

HAYS COUNTY COMMISSIONERS' COURT MINUTES



JANUARY 21, 2020

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 21TH DAY OF JANUARY A.D., 2020, 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
MARK JONES	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
WALT SMITH	COMMISSIONER, PCT. 4
ELAINE H. CÁRDENAS	COUNTY CLERK

Clerk's Note: For complete transcript go to Hays County Website
<https://hayscountytexas.com/commissioners-court/court-video/>
Transcript can be translated into any language through Google.com.

THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Chaplain Javier Maldonado 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

No public comments were made.

34761 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.

34762 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.

Clerk's Note Agenda Item #3 RE: APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS. – WAS PULLED.

34763 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR THE DEER CREEK RANCH PARKS & LAKES HOA LOCATED AT 655 PANORAMA DRIVE, DRIPPING SPRINGS, TEXAS 78620.

A motion was made by Commissioner Jones seconded by Commissioner Shell to authorize On-Site Sewage Facility Permit for the Deer Creek Ranch Parks & Lakes HOA located at 655 Panorama Drive, Dripping Springs, Texas 78620. All present voted "Aye." MOTION PASSED.

34764 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR 8 LONG-TERM RENTAL TINY HOMES (P-W) AT 3411 ELDER HILL ROAD, DRIFTWOOD, TEXAS 78619.

A motion was made by Commissioner Jones seconded by Commissioner Shell to authorize On-Site Sewage Facility Permit for 8 long-term rental tiny homes (P-W) at 3411 Elder Hill Road, Driftwood, Texas 78619. All present voted "Aye." MOTION PASSED.

34765 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR 4 LONG-TERM RENTAL TINY HOMES (H-K) AT 3411 ELDER HILL ROAD, DRIFTWOOD, TEXAS 78619.



A motion was made by Commissioner Jones seconded by Commissioner Shell to authorize On-Site Sewage Facility Permit for 4 long-term rental tiny homes (H-K) at 3411 Elder Hill Road, Driftwood, Texas 78619. All present voted "Aye." MOTION PASSED.

34766 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR A MEDITATION & YOGA STUDIO WITH YURT LOCATED 9002 BEAR CREEK DRIVE, AUSTIN, TEXAS 78737.

A motion was made by Commissioner Jones seconded by Commissioner Shell to authorize On-Site Sewage Facility Permit for a Meditation & Yoga studio with yurt located 9002 Bear Creek Drive, Austin, Texas 78737. All present voted "Aye." MOTION PASSED.

34767 AUTHORIZE THE ENROLLMENT AND REQUIREMENT OF ALL HAYS COUNTY EMPLOYEES AND ELECTED OFFICIALS WHO HAVE ACCESS TO A LOCAL GOVERNMENT COMPUTER SYSTEM OR DATABASE TO COMPLETE A CYBERSECURITY TRAINING PROGRAM CERTIFIED BY THE TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR) AT LEAST ANNUALLY.

A motion was made by Commissioner Jones seconded by Commissioner Shell to authorize the enrollment and requirement of all Hays County employees and elected officials who have access to a local government computer system or database to complete a cybersecurity training program certified by the Texas Department of Information Resources (DIR) at least annually. All present voted "Aye." MOTION PASSED.

34768 AUTHORIZE THE EXECUTION OF RESOLUTION AND GRANT APPLICATION SUBMITTAL TO THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANTS DIVISION FOR THE HAYS COUNTY HAZMAT TEAM MONITOR MAINTENANCE PROJECT IN THE AMOUNT OF \$20,000.

A motion was made by Commissioner Shell seconded by Commissioner Jones to authorize the execution of Resolution and grant application submittal to the Office of the Governor, Homeland Security Grants Division for the Hays County HazMat Team Monitor Maintenance project in the amount of \$20,000. All present voted "Aye." MOTION PASSED.

34769 AUTHORIZE THE EXECUTION OF RESOLUTION AND GRANT APPLICATION SUBMITTAL TO THE OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANTS DIVISION FOR THE HAYS COUNTY HAZMAT TEAM CAPABILITY IMPROVEMENTS PROJECT IN THE AMOUNT OF \$82,840.40.

A motion was made by Commissioner Shell seconded by Commissioner Jones to authorize the execution of Resolution and grant application submittal to the Office of the Governor, Homeland Security Grants Division for the Hays County HazMat Team Capability Improvements project in the amount of \$82,840.40. All present voted "Aye." MOTION PASSED.

34770 AUTHORIZE THE DISTRICT ATTORNEY'S OFFICE TO PURCHASE OFFICE FURNITURE FOR \$5,398 TWO (2) NEW EMPLOYEES APPROVED DURING THE FY20 BUDGET PROCESS UTILIZING THE DA DISCRETIONARY FUNDS AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Shell seconded by Commissioner Jones to authorize the District Attorney's Office to purchase office furniture for \$5,398 two (2) new employees approved during the FY20 budget process utilizing the DA Discretionary Funds and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

34771 APPROVE A REVISED FY 2020 VEHICLE SCHEDULE FOR THE SHERIFF'S OFFICE DUE TO AN INCREASE IN LAW ENFORCEMENT EQUIPMENT AND INSTALLATION FEES.



A motion was made by Commissioner Shell seconded by Commissioner Jones to approve a revised FY 2020 vehicle schedule for the Sheriff's Office due to an increase in law enforcement equipment and installation fees. All present voted "Aye." MOTION PASSED.

34772 AUTHORIZE THE SHERIFF'S OFFICE TO PURCHASE TWO (2) REPLACEMENT STALKER RADARS AND ONE (1) NEW PUSH BUMPER VALUED AT \$6,543 UTILIZING IDENTIFIED EQUIPMENT SAVINGS AND AMEND THE BUDGET ACCORDINGLY.

Judge Becerra spoke about the Sheriff's office and the need to purchase the items to be replaced on their vehicles. A motion was made by Commissioner Shell seconded by Commissioner Jones to authorize the Sheriff's Office to purchase two (2) replacement Stalker Radars and one (1) new Push Bumper valued at \$6,543 utilizing identified equipment savings and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

34773 AMEND VARIOUS DEPARTMENTAL OPERATING BUDGETS IN PREPARATION FOR THE COUNTY'S FY 2019 YEAR-END PROCESS.

Judge Becerra spoke about this item. A motion was made by Commissioner Shell seconded by Commissioner Jones to amend various departmental operating budgets in preparation for the County's FY 2019 year-end process. All present voted "Aye." MOTION PASSED.

34774 AUTHORIZE THE PURCHASE OF CONSUMABLE ITEMS FOR CENSUS COMPLETE COUNT (CCC) COMMITTEE MEETINGS AND EVENTS FOR THE PERIOD OF JANUARY THROUGH JUNE 2020 IN THE AMOUNT OF \$1,300 AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Shell seconded by Commissioner Jones to authorize the purchase of consumable items for Census Complete Count (CCC) Committee Meetings and Events for the period of January through June 2020 in the amount of \$1,300 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

34775 RELEASE OF THE MAINTENANCE BOND #EACX0880000028 IN THE AMOUNT OF \$140,012.47, AND THE ACCEPTANCE OF ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR STONEFIELD SUBDIVISION, SECTION 11.

Commissioner Jones announced this item has staff recommendation by Jerry Borchering, Director of Transportation. A motion was made by Commissioner Jones seconded by Commissioner Smith to release of the maintenance bond #EACX0880000028 in the amount of \$140,012.47, and the acceptance of roads into the county road maintenance system for Stonefield subdivision, Section 11. All present voted "Aye." MOTION PASSED.

34776 SELECT DOUCET & ASSOCIATES TO PERFORM ALL NECESSARY DESIGN SERVICES AND INVESTIGATIONS RELATED TO PROVIDING ADDITION OF PARKING AREA FOR THE PCT. 2 OFFICES ON FM 2770; AND AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT.

Commissioner Jones spoke about the need for additional parking at the Precinct 2 building, especially during voting. A motion was made by Commissioner Jones seconded by Commissioner Shell to select Doucet & Associates to perform all necessary design services and investigations related to providing addition of parking area for the Pct. 2 offices on FM 2770; and authorize staff and counsel to negotiate a contract. All present voted "Aye." MOTION PASSED.

Clerk's Note Agenda Item #18 RE: DISCUSSION AND POSSIBLE ACTION TO CONSIDER THE ACCEPTANCE OF ROAD CONSTRUCTION & DRAINAGE IMPROVEMENTS, AND THE 2-YEAR MAINTENANCE BOND #PB03016800230M IN THE AMOUNT OF \$121,243.00, FOR THE CAMPO DEL SOL PARKWAY EXTENSION/TURNERSVILLE RD PROJECT. - WAS PULLED.



34777 **AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT (PSA) WITH HDR, INC. FOR CORRIDOR PRESERVATION STUDY SERVICES ON THE SH 21 CORRIDOR IMPROVEMENTS PROJECT FROM US 183 TO THE EXISTING 5-LANE SECTION IN SAN MARCOS AS PART OF THE HAYS COUNTY 2016 ROAD BOND PROGRAM.**

Commissioner Jones said this was a dangerous area for drivers and this item would be a big help to improve the area. A motion was made by Commissioner Jones seconded by Commissioner Smith to authorize the County Judge to execute a Professional Services Agreement (PSA) with HDR, Inc. for Corridor Preservation Study services on the SH 21 Corridor Improvements Project from US 183 to the existing 5-lane section in San Marcos as part of the Hays County 2016 Road Bond Program. All present voted "Aye." MOTION PASSED.

Clerk's Note Agenda Item #20 RE: *DISCUSSION AND POSSIBLE ACTION TO ACCEPT FISCAL SURETY FOR THE CONSTRUCTION OF STREET IMPROVEMENTS IN THE AMOUNT OF \$2,133,227.50 (BOND #PRF9284034) AND DRAINAGE, WATER, WASTEWATER, AND UTILITY IMPROVEMENTS IN THE AMOUNT OF \$1,921,758.00 (BOND #PRF9284032) FOR SUNFIELD, PHASE THREE, SECTION FIVE B. – WAS PULLED.*

Clerk's Note Agenda Item #21 RE: *DISCUSSION AND POSSIBLE ACTION TO ACCEPT FISCAL SURETY FOR THE CONSTRUCTION OF MASS AND GRADING IMPROVEMENTS IN THE AMOUNT OF \$940,187.00 (BOND #PRF9284033) FOR SUNFIELD, PHASE THREE, SECTION FIVE C. – WAS PULLED.*

34778 **SELECT K FRIESE, & ASSOCIATES TO PERFORM ALL RELATED PLANNING AND ENGINEERING SERVICES NEEDED FOR UPDATING THE HAYS COUNTY TRANSPORTATION PLAN; AND AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT.**

Commissioner Smith mentioned that the current plan is out of date and this would bring Hays County up to date. Commissioner Jones asked Jerry Borcharding, Director of Transportation, when was the last update. Mr. Borcharding stated last update was 2016. A motion was made by Commissioner Smith seconded by Commissioner Jones to select K Friese, & Associates to perform all related planning and engineering services needed for updating the Hays County Transportation Plan; and authorize staff and counsel to negotiate a contract. All present voted "Aye." MOTION PASSED.

34779 **AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER #1 IN THE AMOUNT OF \$7,316 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND MYERS CONCRETE CONSTRUCTION FOR THE ELECTIONS PUBLIC ENTRANCE REMODEL PROJECT AND AMEND THE BUDGET ACCORDINGLY.**

Judge Becerra announced that he had visited the site for the remodeling. He announced that Tammy Crumley, County Wide Operations, has given staff recommendation. A motion was made by Commissioner Jones seconded by Commissioner Smith to authorize the County Judge to execute Change Order #1 in the amount of \$7,316 to the Professional Services Agreement between Hays County and Myers Concrete Construction for the Elections Public Entrance Remodel project and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

34780 **AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN \$8,000 GRANT AWARD CONTRACT WITH THE UNITED WAY FOR GREATER AUSTIN FOR THE CENTRAL TEXAS 2020 GET-OUT-THE-COUNT EFFORTS AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Shell seconded by Commissioner Jones to authorize the County Judge to execute an \$8,000 Grant Award Contract with the United Way for Greater Austin for the Central Texas 2020 Get-Out-The-Count Efforts and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

34781 **UTILIZE BUDGETED FUNDS TO ESTABLISH A MAGISTRATION DIVISION SERVING BOTH THE DISTRICT COURTS AND THE COUNTY COURTS AT LAW AND BUDGETED UNDER THE**



UMBRELLA OF THE DISTRICT COURTS, TO INCLUDE ONE (1) NEW ASSOCIATE JUDGE, ONE (1) NEW JUSTICE CLERK, CONTRACTING FOR MAGISTRATION, OPERATING SUPPLIES AND EQUIPMENT AND AMEND THE BUDGET ACCORDINGLY.

Commissioner Shell spoke about the planning for these positions. Judge Becerra gave an overview of the magistration system as well as the hiring process for these positions. Judge Becerra said only Hays County Judges would be selecting the people to fill these roles. Commissioner Smith complimented Commissioner Ingalsbe and Commissioner Shell for their work on this item. Steve Thomas, District Court Administrator was present in court. He said a person had already been selected, but that the name would not be announced as the person had not been notified yet. The Court thanked Mr. Thomas for his availability to answer questions, as well as for his assistance in previous weeks scheduling court rooms for Commissioners' Court while the Courthouse was under renovation. **A motion was made by Commissioner Shell seconded by Commissioner Jones to utilize budgeted funds to establish a Magistration Division serving both the District Courts and the County Courts at Law and budgeted under the umbrella of the District Courts, to include one (1) new Associate Judge, one (1) new Justice Clerk, Contracting for Magistration, operating supplies and equipment and amend the budget accordingly. All present voted "Aye." MOTION PASSED.**

Clerk's Note Agenda Item #26 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.*

27 DISCUSSION RELATED TO THE HAYS COUNTY INMATE POPULATION, TO INCLUDE CURRENT POPULATION COUNTS AND COSTS.

Judge Becerra read the Sheriff's report on the number of inmates housed in Hays County and the number outsourced. Outsourcing cost from January 12 through January 18 was \$86,353.00.

Clerk's Note Agenda Item #28 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 #29 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 #30 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 Shell to adjourn court at 9:20 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 January 21, 2020.



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

