

HAYS COUNTY COMMISSIONERS' COURT MINUTES



SEPTEMBER 3, 2019

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 3rd DAY OF SEPTEMBER A.D., 2019, IN THE HAYS COUNTY COURTHOUSE, 111 E. SAN ANTONIO ST., SUITE 301, SAN MARCOS, TEXAS, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

RUBEN BECERRA	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
WALT SMITH	COMMISSIONER, PCT. 4
ELAINE H. CÁRDENAS	COUNTY CLERK

THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

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

PUBLIC COMMENTS

Roland Saucedo, Dan Lyon, both Hays County residents, made public comments. Sharri Boyett, Hays County Animal Advocates, made public comments. Linda Covert, League of Women Voters of Hays County, spoke. Anita Collins, County Judge's Office, spoke.

34240 PROCLAMATION DECLARING THE MONTH OF SEPTEMBER 2019 HUNGER ACTION MONTH IN HAYS COUNTY

Commissioner Jones spoke about supporting the Food Bank. A motion was made by Commissioner Jones seconded by Commissioner Ingalsbe a Proclamation declaring the month of September 2019 Hunger Action Month in Hays County. All present voting "Aye." MOTION PASSED

34241 PRESENTATION BY LEE MCCORMICK REGARDING THE LONE STAR PACE AUTHORITY'S ANNUAL REPORT

Lee McCormick, Lone Star Pace Authority, gave presentation of annual update. A motion was made by Commissioner seconded by Commissioner. All present voting "Aye." MOTION PASSED

34242 APPROVE PAYMENTS OF COUNTY INVOICES

A motion was made by Commissioner Shell seconded by Commissioner Ingalsbe to approve payments of County invoices. All present voting "Aye." MOTION PASSED

34243 APPROVE PAYMENTS OF JUROR CHECKS

A motion was made by Commissioner Shell seconded by Commissioner Ingalsbe to approve payments of Juror checks. All present voting "Aye." MOTION PASSED

34244 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS

A motion was made by Commissioner Shell seconded by Commissioner Ingalsbe to approve the payment of United Healthcare claims. All present voting "Aye." MOTION PASSED

34245 Clerk's Note Agenda Item #6 RE: APPROVE COMMISSIONERS COURT MINUTES OF AUGUST 13, 2019. BECERRA/CARDENAS - WAS PULLED

A motion was made by Commissioner Smith seconded by Commissioner Jones to pull agenda item #6 for further consideration next week. All present voting "Aye." MOTION PASSED

34246 APPROVE SPECIFICATIONS FOR IFB 2019-B03 ROAD BUILDING MATERIALS - HOT MIX AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE



A motion was made by Commissioner Shell seconded by Commissioner Ingalsbe approve specifications for IFB 2019-B03 Road Building Materials - Hot Mix and authorize Purchasing to solicit for bids and advertise. All present voting "Aye." MOTION PASSED

34247 APPROVE SPECIFICATIONS FOR IFB 2019-B04 ROAD BUILDING MATERIALS - COLD MIX AND AUTHORIZE PURCHASING TO SOLICIT FOR BIDS AND ADVERTISE

A motion was made by Commissioner Jones seconded by Commissioner Ingalsbe to approve specifications for IFB 2019-B04 Road Building Materials - Cold Mix and authorize Purchasing to solicit for bids and advertise. All present voting "Aye." MOTION PASSED

34248 APPROVE THE REJECTION OF ALL BIDS PURSUANT TO IFB 2019-B05 EMULSION OILS AND APPROVE THE REISSUANCE AS IFB 2019-B08

Commissioner Ingalsbe spoke on this item. Jerry Borcharding, Director of Transportation department, spoke on this item. A motion was made by Commissioner Jones seconded by Commissioner Ingalsbe to approve the rejection of all bids pursuant to IFB 2019-B05 Emulsion Oils and approve the reissuance as IFB 2019-B08. All present voting "Aye." MOTION PASSED

34249 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR NEW ASSEMBLY HALL FOR STUDENTS AT 14101 CANONADE, AUSTIN, TEXAS 78737

A motion was made by Commissioner Jones seconded by Commissioner Ingalsbe to authorize On-Site Sewage Facility Permit for new assembly hall for students at 14101 Canonade, Austin, Texas 78737. All present voting "Aye." MOTION PASSED

34250 AUTHORIZE THE SHERIFF'S OFFICE TO PURCHASE LAW ENFORCEMENT EQUIPMENT UTILIZING SHERIFF DRUG FORFEITURE FUNDS AND AMEND THE BUDGET ACCORDINGLY

A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to authorize the Sheriff's Office to purchase law enforcement equipment utilizing Sheriff Drug Forfeiture Funds and amend the budget accordingly. All present voting "Aye." MOTION PASSED

34251 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A ONE-TIME WAIVER TO TERMS WITHIN AGREEMENT REGARDING COST ALLOCATION AND REIMBURSEMENT FOR DRIPPING SPRINGS TAX INCREMENT REINVESTMENT ZONE NUMBER ONE AND TAX INCREMENT REINVESTMENT ZONE NUMBER TWO

A motion was made by Commissioner Shell seconded by Commissioner Smith to authorize the County Judge to execute a one-time waiver to terms within Agreement Regarding Cost Allocation and Reimbursement for Dripping Springs Tax Increment Reinvestment Zone Number One and Tax Increment Reinvestment Zone Number Two. All present voting "Aye." MOTION PASSED

34252 AUTHORIZE THE JUVENILE PROBATION DEPARTMENT TO ACCEPT ADDITIONAL GRANT FUNDING FROM THE TEXAS JUVENILE JUSTICE DEPARTMENT (TJJD) FOR A RISK & NEEDS ASSESSMENT SOFTWARE TOOL AND AMEND THE BUDGET ACCORDINGLY

A motion was made by Commissioner Shell seconded by Commissioner Smith to authorize the Juvenile Probation Department to accept additional grant funding from the Texas Juvenile Justice Department (TJJD) for a Risk & Needs Assessment software tool and amend the budget accordingly. All present voting "Aye." MOTION PASSED

34253 AUTHORIZE PAYMENT TO RICHARD KIDD RELATED TO DVD SUPPLIES FOR THE HISTORICAL COMMISSION IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY



A motion was made by Commissioner Shell seconded by Commissioner Smith to authorize payment to Richard Kidd related to DVD Supplies for the Historical Commission in which no purchase order was issued as required per County Purchasing Policy. All present voting "Aye." MOTION PASSED

34254 AUTHORIZE THE SHERIFF'S OFFICE TO PLACE AN ORDER WITH ENTERPRISE FLEET FOR LEASED VEHICLES APPROVED IN THE FY 2020 BUDGET

Judge Becerra and Commissioner Smith spoke on this item. A motion was made by Commissioner Shell seconded by Commissioner Smith to authorize the Sheriff's Office to place an order with Enterprise Fleet for Leased Vehicles approved in the FY 2020 budget. All present voting "Aye." MOTION PASSED

34255 AUTHORIZE BUILDING MAINTENANCE TO ACCEPT THE MYERS CONCRETE CONSTRUCTION BID AND UTILIZE EXISTING FUNDS TO COMPLETE THE ELECTIONS PUBLIC ENTRANCE REMODEL PROJECT AND AMEND THE BUDGET ACCORDINGLY

Marisol Villarreal-Alonzo, Auditors Office, spoke about an Amendment that was not reflected in the Agenda. A Motion was made for the Amendment by Commissioner Ingalsbe and seconded by Commissioner Jones. All present voting "Aye." MOTION PASSED

A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to authorize Building Maintenance to accept the Myers Concrete Construction bid and utilize existing funds to complete the Elections Public Entrance Remodel project and amend the budget accordingly. All present voting "Aye." MOTION PASSED

34256 APPROVE THE TRANSFER OF 2008 DODGE CHARGER FROM HAYS COUNTY LOCAL HEALTH DEPARTMENT TO HAYS COUNTY DISTRICT ATTORNEY'S OFFICE

A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to approve the transfer of 2008 Dodge Charger from Hays County Local Health Department to Hays County District Attorney's Office. All present voting "Aye." MOTION PASSED

34257 AUTHORIZE THE HEALTH DEPARTMENT TO PURCHASE CONSUMABLE ITEMS RELATED TO ONGOING PATIENT CARE FOR THE TUBERCULOSIS PROGRAM

A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to authorize the Health Department to purchase consumable items related to ongoing patient care for the Tuberculosis program. All present voting "Aye." MOTION PASSED

Clerk's Note Agenda Item #19 RE: APPROVE THE RE-APPOINTMENTS OF KAREN BROWN, LISA GARZA, ERICA GALLARDO AND JOHN SANCHEZ TO THE HAYS COUNTY CHILD PROTECTIVE BOARD, 3 YEAR TERM ENDING 12/31/22. BECERRA/VILLALOBOS - **WAS PULLED**

34258 HIRE ALPHA PAVING INDUSTRIES, LLC TO RE-STRIPE HILLIARD ROAD AND AMEND THE BUDGET ACCORDINGLY

Commissioner Smith spoke on this item. A motion was made by Commissioner Smith seconded by Commissioner Shell. All present voting "Aye." MOTION PASSED

34259 REQUEST THAT THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) INITIATE THE PROCESS TO REMOVE THE FM 150 CORRIDOR STUDY PROJECT FROM FM 2770 TO I-35 FROM THE AMENDED PARTNERSHIP PROGRAM ADVANCE FUNDING AGREEMENT BETWEEN TXDOT AND HAYS COUNTY AND TO REQUEST THAT TXDOT PROVIDE COPIES OF ALL WORK PRODUCT CONDUCTED AND COMPLETED TO DATE AS PART OF THE FM 150 CORRIDOR STUDY PROJECT FROM FM 2770 TO I-35 ENVIRONMENTAL DOCUMENTATION PROCESS CURRENTLY UNDERWAY AND MANAGED BY TXDOT



Commissioner Smith, Commissioner Shell, and Mark Kennedy, General Counsel Office, spoke about this item. A motion was made by Commissioner Smith seconded by Commissioner Shell to request that the Texas Department of Transportation (TxDOT) initiate the process to remove the FM 150 Corridor Study project from FM 2770 to I-35 from the amended Partnership Program Advance Funding Agreement between TxDOT and Hays County and to request that TxDOT provide copies of all work product conducted and completed to date as part of the FM 150 Corridor Study project from FM 2770 to I-35 environmental documentation process currently underway and managed by TxDOT. All present voting "Aye." MOTION PASSED

34260 APPROVE THE SELECTION OF JONES CARTER ENGINEERING TO PROVIDE SCHEMATIC, ENVIRONMENTAL DOCUMENTATION AND PLANS, SPECIFICATIONS & ESTIMATES (PS&E) SERVICES FOR THE CENTERPOINT ROAD CORRIDOR IMPROVEMENTS PROJECT FROM I-35 TO HUNTER ROAD (CR 109); AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT

Commissioner Shell spoke on this item. A motion was made by Commissioner Shell seconded by Commissioner Smith to approve the selection of Jones Carter Engineering to provide schematic, environmental documentation and Plans, Specifications & Estimates (PS&E) services for the Centerpoint Road Corridor Improvements Project from I-35 to Hunter Road (CR 109); and to authorize staff and counsel to negotiate a contract. All present voting "Aye." MOTION PASSED

34261 APPROVE THE SELECTION OF JONES CARTER ENGINEERING TO PROVIDE SCHEMATIC, ENVIRONMENTAL DOCUMENTATION AND PLANS, SPECIFICATIONS & ESTIMATES (PS&E) SERVICES FOR THE MCCARTY LANE CORRIDOR IMPROVEMENTS PROJECT FROM I-35 TO HUNTER ROAD (CR 109); AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT

Commissioner Shell and Commissioner Ingalsbe spoke on this item. Motion was made by Commissioner Shell seconded by Commissioner Ingalsbe to approve the selection of Jones Carter Engineering to provide schematic, environmental documentation and Plans, Specifications & Estimates (PS&E) services for the McCarty Lane Corridor Improvements Project from I-35 to Hunter Road (CR 109); and to authorize staff and counsel to negotiate a contract. All present voting "Aye." MOTION PASSED

34262 APPROVE THE FINAL PLAT FOR POLO BUSINESS PARK WEST (1 LOT) SUB-1213

Caitlyn Strickland, and Commissioner Shell spoke on this item. A motion was made by Commissioner Smith seconded by Commissioner Jones to approve the final plat for Polo Business Park West (1 Lot). All present voting "Aye." MOTION PASSED

34263 GRANT VARIANCES FROM THE HAYS COUNTY DEVELOPMENT REGULATIONS FOR SUB-1288 JOHNSON PARK, LOT 2, REPLAT (2 LOTS)

Commissioner Smith spoke on this item. A motion was made by Commissioner Smith seconded by Commissioner Shell to grant variances from the Hays County Development Regulations for SUB-1288; Johnson Park, Lot 2, Replat (2 Lots). All present voting "Aye." MOTION PASSED

34264 APPROVE PRELIMINARY PLAN SUB-1256; WRIGHTS ACRES SUBDIVISION (2 LOTS)

Caitlyn Strickland spoke on this item, gave full staff recommendation. A motion was made by Commissioner Shell seconded by Commissioner Jones to approve preliminary plan for SUB-1256; Wrights Acres Subdivision (2 Lots). 09 03 19 Order Amending the County of Hays Budget for FY Ending September 30, 2019. All present voting "Aye." MOTION PASSED

34265 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN HAYS COUNTY AND TRAVIS COUNTY FOR JAIL SERVICES RELATED TO THE HOUSING AND CARE OF HAYS COUNTY INMATES WITH ONE MODIFICATION MADE BY TRAVIS COUNTY

Mark Kennedy, General Counsel, gave details of the number of inmates and the change in the agreement. Commissioner Ingalsbe, Commissioner Shell, and Judge Becerra spoke on this item. A motion was made by



Commissioner Ingalsbe seconded by Commissioner Jones to authorize the County Judge to execute an Interlocal Cooperation Agreement between Hays County and Travis County for Jail Services related to the housing and care of Hays County inmates with one modification made by Travis County. All present voting "Aye." MOTION PASSED. All present voting "Aye." MOTION PASSED

34266 AUTHORIZE THE DEVELOPMENT SERVICES AND TRANSPORTATION DEPARTMENTS TO REALLOCATE OFFICE SPACE WITHIN THE HAYS COUNTY YARRINGTON BUILDING

Jerry Borcharding, Transportation Department, and Caitlyn Strickland, Development Services, spoke of needed additional space. Commissioner Jones spoke on this item. A motion was made by Commissioner Jones seconded by Commissioner Ingalsbe to authorize the Development Services and Transportation Departments to reallocate office space within the Hays County Yarrington building. All present voting "Aye." MOTION PASSED

34267 AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE SALARY SAVINGS TO PAY DOWN VACATION ACCRUALS FOR FIVE CIVILIAN POSITIONS WITHIN THE EMERGENCY COMMUNICATIONS DIVISION

Captain Cumberland spoke on this item. Commissioner Shell, Commissioner Ingalsbe, Commissioner Smith, and Judge Becerra spoke on this item. A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to authorize the Sheriff's Office to utilize salary savings to pay down vacation accruals for five civilian positions within the Emergency Communications Division. All present voting "Aye." MOTION PASSED

34268 AUTHORIZE THE PURCHASE OF REPLACEMENT COMPUTER EQUIPMENT FOR VARIOUS COUNTY OFFICES AND AMEND THE BUDGET ACCORDINGLY

Commissioner Ingalsbe and Judge Becerra spoke on purchasing new equipment. A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones Discussion and possible action to authorize the purchase of replacement computer equipment for various county offices and amend the budget accordingly. All present voting "Aye." MOTION PASSED

34269 APPROVE THE 2020 SHERIFF & CONSTABLE FEES

A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to approve the 2020 Sheriff & Constable Fees. All present voting "Aye." MOTION PASSED

Mark Kennedy, General Counsel, commented on the \$10,000 limit and the next level up to be changed to \$10,000.01. Commissioner Ingalsbe, and Commissioner Shell spoke on this item. An Amended motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to and approve the 2020 Sheriff & Constable Fees. All present voting "Aye." MOTION PASSED

34270 WAIVE THE HAYS COUNTY PAPER PROCESSING FEE FOR SUBDIVISION SUBMITTALS FROM SEPTEMBER 3RD TO OCTOBER 31ST

Caitlyn Strickland, Development Services, spoke on fee removal for submitting hard copy. Commissioner Ingalsbe spoke on this item. A motion was made by Commissioner Jones seconded by Commissioner Ingalsbe to waive the Hays County paper processing fee for Subdivision submittals from September 3rd to October 31st. All present voting "Aye." MOTION PASSED

34271 CREATE AN ALL-INCLUSIVE CITIZENS' ELECTION COMMISSION TO ESTABLISH A DIVERSE COUNTY WIDE REPRESENTATION

Linda Calvert, League of Women Voters gave a public comment on this item. Alex Villalobos, County Judge Chief of Staff, spoke on this item. Commissioner Smith, Commissioner Ingalsbe, Commissioner Jones, and Judge Becerra spoke on this item. A motion was made by Judge Becerra seconded by Commissioner Shell to create an all-inclusive Citizens' Election Commission to establish a diverse county wide representation. All present voting "Aye." MOTION PASSED

34272 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CONTRACT BETWEEN HAYS COUNTY AND VISIONALITY FOR AUDIOVISUAL IMPROVEMENTS IN THE COMMISSIONERS COURTROOM

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Elaine Cárdenas, County Clerk, and Jeff McGill, IT Director, spoke about the improvements of Visionality and the installation for mid-November. Mark Kennedy, General Counsel commented on an edit in the contract to meet state law. Commissioner Ingalsbe, Commissioner Jones, and Commissioner Smith spoke on this item. **A motion was made by Commissioner Ingalsbe seconded by Commissioner Shell to authorize the County Judge to execute a contract between Hays County and Visionality for audiovisual improvements in the Commissioners Courtroom. All present voting "Aye." MOTION PASSED**

34273 EXECUTE AN AMENDMENT TO THE TYLER TECHNOLOGIES, INC. SOFTWARE MAINTENANCE & LICENSING AGREEMENT AND AMEND THE BUDGET ACCORDINGLY

Jeff McGill, IT Director, and Commissioner Ingalsbe spoke on this item. **A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to execute an Amendment to the Tyler Technologies, Inc. Software Maintenance & Licensing Agreement and amend the budget accordingly. All present voting "Aye." MOTION PASSED**

36 DISCUSSION AND POSSIBLE ACTION REGARDING GUIDELINES AND PROTOCOL FOR COUNTYWIDE AND REGIONAL CONTRACTS NEGOTIATIONS

Mark Kennedy, General Counsel, Commissioner Ingalsbe, Commissioner Shell, Commissioner Jones, Commissioner Smith, and Judge Becerra spoke on this item. No action taken.

37 10:00 A.M. - HOLD A PUBLIC HEARING ON THE FY 2020 PROPOSED TAX INCREASE

Judge Becerra opened the public hearing. There was no public input. Judge Becerra closed the public hearing. Commissioner Ingalsbe, and Commissioner Shell spoke on this item. Vickie Dorsett, Auditors Office gave an update on the material for the proposed tax increase, making note for the announcement of the second Public Hearing on September 10, 2019 at 10AM. Final changes to be made September 17, 2019.

34274 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.072 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE VALUE OF RIGHT OF WAY ALONG AND INCLUDING DACY LANE IN PCT. 2. POSSIBLE ACTION TO FOLLOW IN OPEN COURT

Court convened into Executive Session 11:00 a.m. and reconvened into open court at 11:11 a.m. **A motion was made by Commissioner Jones seconded by Commissioner Ingalsbe to execute a purchase agreement between Hays County and Gary Levinson, related to the purchase of Parcel 56 on Dacy Lane, as presented in executive session. All present voting "Aye." MOTION PASSED**

Clerk's Note Agenda Item #39 RE: *DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION. BECERRA/J.MCINNIS - WAS PULLED*

Clerk's Note Agenda Item #40 RE: *DISCUSSION RELATED TO THE HAYS COUNTY INMATE POPULATION, TO INCLUDE CURRENT POPULATION COUNTS AND COSTS. BECERRA - WAS PULLED*

41 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

Commissioner Shell, Commissioner Ingalsbe, and Judge Becerra spoke on this item. No action taken.

Clerk's Note Agenda Item #42 RE: *DISCUSSION OF ISSUES RELATED TO THE ROAD BOND PROJECTS, INCLUDING UPDATES FROM MIKE WEAVER, PRIME STRATEGIES, WADE BENTON, HNTB AND ALLEN CROZIER, HDR. POSSIBLE ACTION MAY FOLLOW. BECERRA - WAS PULLED*

Clerk's Note Agenda Item #43 RE: *DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW. SHELL - WAS PULLED*



ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Smith to adjourn court at 11:18 a.m.

I, ELAINE H. CÁRDENAS, 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 September 3, 2019.



ELAINE H. CÁRDENAS, COUNTY CLERK AND EXOFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
HAYS COUNTY, TEXAS

