

HAYS COUNTY COMMISSIONERS' COURT MINUTES



NOVEMBER 26, 2019

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 26TH DAY OF NOVEMBER A.D., 2019, IN THE HAYS COUNTY GOVERNMENT CENTER, 712 S. STSGECOACH TRAIL, COURT ROOM 10, 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
ELAINE H. CÁRDENAS	COUNTY CLERK

THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Elder Mike Myers 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

Randolph Goodman, Dan Lyon, and Rodrigo Amaya gave public comments.

1. PRESENTATION OF HAYS COUNTY SERVICE AWARDS.

5 year service awards were presented to Rita Hensley, Sheriff's office, Eddie Odell, Transportation, Lionel Prado, Juvenile Detention Center, Benjamin Gieselmen, Sheriff's office, and Lisa Griffin, County Wide Operations. 10 year service awards were presented to Katie McVaney, District Attorney's office, Allan Noonan, Transportation, and Patricia A. Lopez, Tax Assessor Collector's office. 15 year service awards were presented to Craig S. Gonzales, Transportation, and Patricia Edwards, Sheriff's office. 25 year service awards were presented to Antonio Chavez, Transportation. Retirement Service awards were presented to Richard Lozano Sr., Sheriff's office, Mark McClelland, Transportation, and Sirena Cumberland, Sheriff's office. **No action taken.**

34580 ADOPT A PROCLAMATION DECLARING THE WEEK OF DECEMBER 1ST - 7TH, 2019 AS NATIONAL INFLUENZA VACCINATION WEEK.

Eric Schneider, Epidemiologist with Hays County, recommended anyone over 6 months of age get the flu shot. Commissioner Ingalsbe thanked the Health Department for their work. **A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to adopt a proclamation declaring the week of December 1st - 7th, 2019 as National Influenza Vaccination Week. All present voted "Aye." MOTION PASSED.**

34581 APPROVE PAYMENTS OF COUNTY INVOICES.

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

34582 APPROVE PAYMENTS OF JUROR CHECKS.

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

34583 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS.

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

34584 APPROVE COMMISSIONERS COURT MINUTES OF NOVEMBER 19, 2019.

A motion was made by Commissioner Jones seconded by Commissioner Shell to approve Commissioners Court Minutes of November 19, 2019. All present voted "Aye." **MOTION PASSED.**



34585 RATIFY THE SUBMISSION OF A GRANT APPLICATION TO THE UNITED WAY FOR GREATER AUSTIN FOR GET OUT THE COUNT EFFORTS IN THE AMOUNT OF \$3,000.

A motion was made by Commissioner Jones seconded by Commissioner Shell to ratify the submission of a grant application to the United Way for Greater Austin for Get Out the Count Efforts in the amount of \$3,000. All present voted "Aye." MOTION PASSED.

34586 APPROVE THE REAPPOINTMENTS OF COMMISSIONER DEBBIE GONZALES INGALSBE AND BOBBY WARREN TO THE SAN MARCOS TAX INCREMENT REINVESTMENT ZONE NO. 5 (DOWNTOWN) BOARD OF DIRECTORS, TERM ENDING DECEMBER 31, 2021.

A motion was made by Commissioner Jones seconded by Commissioner Shell to approve the reappointments of Commissioner Debbie Gonzales Ingalsbe and Bobby Warren to the San Marcos Tax Increment Reinvestment Zone No. 5 (downtown) Board of Directors, term ending December 31, 2021. All present voted "Aye." MOTION PASSED.

34587 APPROVE THE REAPPOINTMENT OF COMMISSIONER LON SHELL TO THE SAN MARCOS TAX INCREMENT REINVESTMENT ZONE NO. 4 (KISSING TREE) BOARD OF DIRECTORS, TERM ENDING DECEMBER 31, 2021.

A motion was made by Commissioner Jones seconded by Commissioner Shell to approve the reappointment of Commissioner Lon Shell to the San Marcos Tax Increment Reinvestment Zone No. 4 (Kissing Tree) Board of Directors, term ending December 31, 2021. All present voted "Aye." MOTION PASSED.

34588 ACCEPT THE DELIVERY OF THE INTERNAL EXAMINATION REPORTS FOR THE DISTRICT ATTORNEY'S DRUG FORFEITURE FUND ACCOUNT AND THE ELECTIONS OFFICE.

Wes Mau, District Attorney gave summary of the audit and new procedures going forward. Judge Becerra spoke on this item. Jennifer Anderson, Elections Administrator, spoke on this item. A motion was made by Commissioner Jones seconded by Commissioner Ingalsbe to accept the delivery of the internal examination reports for the District Attorney's Drug Forfeiture Fund Account and the Elections Office. All present voted "Aye." MOTION PASSED.

34589 AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE AUTHORIZED & LICENSED TRAINING PROVIDER QUESTIONNAIRE (APPLICATION) WITH THE AMERICAN RED CROSS TO ALLOW A QUALIFIED TRANSPORTATION DEPARTMENT EMPLOYEE, AS WELL AS OTHER DEPARTMENTS WHO MAY HAVE QUALIFIED INSTRUCTORS, TO CONDUCT FIRST AID & ADULT CPR/AED TRAINING AND CERTIFICATION.

A motion was made by Commissioner Shell seconded by Commissioner Ingalsbe to authorize the County Judge to execute the Authorized & Licensed Training Provider Questionnaire (Application) with the American Red Cross to allow a qualified Transportation Department employee, as well as other departments who may have qualified instructors, to conduct First Aid & Adult CPR/AED Training and Certification. All present voted "Aye." MOTION PASSED.

34590 AUTHORIZE THE SUBMISSION OF A TECHNICAL SUPPORT GRANT APPLICATION TO THE TEXAS INDIGENT DEFENSE COMMISSION FOR THE TEXAS A&M UNIVERSITY, PUBLIC POLICY RESEARCH INSTITUTE FOR THE COUNSEL AT FIRST APPEARANCE - RANDOMIZED CONTROLLED TRIAL.

A motion was made by Commissioner Shell seconded by Commissioner Ingalsbe authorize the submission of a technical support grant application to the Texas Indigent Defense Commission for the Texas A&M University, Public Policy Research Institute for the Counsel at First Appearance - Randomized Controlled Trial. All present voted "Aye." MOTION PASSED.



34591 AMEND THE CONSTABLE PCT. 4 OPERATING BUDGET FOR ADDITIONAL FUNDS REQUIRED FOR VEHICLE REPAIRS TO A 2016 FORD EXPLORER INTERCEPTOR, VIN: 1FMSKBAR5GGB97014.

Constable Hood gave an overview of the vehicle and requested additional funds. A motion was made by Commissioner Jones seconded by Commissioner Ingalsbe to amend the Constable Pct. 4 operating budget for additional funds required for vehicle repairs to a 2016 Ford Explorer Interceptor, VIN: 1FMSKBAR5GGB97014. All present voted "Aye." MOTION PASSED.

34592 AUTHORIZE PAYMENT TO ALAMO GROUP (TX) INC. FOR THE TRANSPORTATION DEPARTMENT IN THE AMOUNT OF \$501.78 FOR VEHICLE MAINTENANCE MATERIALS IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY.

A motion was made by Commissioner Jones seconded by Commissioner Ingalsbe to authorize payment to Alamo Group (TX) Inc. for the Transportation Department in the amount of \$501.78 for vehicle maintenance materials in which no purchase order was issued as required per County Purchasing Policy. All present voted "Aye." MOTION PASSED.

34593 AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO REPAIR DAMAGED LOW WATER CROSSING MONITORING EQUIPMENT IN THE AMOUNT OF \$2,360 FOR THE STANDPIPE RAIN GAGE AT THE CHAPARRAL ROAD LOCATION.

Commissioner Jones spoke on this item. A motion was made by Commissioner Jones seconded by Commissioner Ingalsbe to authorize the Office of Emergency Services to repair damaged Low Water Crossing Monitoring equipment in the amount of \$2,360 for the standpipe rain gage at the Chaparral Road location. All present voted "Aye." MOTION PASSED. All present voted "Aye." MOTION PASSED.

34594 AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO REPAIR DAMAGED LOW WATER CROSSING MONITORING EQUIPMENT IN THE AMOUNT OF \$2,898.98 AT BUNTON LANE LOCATION.

Commissioner Jones spoke on this item. A motion was made by Commissioner Jones seconded by Commissioner Ingalsbe to authorize the Office of Emergency Services to repair damaged Low Water Crossing Monitoring equipment in the amount of \$2,898.98 at Bunton Lane location. All present voted "Aye." MOTION PASSED.

34595 AUTHORIZE PAYMENT TO COMAL COUNTY PRINT SHOP FOR THE DISTRICT COURT'S OFFICE IN THE AMOUNT OF \$633.96 FOR PRINTED MATERIALS IN WHICH NO PURCHASE ORDER WAS ISSUED AS REQUIRED PER COUNTY PURCHASING POLICY.

Commissioner Jones spoke on this item. Steve Thomas, District Court Administrator, spoke about the process of printing through Comal County. A motion was made by Commissioner Shell seconded by Commissioner Ingalsbe to authorize payment to Comal County Print Shop for the District Court's Office in the amount of \$633.96 for printed materials in which no purchase order was issued as required per County Purchasing Policy. All present voted "Aye." MOTION PASSED.

34596 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR OFFICE/WAREHOUSE BUILDING LOCATED AT 14155 HWY 290 WEST, AUSTIN, TEXAS 78737.

A motion was made by Commissioner Shell seconded by Commissioner Ingalsbe to authorize On-Site Sewage Facility Permit for office/warehouse building located at 14155 Hwy 290 West, Austin, Texas 78737. All present voted "Aye." MOTION PASSED.

34597 CALL FOR A PUBLIC HEARING ON DECEMBER 10, 2019 TO REDUCE THE CURRENT SPEED LIMIT OF 45 MPH ON HILLIARD ROAD NEAR VALLEY VIEW WEST DRIVE & NORTHWEST HILLS ROAD TO 40 MPH, WITH ANOTHER REDUCTION TO 30 MPH BEFORE THE ROAD MAKES A CURVE AT THIS INTERSECTION.



Dan Lyon made a public comment on this item. Commissioner Ingalsbe spoke on this item. A motion was made by Commissioner Shell seconded by Commissioner Ingalsbe to call for a public hearing on December 10, 2019 to reduce the current speed limit of 45 MPH on Hilliard Road near Valley View West Drive & Northwest Hills Road to 40 MPH, with another reduction to 30 MPH before the road makes a curve at this intersection. All present voted "Aye." MOTION PASSED.

34598 APPROVE THE PRELIMINARY PLAN. SUB-1277; SHEKINAH GROVE SUBDIVISION (3 LOTS).

Colby Machacek, Development Services, gave full staff recommendation and no variances. A motion was made by Commissioner Shell seconded by Commissioner Jones to approve the preliminary plan, SUB-1277; Shekinah Grove Subdivision (3 Lots). All present voted "Aye." MOTION PASSED.

34599 AWARD RFQ 2019-P06 SH 21 CORRIDOR PRESERVATION STUDY TO HDR ENGINEERING, INC. AND AUTHORIZE STAFF AND GENERAL COUNSEL TO NEGOTIATE A CONTRACT.

Commissioner Ingalsbe spoke on this item. A motion was made by Commissioner Jones seconded by Commissioner Ingalsbe to award RFQ 2019-P06 SH 21 Corridor Preservation Study to HDR Engineering, Inc. and authorize staff and General Counsel to negotiate a contract. All present voted "Aye." MOTION PASSED.

34600 APPROVE THE APPOINTMENTS OF JODI STEEN AND SARAH HALL TO THE HAYS COUNTY CHILD PROTECTIVE BOARD, 3 YEAR TERM ENDING 12/31/22.

A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to approve the appointments of Jodi Steen and Sarah Hall to the Hays County Child Protective Board, 3 year term ending 12/31/22. All present voted "Aye." MOTION PASSED.

34601 GRANT A VARIANCE FROM SECTION 715.4.01 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS AND ALLOW ISSUANCE OF DEVELOPMENT PERMIT AND ON-SITE SEWAGE FACILITY PERMIT TO THE OWNER OF A 2.918 ACRE PARCEL.

Colby Machacek gave an updated to the court about the property owners. Commissioner Shell thanked the Development services staff for their help with the citizens of Hays County. A motion was made by Commissioner Shell seconded by Commissioner Jones to grant a variance from Section 715.4.01 of the Hays County Development Regulations and allow issuance of development permit and on-site sewage facility permit to the owner of a 2.918 acre parcel. All present voted "Aye." MOTION PASSED.

34602 AUTHORIZE OSSF PERMIT AND GRANT A VARIANCE TO SECTION 10-W(6) OF THE HAYS COUNTY RULES FOR ON-SITE SEWAGE FACILITIES AT 5500 W HWY 290, DRIPPING SPRINGS, TEXAS 78620.

Caitlyn Strickland, Development services, spoke on this item. A motion was made by Commissioner Shell seconded by Commissioner Jones to authorize OSSF Permit and grant a variance to Section 10-W(6) of the Hays County Rules for On-Site Sewage Facilities at 5500 W Hwy 290, Dripping Springs, Texas 78620. All present voted "Aye." MOTION PASSED.

34603 AUTHORIZE STAFF TO EXPEND THE FUNDS FROM RECORDS MANAGMENT TO FIX THE AUDIO ON A TEMPORARY BASIS.

Mark Kennedy, General Counsel, spoke on this item. A motion was made by Commissioner Ingalsbe seconded by Commissioner Jones to authorize staff to expend the funds from Records Management to fix the audio on a temporary basis. All present voted "Aye." MOTION PASSED.

26. ESTABLISH TIMES AND LOCATIONS OF COMMISSIONERS COURT DATES DURING DECEMBER 2019 AND JANUARY 2020, WITH CONSIDERATION FOR THE ONGOING CONDITION OF THE COMMISSIONERS COURTROOM AT THE HISTORIC COURTHOUSE, LOCATED AT 111 E. SAN ANTONIO STREET IN SAN MARCOS.

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Judge Becerra announced Commissioners' court will be held December 10, 2019 at the historic Courthouse. He thanked Steve Thomas, District court administrator for allowing use of the space. **No action taken.**

Court convened into Executive Session 9:48 a.m. Then reconvened into open court at 10:37 a.m.

27. **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 REGARDING PARKS AND OPEN SPACE WITHIN HAYS COUNTY. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT.**

No action taken.

28. **EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING PENDING AND/OR CONTEMPLATED LITIGATION INVOLVING HAYS COUNTY. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT.**

No action taken.

29. **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 DACY LANE IN PCT 2. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT.**

No action taken.

30. **EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING ECONOMIC DEVELOPMENT INCENTIVE AGREEMENTS, PAST AND FUTURE, INVOLVING HAYS COUNTY. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT.**

No action taken.

31. **EXECUTIVE SESSION PURSUANT TO 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL REGARDING THE HAYS COUNTY AGREEMENT WITH VISIONALITY AND SWAGIT PRODUCTIONS, LLC, RELATED TO AUDIO/VISUAL HARDWARE AND LIVE STREAMING SERVICES. POSSIBLE ACTION MAY FOLLOW IN OPEN COURT.**

No action taken.

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

Judge Becerra announced Scott Raven, Fire Marshall, recommendation to keep the burn ban lifted. **No action was taken.**

- 33 **DISCUSSION RELATED TO THE HAYS COUNTY INMATE POPULATION, TO INCLUDE CURRENT POPULATION COUNTS AND COSTS.**

Judge Becerra gave an update for the inmate population. **No action was taken.**

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Clerk's Note Agenda Item #34 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.*

Clerk's Note Agenda Item #35 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 - WAS PULLED.*

Clerk's Note Agenda Item #36 RE: *DISCUSSION OF ISSUES RELATED TO ELECTRO PURIFICATION INCLUDING UPDATES ON THE FILED APPLICATION. POSSIBLE ACTION MAY FOLLOW - WAS PULLED.*

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Commissioner Smith to adjourn court at 10:42 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 November 26, 2019.



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

