hillside Terrace, held in trust by Hays CISD and Hays County. This property has been off of the tax roll since 1999. See attached documentation regarding the amount of taxes and court costs due on this property. **A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept bid on property held in trust. All voting "Aye". MOTION PASSED**

**32000 ACCEPTANCE OF A GRANT AWARD FROM THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION PROGRAM, OFFICE OF GOVERNOR, CRIMINAL JUSTICE DIVISION FOR A JUVENILE CASEWORKER FOR THE JUSTICE OF THE PEACE COURTS IN THE AMOUNT OF \$46,209.00**

Jeff Hauff spoke. On February 23, 2016 the Commissioners Court approved submission of a grant application to the Office of the Governor, Juvenile Justice and Delinquency Program, Criminal Justice Division, to fund a Caseworker for the Justice of the Peace Courts. The funding source has changed from state funds to federal funds and the declining ratio for funding this year is 80% and will continue to decline each year. Effective September 1, 2015, House Bill 2398 made changes to the truancy laws in Texas that shifted the burden on the school districts to address the truant conduct and to implement truancy prevention measures before referring the student to truant court. Therefore much of the responsibility for juvenile truancy has been shifted from the County to the respective School Districts. The Caseworker position worked with the school districts in being proactive and assisting with preventive measures to keep the students in school. The numbers of cases filed in the Justice of the Peace Courts were much lower than the previous year. Grant term is from September 1, 2016 through August 31, 2017. The award is accepted electronically. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to decline a grant award from the Juvenile Justice and Delinquency Prevention Program, Office of Governor, Criminal Justice Division for a Juvenile Caseworker for the Justice of the Peace Courts in the amount of \$46,209.00. All voting "Aye". MOTION PASSED**

**32001 APPROVE THE PROPOSED DRAFT OF THE METHOD OF DISTRIBUTION (MOD) ASSOCIATED WITH FEDERAL HUD COMMUNITY DEVELOPMENT**



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**BLOCK GRANT-DISASTER RECOVERY FUNDING ADMINISTERED BY THE TEXAS GENERAL LAND OFFICE AND SET A PUBLIC HEARING DATE FOR THE PROPOSED MOD**

Jeff Hauff gave a powerpoint presentation. The U.S. Department of Housing and Urban Development (HUD), through Congressional appropriation, issued Community Development Block Grant - Disaster Recovery funding to Texas for Disaster Events DR-4223 and DR4245 occurring in 2015. The Texas General Land Office (GLO) has been designated by the State as the agency to administer the funding to counties included in the disaster declarations. The GLO has charged the "most impacted" counties (Harris, Hays, Hidalgo and Travis) to develop a Method of Distribution (MOD) for funding distribution to eligible cities within - and including - the County based on objective scoring criteria. As the City of San Marcos received a direct Congressional allocation, it is not included in the Hays County MOD. The GLO derived a formula of allocation based on overall statewide unmet needs based on FEMA and other assessments, which resulted in a 32%/68% ratio or split between the Housing and Non-Housing categories of distribution, respectively. Of the \$7,405,319 in funding allocated to Hays County, \$2,369,702 (32%) must be spent on Housing needs and \$5,035,617 will be allowed for Non-Housing or Infrastructure needs. Further, at least 70% of the funding (\$5,183,723.30) must be distributed to Low to Moderate Income (LMI) households or on projects whose service areas contain at least 70% LMI individuals/households. The factors and weighting system selected for the Hays County MOD build on the allocation formulas already employed by HUD and within the GLO State Action Plan by taking damages incurred from the disasters as the primary factor when considering allocation of funding to the various County entities. This is based on Total Projected Project amounts in dollars as determined by FEMA in calculations for Public Assistance (PA) to governmental entities for Non-Housing allocations and, in the case of Housing, to select the FEMA Verified Loss (FVL) amount as the primary basis for allocation. Also, a factor is included to address the requirement that at least 70% of the funding goes to benefit LMI individuals and groups and is applied to both Housing and Non-Housing allocations. As a public hearing must be held to consider comments on the draft MOD, a date of November 29, 2016 is proposed to hold a public hearing in conjunction with a regularly scheduled meeting of the Commissioners Court. Upon approval of the Hays County MOD by the GLO, applications for funding will be accepted and reviewed by the GLO from the various entities that have been allocated funding through the MOD. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the proposed draft of the Method of Distribution (MOD) associated with federal HUD Community Development Block Grant-Disaster Recovery funding administered by the Texas General Land Office and set a public hearing date for the proposed MOD on December 6, 2016 at 10:00 a.m. All voting "Aye". MOTION PASSED**

**32002 APPROVE A RESOLUTION PERTAINING TO THE FINANCING OF AN ENERGY EFFICIENCY PROJECT, RELATED TO THE TECHNICAL ENERGY AUDIT PERFORMED BY PERFORMANCE SERVICE INC**

On July 19, 2016, Commissioners Court passed a memorandum of understanding authorizing Performance Services Incorporated to perform a technical energy audit and report back to Hays County. The audit is complete, however, prior to moving forward with an energy conservation project, funding must be identified for construction. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to approve a resolution pertaining to The Financing of an Energy Efficiency Project, related to the technical energy audit performed by Performance Service Inc. All voting "Aye". MOTION PASSED**

**32003 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE GUADALUPE BLANCO RIVER AUTHORITY TO PARTICIPATE IN THE FLOOD MITIGATION STRATEGIES PHASE OF THE LOWER GUADALUPE FLOOD FEASIBILITY AND FLOOD PROTECTION STUDY IN THE GUADALUPE-BLANCO RIVER BASIN; AMEND THE BUDGET ACCORDINGLY**

Clint Garza, Director of Development spoke. Since August of 2011, Hays County has partnered with the Guadalupe-Blanco River Authority (GBRA) to participate in various Phases of a Flood Protection Planning Study in the Guadalupe-Blanco River Basin. The third and final phase of the modeling portion of study is nearing completion. As initially planned, the data collected in the first three phases of the project has been evaluated for potential flood mitigation strategies in the Guadalupe-Blanco River Basin. Hays County's participation in the next phase of this study will allow GBRA and the United States Army Corps of Engineers (USACE) to further analyze the potential mitigation strategies identified by the USACE. If Hays County participates, the agreement will last until 12/31/19 unless the work is completed earlier or the agreement is terminated by either party. Hays County's local share of the remaining costs for the study shall not exceed \$313,450.00. The annual breakdown is as follows: FY 2017 - \$153,699.00; FY 2018 - \$80,212.00; FY 2019 - \$79,539.00. **A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to authorize the County Judge to execute an interlocal agreement with the Guadalupe Blanco River Authority to participate in the flood mitigation strategies phase of the Lower Guadalupe Flood Feasibility and Flood Protection Study in the Guadalupe-Blanco River Basin. All voting "Aye". MOTION PASSED**

**A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to amend the previous motion to authorize the County Judge to execute an interlocal agreement with the Guadalupe Blanco River Authority to participate in the flood mitigation strategies phase of the Lower Guadalupe**



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**Flood Feasibility and Flood Protection Study in the Guadalupe-Blanco River Basin; Amend the budget accordingly, no later than April 15, 2017. All voting "Aye". MOTION PASSED**

**32004 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A SERVICES AGREEMENT BETWEEN HAYS COUNTY AND THE SAN MARCOS/HAYS COUNTY EMERGENCY MEDICAL SERVICES (EMS) RELATED TO THE PROVISION OF EMS SERVICES IN CERTAIN UNINCORPORATED AREAS OF HAYS COUNTY AND AMEND THE BUDGET ACCORDINGLY**

Chief of Staff, Lon Shell spoke. During the FY 2017 budget process, the Commissioner's Court approved \$750k for contracting EMS services with the San Marcos/Hays County EMS. Historically, funding for these services has been equally shared by the County and the City of San Marcos, which has dedicated \$910k in their FY17 budget. Potential funding source for the additional \$160k needed has been identified in the Tobacco Settlement Fund. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a services agreement between Hays County and the San Marcos/Hays County Emergency Medical Services (EMS) related to the provision of EMS services in certain unincorporated areas of Hays County and amend the budget accordingly. All voting "Aye". MOTION PASSED**

**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE OR VALUE OF RIGHT OF WAY ALONG PROPOSED FM110 IN PCT. 1. POSSIBLE ACTION TO FOLLOW IN OPEN COURT**

Court convened into Executive Session at 11:32 a.m. and reconvened into open court at 11:45 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, General Counsel Mark Kennedy, and Chief of Staff Lon Shell. No Action Taken.

**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PERFORMANCE AND DUTIES OF THE VETERANS SERVICE OFFICER, EMERGENCY MANAGEMENT COORDINATOR, IT DIRECTOR, HUMAN RESOURCES DIRECTOR, TRANSPORTATION DIRECTOR, GENERAL COUNSEL, ELECTIONS ADMINISTRATOR, DEVELOPMENT AND COMMUNITY SERVICES DIRECTOR, GRANTS ADMINISTRATOR, CHIEF JUVENILE PROBATION OFFICER AND JUVENILE FACILITY ADMINISTRATOR**

Court convened into Executive Session at 11:10 a.m. and reconvened into open court at 11:28 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, General Counsel Mark Kennedy, and Chief of Staff Lon Shell. No Action Taken.

**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY OWNED BY HAYS COUNTY. POSSIBLE ACTION TO FOLLOW IN OPEN COURT**

Court convened into Executive Session at 11:50 a.m. and reconvened into open court at 11:55 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, General Counsel Mark Kennedy, and Chief of Staff Lon Shell. No action taken.

**32005 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE PURCHASE, EXCHANGE, OR VALUE OF REAL PROPERTY RELATED THE HAYS COUNTY REGIONAL HABITAT CONSERVATION PLAN. POSSIBLE ACTION TO FOLLOW IN OPEN COURT**

Court convened into Executive Session at 11:55 a.m. and reconvened into open court at 12:35 p.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, Judge Cobb, General Counsel Mark Kennedy, and Chief of Staff Lon Shell. **A motion was made by Commissioner Conley, seconded by Commissioner Jones to authorize the County Judge to an unimproved property contract between Hays County and WLMB J Wooten Revocable Trust with the purchase of 393 acres of land at \$10,000 per acre as presented in Executive Session as property is located in Precinct 3, property is to be utilized in the Hays County Regional Habitat Conservation plan. All voting "Aye". MOTION PASSED**



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**County Clerk's Note Agenda Item #33 RE:** *DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY JAIL, AND THE PLANNING OF PROJECTS PERTAINING TO THE PUBLIC SAFETY FACILITIES NEEDS WITHIN THE COUNTY. POSSIBLE ACTION MAY FOLLOW- was pulled.*

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

Judge Cobb gave an update on the Burn Ban. The Burn Ban remains lifted. Drought index is at 204.

**County Clerk's Note Agenda Item #35 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.*

**ADJOURNMENT**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to adjourn court at 12:05 p.m.

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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 November 15, 2016.



A handwritten signature in cursive script that reads "Liz Q. Gonzalez".

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

