



STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 18<sup>TH</sup> DAY OF JULY A.D., 2017, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
WILL CONLEY	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	DEPUTY COUNTY CLERK

WITH COUNTY JUDGE ALBERT H. COBB JR. BEING ABSENT. AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Nahum Melendez gave the invocation. Commissioner Ingalsbe led the court in the Pledge of Allegiance to the United States and Texas flags. Commissioner Ingalsbe called the meeting to order.

**PUBLIC COMMENTS**

David Cromwell – Kyle resident, Dan Lyon – San Marcos resident, Sam Brannon – San Marcos resident, made public comments.

**32639 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payment of County invoices in the amount of \$768,691.60 as presented by the Hays County Auditor. All present voting “Aye”. MOTION PASSED

**32640 APPROVE COMMISSIONERS COURT MINUTES OF JULY 11, 2017**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of July 11, 2017 as presented by the County Clerk. All present voting “Aye”. MOTION PASSED

**32641 APPROVE AND CONFIRM THE APPOINTMENT OF MANUEL PHILLIPE DE LA ROSA AS RESERVE DEPUTY CONSTABLE IN THE HAYS COUNTY CONSTABLE PRECINCT 2 OFFICE**

Constable Pct. 2 Michael Torres spoke. Pursuant to Local Government Code Chapter 86, Subchapter B 86.011 (a) The Commissioner's Court shall approve and confirm the appointment of a Deputy Constable. Sec. 86.011. APPOINTMENT OF DEPUTY CONSTABLE. (a) An elected constable who desires to appoint a deputy must apply in writing to the commissioners court of the county and show that it is necessary to appoint a deputy in order to properly handle the business of the constable's office that originates in the constable's precinct. The application must state the name of the proposed deputy. The commissioners court shall approve and confirm the appointment of the deputy only if the commissioners court determines that the constable needs a deputy to handle the business originating in the precinct. (b) Each deputy constable must qualify in the manner provided for deputy sheriffs. (c) The constable is responsible for the official acts of each deputy of the constable. The constable may require a deputy to post a bond or security. A constable may exercise any remedy against a deputy or the deputy's surety that a person may exercise against the constable or the constable's surety. (d) A person commits an offense if the person: 1) serves as a deputy constable and the person has not been appointed as provided by Subsection (a); or (2) is a constable and issues a deputyship without the consent and approval of the commissioners court. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve and confirm the appointment of the appointment of Manuel Phillipe de La Rosa as Reserve Deputy Constable in the Hays County Constable Precinct 2 Office. All present voting “Aye”. MOTION PASSED**

**32642 AUTHORIZE FURNITURE PURCHASES UTILIZING THE COUNTIES TWO PURCHASING COOPERATIVE AGREEMENTS WITH NATIONAL INTERGOVERNMENTAL PURCHASING ALLIANCE (NIPA) AND US COMMUNITIES AND AMEND THE BUDGET ACCORDINGLY**

The Precinct 3 facility, which includes the Sheriff's substation, Constable's office, JP's office, County Clerk's substation, Commissioners office, Tax Assessor/Collector substation, and Countywide AgriLife Extension office has reached a point where the furniture now needs to be purchased in order to ensure that it arrives prior to the time of completion. During the initial planning phase of the renovations at 200 Stillwater, located in Precinct 3, a



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portion of the budget was allocated to purchase new furniture pieces, however furniture was not identified. Workplace Resources will order all furniture utilizing two purchasing cooperatives as follows; Modular furniture, admin offices and seating - NIPA #30000408 Private offices and conference rooms - US Communities #440003403 Budget Amendment: Decrease Misc. Capital Improvements .5741 Increase Office Equipment .5711\_400 **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to authorize furniture purchases utilizing the Counties two purchasing cooperative agreements with National Intergovernmental Purchasing Alliance (NIPA) and US Communities and amend the budget accordingly. All present voting “Aye”. MOTION PASSED**

**32643 APPROVE SPECIFICATIONS FOR IFB 2017-B06 AIR CONDITIONING AND HEATING SERVICES COUNTYWIDE AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR BIDS AND ADVERTISE**

On June 27, 2017 the Court rejected all bids and authorized the IFB to be revised and reissued. Attachment: Revised IFB 2017-B06. **A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve specifications for IFB 2017-B06 Air Conditioning and Heating Services countywide and authorize Purchasing Manager to solicit for bids and advertis. All present voting “Aye”. MOTION PASSED**

**Clerk’s Note Agenda Item #6 RE:** *RECEIVE THE RECOMMENDATION REGARDING THE VOTING SYSTEM EQUIPMENT FROM THE ELECTION EQUIPMENT ADVISORY COMMITTEE – was pulled*

**32644 APPOINT NAHUM MELENDEZ TO ACT AS THE CHAPLAIN FOR HAYS COUNTY COMMISSIONERS COURT, EFFECTIVE IMMEDIATELY**

General Counsel Mark Kennedy spoke. **A motion was made by Commissioner Jones, seconded by Commissioner Conley to Appoint Nahum Melendez to act as the Chaplain for Hays County Commissioners Court, effective immediately. All present voting “Aye”. MOTION PASSED**

**32645 AUTHORIZE PAYMENT FOR EXPENSES RELATED TO THE HISTORICAL COMMISSION PUBLICATION FUND WHERE NO PURCHASE ORDER WAS ISSUED OR QUOTES OBTAINED AS REQUIRED PER THE COUNTY PURCHASING POLICY**

The Historical Commission Director purchased documentary DVD's and did not obtain a purchase order per County Purchasing Policy. Funds are available within the Publication Fund for this purchase, no county funds are needed. **A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize payment for expenses related to the Historical Commission Publication Fund where no purchase order was issued or quotes obtained as required per the County Purchasing Policy. All present voting “Aye”. MOTION PASSED**

**32646 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND TERRACON CONSULTANTS, INC., RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT**

Terracon will perform materials testing and inspection services for both the Stagecoach Trail and the Uhland Road project sites. **A motion was made by Commissioner Jones, seconded by Commissioner Conley to authorize the County Judge to execute a Professional Services Agreement between Hays County and Terracon Consultants, Inc., related to the Hays County Public Safety Bond project. All present voting “Aye”. MOTION PASSED**

**Clerk’s Note Agenda Item #10 RE:** *SUB-764 ABIGAIL MEADOWS SUBDIVISION (8 LOTS). DISCUSSION AND POSSIBLE ACTION TO APPROVE FINAL PLAT – was pulled*

**32647 APPROVE FINAL PLAT SUB-776 CAVALLO PARK SUBDIVISION (1 LOT)**

Caitlyn Strickland spoke. **The proposed Cavallo Park Subdivision is a 1 lot subdivision located off of Trail Driver in Precinct 4. The subdivision will be served by WTCPUA and rainwater collection. Wastewater service will be provided by individual on-site sewage facilities. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Final plat of SUB- 776 Cavallo Park Subdivision (1 Lot). All present voting “Aye”. MOTION PASSED**

**32648 APPROVE PRELIMINARY PLAN SUB-804 CANYON VIEW NORTH SUBDIVISION (2 LOTS)**



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Caitlyn Strickland spoke. The proposed Canyon View North Subdivision is a 2 lot subdivision across 10.49 acres, located off of Elder Hill Road in Precinct 4. The subdivision will be served by private wells and wastewater service will be provided by individual on-site sewage facilities. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve Preliminary plan of SUB- 804 Canyon View North Subdivision (2 lots). All present voting “Aye”. MOTION PASSED**

**32649 GRANT A VARIANCE FROM SECTION 10 C-1 OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES AND GRANT A DEVELOPMENT AUTHORIZATION TO THE OWNER OF LOTS 7 & 8 IN THE MOUNTAIN CREST UNIT 4 SUBDIVISION**

The owner applied for a permit to improve the existing On-Site Sewage Facility. Hays County Regulations do not allow staff to issue any permits on parcels not in compliance with platting requirements. The two lots have a permitted house and septic system that has been built across the property lines of lots 7 & 8. The owner has requested a variance from Section 10 C-1 of the Hays County Rules for On-Site Sewage Facilities which will allow her to improve her OSSF. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to grant a variance from Section 10 C-1 of the Hays County Rules for On-Site Sewage Facilities and grant a development authorization to the owner of lots 7 & 8 in the Mountain Crest Unit 4 Subdivision. All present voting “Aye”. MOTION PASSED**

**32650 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AGREEMENT WITH R3 RECYCLING TO PROVIDE ELECTRONICS RECYCLING AT THE WIMBERLEY AND DRIFTWOOD RECYCLING AND SOLID WASTE CENTERS; AUTHORIZE STAFF TO WAIVE FEES FOR ELECTRONICS RECYCLING DURING THE TERM OF AGREEMENT AND SUBSEQUENT AGREEMENTS**

The Recycling and Solid Waste Division would like to partner with R3 Recycling to provide electronics recycling to Hays County residents at no charge. All items except for CRT (tube) televisions will be accepted and transported to R3 for recycling. **A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the County Judge to execute agreement with R3 Recycling to provide electronics recycling at the Wimberley and Driftwood Recycling and Solid Waste Centers; authorize staff to waive fees for electronics recycling during the term of agreement and subsequent agreements. All present voting “Aye”. MOTION PASSED**

**32651 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AGREEMENT WITH BUCK’S CONSTRUCTION SERVICES FOR ROOF EXTENSION AT WIMBERLEY RECYCLING AND SOLID WASTE CENTER**

**A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the County Judge to execute an Agreement with Buck’s Construction Services for roof extension at Wimberley Recycling and Solid Waste Center. All present voting “Aye”. MOTION PASSED**

**32652 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH GAP STRATEGIES FOR OUTREACH AND EDUCATION SERVICES RELATING TO THE FEMA FLOODPLAIN MAP REVISIONS AND AMEND THE BUDGET ACCORDINGLY**

**A motion was made by Commissioner Whisenant, seconded by Commissioner Conley to authorize the County Judge to execute a professional services agreement with Gap Strategies for outreach and education services relating to the FEMA floodplain map revisions and amend the budget accordingly. All present voting “Aye”. MOTION PASSED**

**32653 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONSTRUCTION AGREEMENT WITH J B CONSTRUCTION FOR THE RENOVATION OF THE TAX OFFICE AT THE DRIPPING SPRINGS SUBSTATION AND AMEND THE BUDGET ACCORDINGLY**

**A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize the County Judge to execute a construction agreement with J B Construction for the renovation of the Tax Office at the Dripping Springs substation and amend the budget accordingly. All present voting “Aye”. MOTION PASSED**



**32654      AUTHORIZE THE COUNTY JUDGE TO EXECUTE ADDITIONAL SERVICES NO. 1 TO THE ORIGINAL AGREEMENT WITH HOK OF THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT**

A motion was made by Commissioner Conley, seconded by Commissioner Jones to authorize the County Judge to execute Additional Services No. 1 to the original Agreement with HOK of the Hays County Public Safety Bond project. All present voting "Aye". MOTION PASSED

**32655      AUTHORIZE THE COUNTY JUDGE TO EXECUTE ADDITIONAL SERVICES NO. 2 TO THE ORIGINAL AGREEMENT WITH HOK OF THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT**

A motion was made by Commissioner Conley, seconded by Commissioner Jones to authorize the County Judge to execute Additional Services No. 2 to the original Agreement with HOK of the Hays County Public Safety Bond project. All present voting "Aye". MOTION PASSED

**32656      AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER NO. 1 TO THE ORIGINAL AGREEMENT WITH SWCA OF THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT**

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to authorize the County Judge to execute Change Order No. 1 to the original Agreement with SWCA of the Hays County Public Safety Bond project. All present voting "Aye". MOTION PASSED

**32657      ACCEPT THE GUARANTEED MAXIMUM PRICE PROPOSAL FOR WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROGRAM PHASE I AND TO AUTHORIZE THE COUNTY JUDGE TO EXECUTE A NOTICE TO PROCEED FOR THIS WORK**

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to accept the Guaranteed Maximum Price Proposal for work related to the Hays County Public Safety Bond Program Phase I and to authorize the County Judge to execute a Notice to Proceed for this work. All present voting "Aye". MOTION PASSED

**32658      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 10:24 a.m. and reconvened into open court at 10:54 a.m. In Executive Session were Commissioner Ingalsbe, Commissioner Jones, Commissioner Conley, Commissioner Whisenant, General Counsel Mark Kennedy, Chief of Staff Lon Shell, Tammy Crumley, Intern- Brandon Muniz and David Baylor. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Settlement of Right of Way negotiations between Hays County and the Estate of Glenn Pape at more than \$10,000 over the original Appraisal, as presented in Executive Session. All present voting "Aye". MOTION PASSED

**32659      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.**

A motion was made by Commissioner Conley, seconded by Commissioner Whisenant to accept the 100% Design Development Documents for the Uhland Road Jail projects and the Public Safety Facility project. Authorize to proceed into the Construction Design phase. All present voting "Aye". MOTION PASSED

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

Commissioner Ingalsbe gave an update on the burn ban. The drought index is at 576 and the burn ban will remain in effect.



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**Clerk's Note Agenda Item #25 RE:** *DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, LAURA HARRIS, HNTB AND ALLEN CROZIER, HDR - was pulled*

## ADJOURNMENT

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adjourn court at 10:56 a.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 July 18, 2017.



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

