

HAYS COUNTY COMMISSIONERS' COURT MINUTES



JUNE 23, 2020

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 23rd DAY OF JUNE 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
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
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.

WITH COMMISSIONER PCT. 2 MARK JONES BEING ABSENT AND THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Chaplain Javier Maldonado, of 7th Day Adventist Church, read a letter submitted by Lisa Strauss of Buda United Methodist Church. 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

Dan Lyon, Hays County resident, made public comments regarding financial trouble for Hays County citizens and he read the County disbursements. Rodrigo Amaya, Hays County resident, made public comments expressing concerns about County Judges.

UPDATE FROM THE COUNTY JUDGE AND STAFF REGARDING THE LOCAL DISASTER DECLARATION AND COVID-19. POSSIBLE DISCUSSION AND ACTION MAY FOLLOW.

Alex Villalobos, Emergency Management Coordinator and Chief of Staff, spoke to the Court regarding testing sites and future testing locations. Discussion was had about coordination between Hays County and surrounding municipalities to conduct testing, preparation for returning college students, and CARES Act funding. Tammy Crumley, County Wide Operations Director, and the Court discussed Covid-19 testing sites regarding wait times and space needed for testing. The Court also discussed communicating to the public which County offices are reopened. Captain Julie Villalpando, Sheriff's office, stated there are 36 inmates and 9 Corrections officers that have tested positive for Covid-19 despite their best efforts to keep the facility clean and sanitized. Captain Villalpando spoke about the difficulties to maintain social distancing within the jail. Discussion was had about the outsourcing of inmates since other counties are experiencing positive cases and are not allowing additional inmates. **No action was taken.**

35275 UPDATE FROM THE HAYS COUNTY PARKS AND OPEN SPACE ADVISORY COMMISSION ("POSAC"), REGARDING THEIR PROGRESS PURSUANT TO THE CHARTER ADOPTED BY THE COMMISSIONERS COURT. POSSIBLE ACTION MAY FOLLOW TO MODIFY TIMELINES WITHIN THE CHARTER.

Scott Wade and Karen Ford presented to the Court regarding many of the project that POSAC has worked on. They stated the deadline to determine if they will be added to the bond is August 17, 2020. At that time, they will present their recommendations to the Court. Discussion was had about possibly postponing the bond election due to economic impact of Covid-19. Mark Kennedy, General Counsel, noted the motion made will need to be modified in Section 7 in the Charter and would then allow POSAC to modify their bylaws adopted. **A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to extend the deadline for the final report within the charter from the POSAC from July 14th to July 28th. All present voted "Aye."** MOTION PASSED.

Clerk's Note: Judge Becerra called for a break that began at 11:52 a.m. and resumed back into open court at 12:03 p.m.

**35276 APPROVE PAYMENTS OF COUNTY INVOICES.**

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

35277 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS.

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

35278 APPROVE COMMISSIONERS COURT MINUTES OF JUNE 9, 2020.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve Commissioners Court Minutes of June 9, 2020. All present voted "Aye." MOTION PASSED.

35279 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR AN AUTOMOTIVE DETAILING SHOP LOCATED AT 970 N. SUNSET CANYON DR., DRIPPING SPRINGS, TX 78620.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize On-Site Sewage Facility Permit for an Automotive Detailing Shop located at 970 N. Sunset Canyon Dr., Dripping Springs, TX 78620. All present voted "Aye." MOTION PASSED.

35280 AUTHORIZE THE COUNTY AND DISTRICT CLERK'S OFFICE TO ENTER INTO A PARTICIPATION AGREEMENT WITH TYLER TECHNOLOGIES AND RE:SEARCHTX TO USE THE DOCUMENT SEARCH/RETRIEVAL PORTAL.

Beverly Crumley, District Clerk, spoke to the Court regarding the re:SearchTX portal and the public use of the document search. She explained the different access tiers for the documents, as well as the revenue to the County for the sale of the documents. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County and District Clerk's office to enter into a Participation Agreement with Tyler Technologies and re:SearchTX to use the document search/retrieval portal. All present voted "Aye." MOTION PASSED.

35281 AUTHORIZE ON-SITE SEWAGE FACILITY FOR THE HOWARD RANCH STARDUST LOCATED AT 529 CYPRESS DRIVE, DRIFTWOOD, TEXAS 78619.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize On-Site Sewage Facility for the Howard Ranch Stardust located at 529 Cypress Drive, Driftwood, Texas 78619. All present voted "Aye." MOTION PASSED.

Clerk's Note Agenda Item #9 RE: *AUTHORIZE THE BUILDING MAINTENANCE DEPARTMENT TO HAVE CHAMBERLIN ROOFING & WATERPROOFING REPAIR TWO EXTERIOR WALLS OF THE JACOBS WELL NATURE CENTER THAT WERE DAMAGED IN RECENT FLOODING. - WAS PULLED.*

35282 AUTHORIZE ON-SITE SEWAGE FACILITY FOR ORENDER COMPANY INC./DITCH WITCH OF CENTRAL TEXAS, 14951 N IH-35, BUDA, TEXAS 78610.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize On-Site Sewage Facility for Orender Company Inc./Ditch Witch of Central Texas, 14951 N IH-35, Buda, Texas 78610. All present voted "Aye." MOTION PASSED.

35283 AUTHORIZE THE BUILDING MAINTENANCE DEPARTMENT TO PURCHASE AND HAVE INSTALLED A REPLACEMENT COMMERCIAL GRADE GAS WATER HEATER LOCATED AT THE GOVERNMENT CENTER AND AMEND THE BUDGET ACCORDINGLY.



A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Building Maintenance Department to purchase and have installed a replacement commercial grade gas water heater located at the Government Center and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

35284 AUTHORIZE A BUDGET AMENDMENT FOR THE BUILDING MAINTENANCE DEPARTMENT TO COVER ADDITIONAL EXPENSES RELATED TO THE PCT 3 AIR HANDLER UNIT REPLACEMENT.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize a budget amendment for the Building Maintenance Department to cover additional expenses related to the PCT 3 Air Handler Unit replacement. All present voted "Aye." MOTION PASSED.

35285 AUTHORIZE THE COUNTY JUDGE TO EXECUTE THREE TEXAS WORKFORCE COMMISSION DATA EXCHANGE REQUESTS AND SAFEGUARD PLANS RELATED TO THE COUNTY'S INFORMATION RELEASE CONTRACT.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute three Texas Workforce Commission Data Exchange Requests and Safeguard Plans related to the County's Information Release Contract. All present voted "Aye." MOTION PASSED.

35286 AUTHORIZE THE PURCHASE OF 10 SURVEILLANCE CAMERAS UTILIZING THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS) PUBLIC HEALTH EMERGENCY PREPAREDNESS (PHEP) HAZARD GRANT FUNDS AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the purchase of 10 Surveillance Cameras utilizing the Department of State Health Services (DSHS) Public Health Emergency Preparedness (PHEP) Hazard grant funds and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

35287 RATIFY THE ACCEPTANCE OF A SKYDIO 2 PRO KIT - NO BEACON DRONE TO THE SHERIFF'S OFFICE HURT PROGRAM (HAYS UNMANNED ROBOTICS TEAM) AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to ratify the acceptance of a Skydio 2 Pro Kit - No Beacon Drone to the Sheriff's Office HURT Program (Hays Unmanned Robotics Team) and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

35288 RATIFY THE ACCEPTANCE OF A DONATION OF \$500.00 TO THE SHERIFF'S OFFICE COMMUNITY OUTREACH DIVISION AND AMEND THE BUDGET ACCORDINGLY.

Commissioner Smith thanked the organizations for their donations to the Sheriff's office. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to ratify the acceptance of a donation of \$500.00 to the Sheriff's Office Community Outreach Division and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

35289 RATIFY THE ACCEPTANCE OF HOSPITAL GRADE DISINFECTING WIPES TO THE HAYS COUNTY SHERIFF'S OFFICE PATROL DIVISION, VALUED AT \$2,880.00 AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to ratify the acceptance of hospital grade disinfecting wipes to the Hays County Sheriff's Office Patrol Division, valued at \$2,880.00 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

35290 AUTHORIZE THE ACCEPTANCE OF A GRANT AWARD FROM THE OFFICE OF THE ATTORNEY GENERAL TO THE SHERIFF'S OFFICE CRIMINAL INVESTIGATION DIVISION FOR THE INVESTIGATIONS OF INTERNET CRIMES AGAINST CHILDREN (ICAC) AND AMEND THE BUDGET ACCORDINGLY.

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A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the acceptance of a grant award from The Office of the Attorney General to the Sheriff's Office Criminal Investigation Division for the investigations of Internet Crimes Against Children (ICAC) and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

35291 AUTHORIZE THE EXECUTION OF THE FY 2020 GRANT AGREEMENT WITH THE U.S. DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION FOR OVERTIME REIMBURSEMENTS RELATED TO THE SHERIFF'S OFFICE ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCE (OCDETF) AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the execution of the FY 2020 Grant Agreement with the U.S. Department of Justice, Drug Enforcement Administration for overtime reimbursements related to the Sheriff's Office Organized Crime Drug Enforcement Task Force (OCDETF) and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

35292 APPROVE SPECIFICATIONS FOR RFP 2020-P01 HVAC - MAINTENANCE AND REPAIR SERVICES COUNTYWIDE AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSALS AND ADVERTISE.

Judge Becerra stated this is a chance to open to a more universal AC repair. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve specifications for RFP 2020-P01 HVAC - Maintenance and Repair Services Countywide and authorize Purchasing to solicit for proposals and advertise. All present voted "Aye." MOTION PASSED.

35293 APPROVE SPECIFICATIONS FOR RFP 2020-P13 ELECTION FORM PRINTING SERVICES AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSALS AND ADVERTISE.

Judge Becerra thanked Jennifer Anderson for her effort in putting together this agenda item. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve specifications for RFP 2020-P13 Election Form Printing Services and authorize Purchasing to solicit for proposals and advertise. All present voted "Aye." MOTION PASSED.

35294 AUTHORIZE THE VETERAN'S ADMINISTRATION OFFICE TO PURCHASE ONE NEW DELL LATITUDE 5400 LAPTOP VALUED AT \$1,050.16 AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Veteran's Administration Office to purchase one new Dell Latitude 5400 Laptop valued at \$1,050.16 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

35295 APPROVE UTILITY PERMITS.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve Utility Permits. All present voted "Aye." MOTION PASSED.

35296 RATIFY THE SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF JUSTICE PROGRAMS FOR THE BULLETPROOF VEST PARTNERSHIP (BVP) FY2020 IN THE AMOUNT OF \$40,959.12 TO ASSIST WITH THE PURCHASE OF BULLETPROOF VESTS.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to ratify the submission of a grant application to the Office of Justice Programs for the Bulletproof Vest Partnership (BVP) FY2020 in the amount of \$40,959.12 to assist with the purchase of bulletproof vests. All present voted "Aye." MOTION PASSED.



35297 AUTHORIZE THE COUNTY JUDGE TO EXECUTE PROPOSALS WITH LCRA FOR THE PURCHASE OF (12) NEW DISPATCH CONSOLES, DESKTOP RADIOS AND RELATED EQUIPMENT AND TO MOVE (6) EXISTING DISPATCH CONSOLES AND RELATED EQUIPMENT FOR THE PUBLIC SAFETY BOND PROJECTS.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute Proposals with LCRA for the purchase of (12) new dispatch consoles, desktop radios and related equipment and to move (6) existing dispatch consoles and related equipment for the Public Safety Bond projects. All present voted "Aye." MOTION PASSED.

35298 AUTHORIZE THE COUNTY JUDGE TO EXECUTE ADDITIONAL SERVICE REQUESTS #01 WITH LACKEY DE CARVAJAL FOR COMMISSIONING AND TEST AND BALANCE SERVICES FOR THE PUBLIC SAFETY BOND PROJECTS.

Commissioner Ingalsbe noted this item is related to the smoke evacuation system. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute Additional Service Requests #01 with Lackey de Carvajal for Commissioning and Test and Balance services for the Public Safety Bond projects. All present voted "Aye." MOTION PASSED.

35299 AUTHORIZE THE COUNTY JUDGE TO EXECUTE PROPOSALS WITH MARATHON FITNESS FOR TRAINING EQUIPMENT FOR THE PUBLIC SAFETY BOND PROJECTS AND AMEND THE BUDGET ACCORDINGLY.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute Proposals with Marathon Fitness for training equipment for the Public Safety Bond projects and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

35300 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A CHANGE ORDER NO. 3 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN HAYS COUNTY AND K FRIESE & ASSOCIATES, INC. ON THE LIME KILN ROAD SAFETY AND DRAINAGE IMPROVEMENTS PROJECT AS PART OF THE 2016 ROAD BOND PROGRAM AND AMEND THE BUDGET ACCORDINGLY.

Commissioner Smith stated this is part of the 2016 road bond project. Mark Kennedy, General Counsel noted that the Auditor office the Court to add a finding under exemption per Local Government Code 262.04 (a)(4) for Professional Services Agreement. A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute a Change Order No. 3 to the Professional Services Agreement between Hays County and K Friese & Associates, Inc. on the Lime Kiln Road Safety and Drainage Improvements project as part of the 2016 Road Bond Program and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

35301 ESTABLISH A "NO PARKING" ZONE ON EACH SIDE OF G W HASCHKE LANE FOR BOTH SIDES OF THE BLANCO RIVER.

Dan Lyon, Hays County resident, made public comments against the "No Parking" zone. Judge Becerra opened the public hearing at 10:58 a.m. Dan Lyon, Hays County resident, spoke during the public hearing. He asked for clarification on the credit earned by the County and to inquire the ownership of the County for the mentioned property. Judge Becerra closed the public hearing at 11:01 a.m. Mark Kennedy stated the County owns 30 feet of right of way on that roadway. A motion was made by Commissioner Shell, seconded by Commissioner Smith to establish a "No Parking" zone on each side of G W Haschke Lane for both sides of the Blanco River. All present voted "Aye." MOTION PASSED.

35302 RELEASE THE MAINTENANCE BOND #CA2370398 IN THE AMOUNT OF \$74,231.70, AND THE ACCEPTANCE OF ROADS INTO THE COUNTY ROAD MAINTENANCE SYSTEM FOR WINDY HILL 24 AC SUBDIVISION.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to release the maintenance bond #CA2370398 in the amount of \$74,231.70, and the acceptance of roads into the county road maintenance system for Windy Hill 24 AC subdivision. All present voted "Aye." MOTION PASSED.



35303 ACCEPT THE MAINTENANCE BOND EXTENSION #1848963 FOR TWO MONTHS FOR SHADOW CREEK SUBD., PHASE 9, SECTION 2.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept the maintenance bond extension #1848963 for two months for Shadow Creek Subd., Phase 9, Section 2. All present voted "Aye." MOTION PASSED.

35304 ACCEPT THE ROAD CONSTRUCTION & DRAINAGE IMPROVEMENTS, RELEASE OF THE SUBDIVISION BOND #80171662 FOR \$1,127,372.10, AND ACCEPT THE 2-YEAR MAINTENANCE BOND #064819K IN THE AMOUNT OF \$130,086.89 FOR THE TRAILS AT WINDY HILL SUBD., PHASE 1.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept the road construction & drainage improvements, release of the subdivision bond #80171662 for \$1,127,372.10, and accept the 2-year maintenance bond #064819K in the amount of \$130,086.89 for the Trails at Windy Hill subd., Phase 1. All present voted "Aye." MOTION PASSED.

35305 SELECT DOUCET & ASSOCIATES FOR CIVIL ENGINEERING DESIGN SERVICES, BINKLEY & BARFIELD INC. FOR UTILITY COORDINATION, AND LJA FOR ROW ACQUISITION SERVICES FOR THE DARDEN HILL/SAWYER RANCH ROAD INTERSECTION ROUND-ABOUT PROJECT AND AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT.

Commissioner Smith this project is needed as this a dangerous area for the new school. A motion was made by Commissioner Smith, seconded by Commissioner Shell to select Doucet & Associates for Civil Engineering Design Services, Binkley & Barfield Inc. for Utility Coordination, and LJA for ROW Acquisition Services for the Darden Hill/Sawyer Ranch Road Intersection Round-About project and authorize staff and counsel to negotiate a contract. All present voted "Aye." MOTION PASSED.

35306 SELECT COBB, FENDLEY & ASSOCIATES, INC. TO PROVIDE UTILITY COORDINATION SERVICES FOR RM 967 SAFETY TURN LANES (BUDA SPORTS COMPLEX DRIVE, HAYS CISD HIGH SCHOOL NO. 3, AND OAK FOREST DRIVE INTERSECTIONS) IN PRECINCT 2; AND TO AUTHORIZE STAFF AND COUNSEL TO NEGOTIATE A CONTRACT.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to select Cobb, Fendley & Associates, Inc. to provide utility coordination services for RM 967 Safety Turn Lanes (Buda Sports Complex Drive, Hays CISD High School No. 3, and Oak Forest Drive Intersections) in Precinct 2; and to authorize staff and counsel to negotiate a contract. All present voted "Aye." MOTION PASSED.

35307 AWARD CONTRACT IFB 2020-B10 METAL BEAM GUARD FENCE (MBGF) MATERIALS TO TEXAS CORRUGATORS.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to award contract IFB 2020-B10 Metal Beam Guard Fence (MBGF) Materials to Texas Corrugators. All present voted "Aye." MOTION PASSED.

35308 AMEND THE JANITORIAL SERVICE AGREEMENT BETWEEN HAYS COUNTY AND PBS OF TEXAS FOR ADDITIONAL SERVICES RELATED TO ELECTROSTATIC SPRAYING DUE TO THE COVID-19 RESPONSE.

Tammy Crumley, County Wide Operations Director, stated this service will allow for the janitorial staff to come into an office to disinfect using a machine that sprays a fine mist in a few minutes through the office. A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to amend the Janitorial Service Agreement between Hays County and PBS of Texas for additional services related to Electrostatic Spraying due to the COVID-19 response. All present voted "Aye." MOTION PASSED.

35309 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A FACILITY USE AGREEMENT BETWEEN HAYS COUNTY AND TEXAS STATE UNIVERSITY REGARDING A LOCATION TO QUARANTINE HAYS COUNTY FIRST RESPONDERS RELATED TO COVID-19 RESPONSE & RECOVERY.

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Alex Villalobos, Chief of Staff and Emergency Management Coordinator, and Mark Kennedy, General Counsel, explained this agreement to the Court. Isolation locations have been arranged for first responders and negotiated cost for rooms only when used, so there are no upfront costs to the County. Staff approved this agreement. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a Facility Use Agreement between Hays County and Texas State University regarding a location to quarantine Hays County First Responders related to COVID-19 response & recovery. All present voted "Aye." MOTION PASSED.**

35310 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN HAYS COUNTY AND VERA INSTITUTE OF JUSTICE, INC., RELATED TO PROCESSING AND ANALYSIS OF JAIL POPULATION DATA IN HAYS COUNTY.

Commissioner Shell noted that this item was recommended by the Criminal Justice Coordinating Commission. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a Memorandum of Understanding between Hays County and Vera Institute of Justice, Inc., related to processing and analysis of jail population data in Hays County. All present voted "Aye." MOTION PASSED.**

35311 ACCEPT THE HAYS COUNTY ASSISTANCE TO VETERANS GRANT AWARD IN THE AMOUNT OF \$100,000 FROM THE TEXAS VETERANS COMMISSION; ESTABLISH ONE NEW FULL-TIME VETERANS SERVICES CASEWORKER, GRADE 110 AND AMEND THE BUDGET ACCORDINGLY.

Jude Prather, Veterans Services Officer, spoke to the Court about the qualifications of Michael Hernandez, a new Veterans Service Officer. The Court thanked Jude Prather for his work and welcomed the new officer. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept the Hays County Assistance to Veterans grant award in the amount of \$100,000 from the Texas Veterans Commission; establish one new full-time Veterans Services Caseworker, grade 110 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.**

35312 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CHANGE ORDER 003 OF THE AGREEMENT BETWEEN HAYS COUNTY AND TURNER CONSTRUCTION COMPANY FOR WORK RELATED TO THE HAYS COUNTY PUBLIC SAFETY BOND PROJECT.

Terri Whitman, ECM, Brenda Jenkins, ECM, Everett Willis, Turner Construction, and Codi Newsom, ECM, presented to the Court an update of the construction as well as information regarding the additional cost for the change order. Discussion was had between ECM, Mark Kennedy, General Counsel, and the Court regarding the additional cost, issues related to the costs, and the finalization of the project. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute Change Order 003 of the Agreement between Hays County and Turner Construction Company for work related to the Hays County Public Safety Bond project. All present voted "Aye." MOTION PASSED.**

35313 AUTHORIZE THE ADDITIONAL EXPENSE OF INSTALLING LVT (LUXURY VINYL TILE) INSTEAD OF CARPET IN THE PCT 4 BUILDING AS PART OF THE REPAIRS AND REMODEL WORK DUE TO THE RECENT WATER DAMAGE FROM A PIPE BREAK AND AMEND THE BUDGET ACCORDINGLY.

Commissioner Smith stated the carpet was in bad shape having been through two previous floods. The tile is a low-cost alternative. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the additional expense of installing LVT (Luxury Vinyl Tile) instead of carpet in the PCT 4 building as part of the repairs and remodel work due to the recent water damage from a pipe break and amend the budget accordingly. All present voted "Aye." MOTION PASSED.**

DISCUSSION AND POSSIBLE ACTION REGARDING THE EMERGENCY CASH ASSISTANCE PROGRAM (ECAP), ALSO KNOWN AS PROJECT RECOIL, INCLUDING BUT NOT LIMITED TO, THE APPOINTMENT OF AWARD COMMITTEE MEMBERS, FUNDING OF THE PROGRAM, AND THE CONSIDERATION OF PROGRAM GUIDELINES.

Mark Kennedy, General Counsel, gave the Court an update on the surrounding municipalities that will participate with the recoil project. The Court discussed bring appointments back to court at the next meeting. **No action taken.**



35314 AUTHORIZE THE SUBMITTAL OF A NOMINATION FORM FOR APPOINTMENT OF LON SHELL TO THE TEXAS WATER DEVELOPMENT BOARD'S (TWDB) REGIONAL FLOOD PLANNING GROUP (RFPG), REGION 11, TO DEVELOP TEXAS' FIRST REGIONAL FLOOD PLANS FOR THIS REGION.

Commissioner Ingalsbe stated that Commissioner Shell would serve Hays County well in this role. She also noted a one-time transfer of \$793 million from the state's economic stabilization fund to help fund the implementation of drainage and flood projects for Texas communities. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize the submittal of a nomination form for appointment of Lon Shell to the Texas Water Development Board's (TWDB) Regional Flood Planning Group (RFPG), Region 11, to develop Texas' first regional flood plans for this region. All present voted "Aye." MOTION PASSED.**

DISCUSSION AND POSSIBLE ACTION TO APPOINT A COMMITTEE TO REVIEW AND RECOMMEND EDITS TO THE CURRENT HAYS COUNTY PURCHASING POLICY, TO INCLUDE SELECTION AND AWARD FOR PROFESSIONAL SERVICE AGREEMENTS.

The Court and Marisol Villarreal-Alonzo, Auditor, discussed updating the purchasing policy, possibly appointing members to a committee, and starting this project after the budget has been completed. **No action taken.**

Clerk's Note: Executive Session began at 12:30 p.m. and resumed back into open court at 1:32 p.m.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS IN THE HAYS COUNTY OFFICE OF EMERGENCY SERVICES. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

No action taken.

EXECUTIVE SESSION PURSUANT TO SECTION 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.

35315 EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ALL INDIVIDUAL POSITIONS IN OR SUPERVISED BY THE HAYS COUNTY OFFICE OF COUNTYWIDE OPERATIONS. ALL OR A PORTION OF THIS ITEM MAY BE HELD IN OPEN COURT. POSSIBLE ACTION IN OPEN COURT.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize modification of the start date reflected on the payroll change notice for slot #0240-001, moving it from June 11, 2020 to May 13, 2020. All present voted "Aye." **MOTION PASSED.**

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071, 551.074, AND 551.076 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE SECURITY OF THE HAYS COUNTY HISTORIC COURTHOUSE AND EACH INDIVIDUAL POSITION WITHIN THE CONSTABLES OFFICE FOR PRECINCT 1 AS IT RELATES TO SUCH SECURITY. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

No action taken.

Clerk's Note Agenda Item #49 RE: DISCUSSION AND POSSIBLE ACTION RELATED TO THE BURN BAN AND/OR DISASTER DECLARATION. - WAS PULLED.



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

Judge Becerra read the Sheriff's update of the inmate population for the current week and previous week. The estimated cost for outsourcing was \$61,912 for the week of June 7 – June 13, 2020. The number of arrest made by agency are as follows; Buda Police Department - 5, Department of Public Safety – 1, Hays County Sheriff's Department – 42, this includes court ordered commitments, warrant pick-ups from all agencies, and self-surrender warrants from all agencies, Kyle Police Department – 31, San Marcos Police Department - 23, Texas State Police Department – 2. The estimated cost for outsourcing was \$62,112 for the week of June 14 – June 20, 2020. The number of outsourced males was 167 inmates and females were 13 inmates. The number of arrest made by agency are as follows; Buda Police Department - 1, Department of Public Safety – 1, Hays County Sheriff's Department – 44, this includes court ordered commitments, warrant pick-ups from all agencies, and self-surrender warrants from all agencies, Kyle Police Department – 25, San Marcos Police Department - 21, Texas State Police Department – 0. **No action taken.**

Clerk's Note Agenda Item #51 RE: *DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY CENSUS PROGRAM INCLUDING UPDATES FROM JESSICA MEJIA. – WAS PULLED.*

Clerk's Note Agenda Item #52 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 #53 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 Judge Becerra, seconded by Commissioner Shell to adjourn court at 1:38 p.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 June 23, 2020.



Elaine H. Cardenas

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

