



STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 12<sup>TH</sup> DAY OF DECEMBER 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
LON A. SHELL	COMMISSIONER, PCT. 3
RAY O. WHISENANT JR.	COMMISSIONER, PCT. 4
CHRISTINE RODRIGUEZ	CHIEF 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**

Dan Lyon resident of San Marcos and Rodrigo Amaya resident of San Marcos made public comments.

**32147 APPROVE PAYMENTS OF COUNTY INVOICES**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of County Invoices in the amount of \$1,153,337.77 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

**32148 APPROVE PAYMENTS OF JUROR CHECKS**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve payments of Juror checks in the amount of \$6,242.00 as presented by the County Auditor. All present voting "Aye". MOTION PASSED

**32149 APPROVE THE PAYMENT OF HUMANA CLAIMS**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payment of Humana claims in the amount of \$226,289.92 as submitted by the County Auditor. All present voting "Aye". MOTION PASSED

**32150 APPROVE COMMISSIONERS COURT MINUTES OF DECEMBER 5, 2017**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve Commissioners Court Minutes of December 5, 2017. All present voting "Aye". MOTION PASSED

**32151 APPROVE THE PAYMENT OF THE DECEMBER 15, 2017 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,650,400.00 EFFECTIVE DECEMBER 15, 2017 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED**

Approve the December mid-month payroll disbursements not to exceed \$2,650,400.00. A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the payment of the December 15, 2017 payroll disbursements in an amount not to exceed \$2,650,400.00 effective December 15, 2017 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voting "Aye". MOTION PASSED

**32152 APPROVE THE REAPPOINTMENT OF JERRY BORCHERDING, HAYS COUNTY DIRECTOR OF TRANSPORTATION, AS THE PRIMARY VOTING MEMBER ON THE TECHNICAL ADVISORY COMMITTEE OF CAMPO, AND THE APPOINTMENT OF TIM VANDEVORDE, TRANSPORTATION SUPERINTENDENT, AS THE ALTERNATE VOTING MEMBER, FOR A 1 YEAR TERM BEGINNING JANUARY 1, 2018**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the reappointment of Jerry Borcharding, Hays County Director of Transportation, as the primary voting member on the Technical Advisory Committee of CAMPO, and the appointment of Tim Vandevorde,



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Transportation Superintendent, as the alternate voting member, for a 1 year term beginning January 1, 2018. All present voting "Aye". MOTION PASSED

**32153 APPROVE THE APPOINTMENT OF DAVID FOWLER, CITY OF BUDA SENIOR PLANNER, AS THE PRIMARY VOTING MEMBER ON THE TECHNICAL ADVISORY COMMITTEE OF CAMPO, AND REAPPOINTMENT HOWARD KOONTZ, CITY OF KYLE COMMUNITY SERVICES DIRECTOR, AS THE ALTERNATE VOTING MEMBER, FOR A 1 YEAR TERM BEGINNING JANUARY 1, 2018**

A motion was made by Commissioner Jones, seconded by Commissioner Whisenant to approve the appointment of David Fowler, City of Buda Senior Planner, as the primary voting member on the Technical Advisory Committee of CAMPO, and reappointment Howard Koontz, City of Kyle Community Services Director, as the alternate voting member, for a 1 year term beginning January 1, 2018. All present voting "Aye". MOTION PASSED

**32154 APPROVE THE REAPPOINTMENT OF JOE SEGOVIA AND CAROL GREAVES TO EMERGENCY SERVICES DISTRICT #8, FOR A 2 YEAR TERM BEGINNING JANUARY 1, 2018**

Joe Segovia and Carol Greaves have agreed to serve a two-year term beginning January 1, 2018. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the reappointment of Joe Segovia and Carol Greaves to Emergency Services District #8, for a 2 year term beginning January 1, 2018. All present voting "Aye". MOTION PASSED

**32155 APPROVE THE REAPPOINTMENT OF HALEY ORTIZ, TOM DAHLSTROM AND JB KOLODZEY TO EMERGENCY SERVICES DISTRICT #2, FOR A 2 YEAR TERM BEGINNING JANUARY 1, 2018**

Haley Ortiz, Tom Dahlstrom and JB Kolodzey have agreed to serve a two-year term beginning January 1, 2018. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve the reappointment of Haley Ortiz, Tom Dahlstrom and JB Kolodzey to Emergency Services District #2, for a 2 year term beginning January 1, 2018. All present voting "Aye". MOTION PASSED

**32156 AUTHORIZE COMMERCIAL OSSF PERMIT AT 150 RUSSELL LANE, DRIPPING SPRINGS, TEXAS 78620**

Clinton & Jana Edwards are proposing an OSSF to serve ten - 2700 square foot office/warehouse buildings. This 2.00-acre tract of land will be served by a public water supply. The system designer, Jon Maass, R.S., has designed a standard treatment system. After treatment, the effluent will be dispersed to a low-pressure pipe drainfield for a maximum daily rate of 600 gallons. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to Authorize Commercial OSSF Permit at 150 Russell Lane, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED

**32157 APPROVE OUT OF STATE TRAVEL FOR LIEUTENANT JOHN SAENZ TO ATTEND THE AMERICAN JAIL ASSOCIATION CONFERENCE IN SACRAMENTO, CALIFORNIA**

Out of state travel is needed to send Lt. John Saenz to the American Jail Association Conference in Sacramento, California on April 21- 25, 2018. As a one of the Lieutenants, over the Sheriff's Office Corrections Bureau, this conference will offer Lt. Saenz with information on current topics affecting the operation of the jail facilities. The conference will also provide choices to better manage inmates and allow him to interact with peers across the Nation. All fees encumbered will be paid out of the Sheriff's Office Continuing Ed general ledger. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve out of state travel for Lieutenant John Saenz to attend the American Jail Association Conference in Sacramento, California. All present voting "Aye". MOTION PASSED

**32158 AUTHORIZE INSTITUTIONAL OSSF PERMIT AT 619 SUMMIT DR, KYLE, TX, 78640**

Iglesia Manantial De Aguas Vivas is proposing an OSSF to serve a 4,800 square foot church. The church will be used for services on Sunday morning and possibly Sunday evening. This property is Lot 6 of the Green Pastures Subdivision and lies outside the city limits of Kyle. Water will be supplied by a public water supply. The system designer, Stan Burrier, P.E. has designed a system, which consists of standard treatment with dispersal by a low pressure pipe drainfield. The maximum daily usage rate is 200 gallons. The OSSF permit was originally issued 4/28/15. The OSSF was never installed, so the permit is being re-issued. A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize Institutional OSSF Permit at 619 Summit Dr, Kyle, TX, 78640. All present voting "Aye". MOTION PASSED



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**32159            AUTHORIZE A COMMERCIAL OSSF PERMIT AT 4794 TRANSPORTATION WAY,  
SAN MARCOS TX, 78666**

Posey 2000 LLC, C/O by Jerry R. Reed is proposing two commercial warehouses with a max occupancy of 20 workers per building located at 4794 Transportation Way in San Marcos TX 78666. This property is an 11.881 acre tract out of the Henry Warnell Survey. This property is not located within the Edwards Aquifer Recharge Zone. This property is located within the ETJ of the City of San Marcos and is currently utilizing city water. The designer, Jeff Snowden, P.E., has designed a nonstandard drip consisting of a single drip irrigation field. The system is designed to treat 320 gallons per day. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to authorize a Commercial OSSF permit at 4794 Transportation Way, San Marcos TX, 78666. All present voting "Aye". MOTION PASSED**

**32160            AUTHORIZE 4 COMMERCIAL OSSF PERMIT(S) AT 4955 BELL SPRINGS ROAD,  
DRIPPING SPRINGS, TEXAS 78620**

The Bell Springs Business Park is proposing an OSSF to serve five office/warehouse buildings. These OSSF Permit(s) will serve buildings (1,3,5), (2,4,6,8,10, 12) (7, 9, 11, 13, & 15), and (14,16,17,18,19,20). Each building will serve up to six employees and four customers. This is a 17.23-acre tract of land. Each individual building will be served by a rainwater collection system where the owner is responsible for the rainwater collection system. The system designer, Dan Balboa, R.S., has designed a non-standard treatment system, which consists of pre-treatment, flow-equalization, and secondary treatment. After treatment, the effluent will be dispersed via drip irrigation tubing for a maximum daily rate of 600. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize 4 Commercial OSSF Permit(s) at 4955 Bell Springs Road, Dripping Springs, Texas 78620. All present voting "Aye". MOTION PASSED**

**32161            APPROVE SPECIFICATIONS FOR IFB 2018-B02 RATTLER ROAD IMPROVEMENTS  
AND AUTHORIZE PURCHASING MANAGER TO SOLICIT FOR BIDS AND  
ADVERTISE**

**A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve specifications for IFB 2018-B02 Rattler Road Improvements and authorize Purchasing Manager to solicit for bids and advertise. All present voting "Aye". MOTION PASSED**

**32162            AUTHORIZE THE EXECUTION OF A CONTRACT MODIFICATION WITH THOMSON  
REUTERS WESTLAW RELATED TO LEGAL RESEARCH FOR THE DISTRICT  
ATTORNEY'S OFFICE**

The District Attorney's legal staff currently utilizes Westlaw for legal research. The attached modification adds 3 new attorneys which were approved during the FY18 budget process. The required funding was approved during the FY18 budget process. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to Authorize the execution of a contract modification with Thomson Reuters Westlaw related to legal research for the District Attorney's Office. All present voting "Aye". MOTION PASSED**

**32163            AUTHORIZE AN EQUIPMENT REMOVAL AND REVISED LEASE CONTRACT WITH  
RICOH FOR THE COUNTY CLERK PRECINCT 3 SATELLITE OFFICE**

On October 24th the Court authorized a new copier lease contract for the County Clerk's satellite office in the Pct. 3 Building. The initial contract did not include an option for legal size copies. The revised quote has this option for an additional \$1.88 per month. Funds are available in the Records Management Fund for the revised lease cost. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize an Equipment Removal and Revised Lease Contract with RICOH for the County Clerk Precinct 3 satellite office. All present voting "Aye". MOTION PASSED**

**32164            AUTHORIZE THE EXECUTION OF A PLANNED MAINTENANCE AGREEMENT WITH  
WAUKESHA-PEARCE INDUSTRIES, INC. FOR GENERATOR MAINTENANCE AT  
THE HAYS COUNTY GOVERNMENT CENTER**

The Building Maintenance Department would like to enter into a Planned Maintenance Agreement with Waukesha-Pearce Industries, Inc. for preventative maintenance and annual inspections of the generator located at the Hays County Government Center. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the execution of a Planned Maintenance Agreement with Waukesha-Pearce Industries, Inc. for generator maintenance at the Hays County Government Center. All present voting "Aye". MOTION PASSED**

**32165            APPROVAL TO AWARD RFP 2018-P01 COUNTYWIDE JANITORIAL SERVICES TO  
SPOTLESS CLEANING AND AUTHORIZE CONTRACT EXECUTION**



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Purchasing received 1 proposal from Spotless Cleaning. After evaluation and scoring of the proposal by staff, it is recommended that contract award be made to Spotless Cleaning. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to Approval to award RFP 2018-P01 Countywide Janitorial Services to Spotless Cleaning and authorize contract execution. All present voting "Aye". MOTION PASSED**

**32166 AUTHORIZE THE PURCHASE OF COURTROOM FURNISHINGS FOR THE PRECINCT 3 FACILITY AND AMEND THE BUDGET ACCORDINGLY**

Commissioner Shell spoke. The two tables will not be included in the purchase of the courtroom furnishings. Chief of Staff Clint Garza spoke. The Precinct 3 facility is currently in need of courtroom furnishings and have partnered with Lonestar Furnishings, Buy Board No. 503-16. During the furniture planning portion of the renovations an oversight was made and the necessary items were not ordered. The requested amount will cover the following items: 8) Pew Benches- \$10,550 (6) Juror Seats- \$3,152.28 (6) Task Chairs- \$1,771.74 4B286B (2) Tables- \$2425.42 Freight/Installation- \$1,332.50. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the purchase of courtroom furnishings for the Precinct 3 facility and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

Court re-opened Item # 20 at 10:12a.m. Chief of Staff Clint Garza spoke. No Action taken.

**32167 ACCEPT BOND NO. PB03010404555 FOR STREET AND DRAINAGE IMPROVEMENTS FOR CAMPO DEL SOL PARKWAY SEGMENTS IN THE AMOUNT OF \$2,487,195.15**

Jerry Borcharding, Director of Transportation gave staff recommendation. The Campo Del Sol Pkwy Subdivision has been reviewed under the interlocal cooperation agreement with the City of Buda 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 Jones, seconded by Commissioner Whisenant to Discussion and possible action to accept Bond No. PB03010404555 for street and drainage improvements for Campo Del Sol Parkway segments in the amount of \$2,487,195.15. All present voting "Aye". MOTION PASSED**

**32168 ACCEPT SUBDIVISION BOND NO.024230974 FOR STREET AND DRAINAGE IMPROVEMENTS FOR THE PARTEN RANCH PHASE 1 IN THE AMOUNT OF \$2,353,965.90**

Jerry Borcharding, Director of Transportation gave staff recommendation. Parten Ranch, Phase 1 is a proposed 84 lot subdivision located along FM 1826 in Precinct 4. Water service will be provided by West Travis County PUA and wastewater service will be provided by the Parten Ranch MUD. The final plat for Parten Ranch Subdivision have been reviewed under the interlocal cooperation agreement with the City of Dripping Springs and have 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 Shell to accept subdivision bond No.024230974 for street and drainage improvements for the Parten Ranch Phase 1 in the amount of \$2,353,965.90. All present voting "Aye". MOTION PASSED**

**32169 SUB-943; DISCUSSION AND POSSIBLE ACTION TO CONSIDER A VARIANCE FROM CHAPTER 705.4.02 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS TO WAIVE THE FEES FOR THE REVISED PRELIMINARY PLAN OF HIGHPOINTE 5-3**

Caitlyn Strickland, Hays County Planner spoke. Highpointe 5-3 is recorded section of the Highpointe Subdivision located off of Sawyer Ranch Road in Precinct 4. The developer is amending 5-3 to change the building line setback from 25 feet to 20 feet. This setback was approved in years prior, but was incorrectly put on the plat. The developer is requesting that the fees are waived, since there is no technical review being performed for this plat. The only item that is changing between the originally platted 5-3 and the amended plat is the setback plat note #12. Highpointe 5-3 was approved in 2017 and recorded 4-26-17. **A motion was made by Commissioner Whisenant, seconded by Commissioner Shell to grant a variance from chapter 705.4.02 of the Hays County Development Regulations to waive the fees for the revised preliminary plan of Highpointe 5-3 SUB- 943. All present voting "Aye". MOTION PASSED**

**32170 SUB-907; EWING RAE SUBDIVISION (1 LOT). DISCUSSION AND POSSIBLE ACTION TO APPROVE PRELIMINARY PLAN**

Caitlyn Strickland, Hays County Planner, gave staff recommendation. Ewing Rae Subdivision is a proposed 2.322 acre lot located along Mt. Sharp Rd. Water service will be provided by private wells and wastewater service will be accomplished by individual OSSF. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to approve preliminary plan of SUB-907; Ewing Rae Subdivision (1 Lot). All present voting "Aye". MOTION PASSED**



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**32171            AUTHORIZE THE TRANSPORTATION DEPARTMENT TO HIRE THE NEW ENGINEERING TECHNICIAN POSITION, GRADE 111 (BUDGETED TO START 4/1/18) WITH AN EFFECTIVE DATE OF 1/2/2018**

Jerry Borcharding, Director of Transportation spoke. During the FY 2018 budget process, the Commissioner's Court approved a new Engineering Technician position effective 4/1/18. Due to the current volume of work, the Transportation Director request consideration to advertise immediately to fill this position with an anticipated hire date of 1/2/18. Salary savings due to attrition are available to fund this request. A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Transportation Department to hire the new Engineering Technician position, grade 111 (budgeted to start 4/1/18) with an effective date of 1/2/2018. All present voting "Aye". **MOTION PASSED**

**32172            AUTHORIZE THE CONSTABLE PRECINCT 3 OFFICE TO PURCHASE ONE NEW PATROL BICYCLE AND AMEND THE BUDGET ACCORDINGLY**

Constable Pct. 3, Ray Helm spoke. Commissioner Shell spoke. Commissioner Whisenant spoke. In February 2017, the Commissioner's Court authorized the purchase of one new patrol bicycle for the precinct 3 Constable. This new patrol bike was issued to the deputy constable patrolling the parks in the Wimberley area. The Constable is requesting the Court's assistance in purchasing a second patrol bike in order to expand the areas that are more easily accessible utilizing a bicycle. The initial bike purchased for this program in 2014 is not functional for the areas that the Deputy Constables are patrolling but will be kept for a back-up option when the other bikes are not available. Budget Amendment: Possible funding source County Wide contingencies. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize the Constable Precinct 3 office to purchase one new Patrol Bicycle and amend the budget accordingly. All present voting "Aye". MOTION PASSED**

**32173            AUTHORIZE CHANGE ORDER COR-008 RELATED TO GMP1, SITE WORK AND FLEET MAINTENANCE, ASSOCIATED WITH THE PUBLIC SAFETY BOND PROGRAM**

Codi Newsom and Rufo Reyes from ECM and Chief of Staff Clint Garza spoke. COR-008 – Site grading and utility revisions as per Bulletin 04:: Additional grading work due to a surveying discrepancy; relocated site utility lines that were encroaching on existing LCRA power poles; additional communication conduits as required between the fleet maintenance and jail. Expenditure :: \$89,207 Ranger Excavating :: \$54,763 – funding from Contractor Contingency M5 Utilities :: \$17,381 – funding from Contractor Contingency VA Electric :: \$11,048 – funding from Contractor Contingency Fencing Demolition allowance expenditure :: \$4,000 – Allocating against established allowance. Erosion Control Allowance expenditure:: \$1,320 – Allocating against established allowance. Striping and Signage:: \$695 – Offset by potential buyout savings. Summary: \$83,192 will be funded via Contractor Contingency (After this expenditure, the remaining contingency amount will be \$310,972.) \$5,320 will be funded via established GMP Allowances \$695 will be funded via Buyout Savings The biggest cost associated with the COR-008 is Ranger Excavating due to a survey discrepancy. Based on our understanding, Doucet used a 'drone' to survey/document the existing grades. The issue is that the drone did not accurately interpolate grades at 'high vegetation' areas. This error resulted in additional cuts and fills. The discrepancy was caught prior to any work starting, thus, no rework or additional cost was incurred to address this issue. M5 Utilities costs were primarily for relocating proposed site utilities that were within the LCRA 30 ft. radius. VA Electric cost were primarily for additional conduits as needed due to the result of ongoing communication relocation meetings with Grande, Spectrum and CenturyLink. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize change order COR-008 related to GMP1, Site Work and Fleet Maintenance, associated with the Public Safety Bond Program. All present voting "Aye". MOTION PASSED**

**32174            APPROVE THE CONSTRUCTION EXPENDITURE APPROVAL PROCEDURE FOR ADMINISTRATIVE APPROVALS OF EXPENDITURES ASSOCIATED WITH THE PUBLIC SAFETY BOND PROJECT**

General Counsel Mark Kennedy, Codi Newsom from ECM, and Commissioner Whisenant spoke. Approving the attached procedure will provide a more streamlined process for authorizing contingency expenditures that are within the total project budget and which do not exceed \$50,000. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to Discussion and possible action to approve the Construction Expenditure Approval Procedure for administrative approvals of expenditures associated with the Public Safety Bond Project. All present voting "Aye". MOTION PASSED**

**32175            AUTHORIZE EXECUTION OF A LOCATION USE AGREEMENT BETWEEN HAYS COUNTY AND STALWART FILMS, INC., RELATED TO FILMING ON FULTON RANCH ROAD IN PRECINCT 3**

Dan Lyon, resident of San Marcos spoke. Rodrigo Amaya, resident of San Marcos spoke. Commissioner Shell spoke. Commissioner Jones spoke. General Counsel Mark Kennedy spoke. Filming for the AMC series "Fear the Walking Dead" has been taking place in Central Texas. Location Managers have identified a stretch of Hays



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County Right of Way that they would like to use for a particular scene in that series. Filming would require the road to be temporarily closed and/or traffic-regulation by the Hays County Sheriff's Office. The Location Use agreement would account and provide compensation to the County for labor and equipment from the Transportation Dept. Law Enforcement would be retained separately through the Sheriff's Office. **A motion was made by Commissioner Shell, seconded by Commissioner Whisenant to authorize execution of a Location Use Agreement between Hays County and Stalwart Films, LLC., related to filming on Fulton Ranch Road in Precinct 3. All present voting "Aye". MOTION PASSED**

**32176 DISCUSSION AND POSSIBLE ACTION, PURSUANT TO 26 USC §147(F) (INTERNAL REVENUE CODE), TO APPROVE A PLAN OF FINANCE BY CAPITAL TRUST AGENCY RELATED TO THE ISSUANCE OF TAX-EXEMPT HOUSING REVENUE BONDS FOR THE REHABILITATION AND FINANCING OF THE EXISTING WESTFIELD APARTMENTS IN SAN MARCOS, TEXAS (PCT.4) UNDER THE TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982 (TEFRA)**

Commissioner Whisenant spoke. Jim Shaw with Capital Area Housing Finance Capital Trust Agency plans to issue an aggregate amount of not more than \$130,000,000.00 in tax-exempt housing revenue bonds related to a variety of projects, one of which is the Westfield Apartment complex near Aquarena Spring Blvd. in San Marcos (Pct.4). Of the aggregate amount, a not-to-exceed amount of \$10,765,000.00 will be expended on the Westfield Apartments to rehabilitate and finance the project. The County's practice is to have the issuing entity seek approval of the "most local" entity having jurisdiction under 147(f). In this case, the City of San Marcos would be that entity. However, Capital Trust Agency has requested that the County perform the actual approval since its hearings were conducted under the assumption that the County would be the entity taking action. **A motion was made by Commissioner Whisenant, seconded by Commissioner Jones to approve a plan of finance by Capital Trust Agency, a public agency of the State of Florida to issue an aggregate principal amount not to exceed \$130,000,000.00 in tax-exempt housing revenue bonds and/or notes, in one or more series issued at one or more times a maximum of \$10,765,000.00 of the proceeds of which are to be used to refinance all or a portion of the ownership of an approximately 136-bed student rental housing unit, of the cost acquisition development construction and or rehabilitation financing and ownership of an approximately 136-bed student rental housing development known as Westfield Apartments and to finance all or a portion of the cost of the new rehabilitation and financing of the Project for the benefit of AHF-Westfield, LLC, a Texas limited liability company. All present voting "Aye". MOTION PASSED**

**32177 AUTHORIZE A REVISION IN THE SALARY EXCEPTION PROCESS UTILIZED TO REQUEST AUTHORITY TO HIRE ABOVE THE MINIMUM**

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize a revision in the Salary Exception process utilized to request authority to hire above the minimum. All present voting "Aye". MOTION PASSED

**Clerk's Note Agenda Item #32 RE:** 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. – **was pulled**

**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 – **was pulled**

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

Drought Index – 297. Fire Marshall recommends that the Burn Ban will remain lifted.

**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 – **was pulled**

**ADJOURNMENT**

A motion was made by Commissioner Jones, seconded by Commissioner Shell to adjourn court at 10:18 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 December 12, 2017.



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

