

HAYS COUNTY COMMISSIONERS' COURT MINUTES



OCTOBER 13, 2020

STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 13<sup>th</sup> DAY OF OCTOBER 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
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 of Christus Hospice Central Texas 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**

Dan Lyon made public comment regarding county finances. Sam Brannon made public comment regarding elections integrity. Mike Lee made public comment in support of law enforcement.

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

Judge Becerra announced the reopening of bars in Hays County at the recommended 50% capacity. He urged citizens to wear face masks in public. Alex Villalobos, Chief of Staff and Emergency Management Coordinator, announced the opening of an additional testing location in Dripping Springs. No action was taken.

**35702 ADOPT A PROCLAMATION RECOGNIZING CENTRO CULTURAL HISPANO DE SAN MARCOS 10TH ANNIVERSARY.**

Commissioner Shell and Commissioner Ingalsbe thanked the members of Centro Cultural Hispano de San Marcos for their dedication to the community. **A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt a Proclamation recognizing Centro Cultural Hispano de San Marcos 10th Anniversary. All present voted "Aye." MOTION PASSED.**

**UPDATE ON THE OCTOBER MEETING OF THE HILL COUNTRY MENTAL HEALTH DEVELOPMENTAL DISABILITIES BOARD BY CHARLIE CAMPISE.**

Charlie Campise gave an update to the court regarding the October meeting of the Hill Country Mental Health Developmental Disabilities Board. He announced that he was re-elected to the board for 2 more years. No action was taken.

**35703 APPROVE PAYMENTS OF COUNTY INVOICES.**

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

**35704 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS.**

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



**35705 APPROVE COMMISSIONERS COURT MINUTES OF SEPTEMBER 29, 2020.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve Commissioners Court Minutes of September 29, 2020. All present voted "Aye." MOTION PASSED.

**35706 APPROVE THE PAYMENT OF THE OCTOBER 15, 2020 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,992,000.00 EFFECTIVE OCTOBER 15, 2020 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the payment of the October 15, 2020 payroll disbursements in an amount not to exceed \$2,992,000.00 effective October 15, 2020 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voted "Aye." MOTION PASSED.

**35707 APPROVE THE REAPPOINTMENT OF JULIA RAMSAY NEW AND MICHAEL FLOREANI FOR EMERGENCY SERVICES DISTRICT #7, TERM ENDING DECEMBER 31, 2022.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve the reappointment of Julia Ramsay New and Michael Floreani for Emergency Services District #7, term ending December 31, 2022. All present voted "Aye." MOTION PASSED.

**35708 AUTHORIZE PAYMENT TO POLLOCK COMPANY IN THE AMOUNT OF \$591.70 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 Pollock Company in the amount of \$591.70 in which no purchase order was issued as required per County Purchasing Policy. All present voted "Aye." MOTION PASSED.

**35709 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR A DUPLEX LOCATED AT 2320 S OLD STAGECOACH RD, KYLE TX 78640.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize On-Site Sewage Facility Permit for a duplex located at 2320 S Old Stagecoach Rd, Kyle TX 78640. All present voted "Aye." MOTION PASSED.

**35710 APPROVE UTILITY PERMITS.**

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

**35711 AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE 3RD LETTER AMENDMENT FOR A TIME EXTENSION TO A PROFESSIONAL SERVICES AGREEMENT (PSA) BETWEEN HAYS COUNTY AND LOCKWOOD, ANDREWS AND NEWMAN, INC. EXECUTED ON OR ABOUT OCTOBER 31, 2017 FOR RIGHT OF WAY SERVICE FOR DACY LANE, PHASE II FROM AMBERWOOD LOOP TO HILLSIDE TERRACE, ROAD WIDENING AND REALIGNMENT PROJECT.**

Commissioner Jones stated this is an extension of time for this project. No additional cost for the extension. A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute the 3rd Letter Amendment for a time extension to a Professional Services Agreement (PSA) between Hays County and Lockwood, Andrews and Newman, Inc. executed on or about October 31, 2017 for Right of Way Service for Dacy Lane, Phase II from Amberwood Loop to Hillside Terrace, road widening and realignment project. All present voted "Aye." MOTION PASSED.



**35712 AUTHORIZE THE EXECUTION OF THE FY 2021 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 (OCDEF) AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of the FY 2021 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 (OCDEF) and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**35713 AUTHORIZE THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH TRAVIS COUNTY FOR THE FY 2021 SHERIFF'S COMBINED AUTO THEFT TASK FORCE (SCATF) GRANT AWARD IN THE AMOUNT OF \$72,460.00.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of an interlocal agreement with Travis County for the FY 2021 Sheriff's Combined Auto Theft Task Force (SCATF) grant award in the amount of \$72,460.00. All present voted "Aye." MOTION PASSED.

**35714 AUTHORIZE THE COUNTY JUDGE TO EXECUTE SOCIAL SERVICE AGENCY CONTRACTS AS APPROVED IN THE FY 2021 BUDGET.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute Social Service Agency Contracts as approved in the FY 2021 budget. All present voted "Aye." MOTION PASSED.

**35715 APPROVE THE EXTENSION OF THE CARRY OVER LIMIT OF EMPLOYEE VACATION TIME FOR FY 2020 TO DECEMBER 31, 2020.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve the extension of the carry over limit of employee vacation time for FY 2020 to December 31, 2020. All present voted "Aye." MOTION PASSED.

**35716 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A RESOLUTION CERTIFYING THAT THE COUNTY HAS APPROVED A \$13,000 GRANT FOR FY 2021 TO COMBINED COMMUNITY ACTION, AN ORGANIZATION THAT PROVIDES HOME DELIVERED MEALS TO HOMEBOUND PERSONS IN THE COUNTY THAT ARE ELDERLY OR HAVE A DISABILITY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a resolution certifying that the County has approved a \$13,000 grant for FY 2021 to Combined Community Action, an organization that provides home delivered meals to homebound persons in the county that are elderly or have a disability. All present voted "Aye." MOTION PASSED.

**35717 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR A WAREHOUSE WITH TWO SMALL ONE-BEDROOM APARTMENTS LOCATED AT 1020 PIER BRANCH RD, DRIPPING SPRINGS TX 78620.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize On-Site Sewage Facility Permit for a warehouse with two small one-bedroom apartments located at 1020 Pier Branch Rd, Dripping Springs TX 78620. All present voted "Aye." MOTION PASSED.

**35718 ACCEPT A \$16,745 CONTRIBUTION ON BEHALF OF THE HAYS COUNTY CHILD PROTECTIVE BOARD (HCCPB) AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept a \$16,745 contribution on behalf of the Hays County Child Protective Board (HCCPB) and amend the budget accordingly. All present voted "Aye." MOTION PASSED.



**35719      AUTHORIZE THE SUBMISSION OF A COMPLETE APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD, FLOOD INFRASTRUCTURE FUND FOR THE ONION CREEK WATERSHED STUDY: FLOODPLAIN AND MAPPING.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the submission of a complete application to the Texas Water Development Board, Flood Infrastructure Fund for the Onion Creek Watershed Study: Floodplain and Mapping. All present voted "Aye." MOTION PASSED.

**35720      AUTHORIZE THE EXECUTION OF SUPPLEMENTAL WORK AUTHORIZATIONS WITH HNTB CORPORATION RE-ALLOCATING PREVIOUSLY AUTHORIZED FUNDS FROM ONE PROJECT TO ANOTHER UNDER THE HAYS COUNTY/TXDOT PARTNERSHIP PROGRAM.**

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the execution of Supplemental Work Authorizations with HNTB Corporation re-allocating previously authorized funds from one project to another under the Hays County/TxDOT Partnership Program. All present voted "Aye." MOTION PASSED.

**35721      AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR 2 MOBILE HOMES AT 420 RED FOX CT, KYLE, TX 78640.**

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize On-Site Sewage Facility Permit for 2 mobile homes at 420 Red Fox Ct, Kyle, TX 78640. All present voted "Aye." MOTION PASSED.

**35722      AUTHORIZE AN EXTENSION WITH THE UNITED WAY FOR GREATER AUSTIN RELATED TO THE GRANT AWARD 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 an extension with the United Way for Greater Austin related to the grant award for the Central Texas 2020 Get-Out-The-Count Efforts and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**35723      APPROVE SPECIFICATIONS FOR IFB 2021-B01 HAYS COUNTY MULTILAYER WELL AND AUTHORIZE PURCHASING TO SOLICIT FOR PROPOSALS AND ADVERTISE.**

A motion was made by Commissioner Shell, seconded by Commissioner Jones to approve specifications for IFB 2021-B01 Hays County Multilayer Well and authorize Purchasing to solicit for proposals and advertise. All present voted "Aye." MOTION PASSED.

**35724      APPROVE AN INTERLOCAL AGREEMENT FOR THE TEXAS DEPARTMENT OF TRANSPORTATION TO PERFORM MATERIAL INSPECTION AND TESTING SERVICES AND AUTHORIZE THE COUNTY JUDGE TO EXECUTE THE ADVANCE FUNDING AGREEMENT ON BEHALF OF HAYS COUNTY.**

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve an Interlocal Agreement for the Texas Department of Transportation to perform material inspection and testing services and authorize the County Judge to execute the Advance Funding Agreement on behalf of Hays County. All present voted "Aye." MOTION PASSED.

**35725      AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN ADVANCE FUNDING COMMITMENT AGREEMENT (AFCA) BETWEEN HAYS COUNTY AND HM PARTEN RANCH DEVELOPMENT, INC. TO FACILITATE THE CONSTRUCTION OF A SEGMENT OF ROADWAY ON KINNIKINIK LOOP IN PRECINCT 4.**

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A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute an Advance Funding Commitment Agreement (AFCA) between Hays County and HM Parten Ranch Development, Inc. to facilitate the construction of a segment of roadway on Kinnikinik Loop in Precinct 4. All present voted "Aye." MOTION PASSED.

**35726 APPROVE THE RELEASE OF THE REVEGETATION BOND #PB030168000375 IN THE AMOUNT OF \$17,066.00 FOR PARTEN RANCH SUBDIVISION, PHASE 2.**

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the release of the revegetation bond #PB030168000375 in the amount of \$17,066.00 for Parten Ranch subdivision, Phase 2. All present voted "Aye." MOTION PASSED.

**35727 APPROVE A RESOLUTION SUPPORTING A TRANSPORTATION DEVELOPMENT CREDIT APPLICATION TO THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION FOR THE KYLE CENTER STREET UNION PACIFIC RAILROAD SIDING RELOCATION PROJECT.**

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve a resolution supporting a Transportation Development Credit Application to the Capital Area Metropolitan Planning Organization for the Kyle Center Street Union Pacific Railroad Siding Relocation Project. All present voted "Aye." MOTION PASSED.

**35728 CALL FOR A PUBLIC HEARING ON OCTOBER 27TH, 2020 TO DISCUSS APPROVAL OF THE REPLAT OF LOT 7, ROLLING OAKS, SECTION FOUR, SUBDIVISION; PLN-1470-PC.**

A motion was made by Commissioner Shell, seconded by Commissioner Smith to call for a Public Hearing on October 27th, 2020 to discuss approval of the Replat of Lot 7, Rolling Oaks, Section Four, Subdivision; PLN-1470-PC. All present voted "Aye." MOTION PASSED.

**35729 ACCEPT AN ADDITIONAL SPENDING PLAN UTILIZING THE CORONAVIRUS RELIEF FUNDS (CRF) FOR COVID-19 RESPONSE AND RECOVERY EFFORTS AND AMEND THE BUDGET ACCORDINGLY.**

Vickie Dorsett, Auditor's office, presented a handout of the spending plan. A motion was made by Commissioner Ingalsbe, seconded by Judge Becerra to accept an additional spending plan utilizing the Coronavirus Relief Funds (CRF) for COVID-19 Response and Recovery efforts and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

**Clerk's Note Agenda Item #31 RE: DISCUSSION AND POSSIBLE ACTION OF THE COUNTY PROCUREMENT PROCESS. - WAS PULLED.**

**35730 AUTHORIZE THE EXECUTION OF AMENDMENT NO. 1 TO A CONTRACT WITH THE DEPARTMENT OF STATE HEALTH SERVICES (DSHS) FOR THE TUBERCULOSIS PREVENTION AND CONTROL-FEDERAL GRANT PROGRAM (TB/PC-FEDERAL) IN THE AMOUNT OF \$22,297.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the execution of Amendment No. 1 to a contract with the Department of State Health Services (DSHS) for the Tuberculosis Prevention and Control-Federal Grant Program (TB/PC-Federal) in the amount of \$22,297. All present voted "Aye." MOTION PASSED.

**35731 AUTHORIZE THE EXECUTION OF THE FY21 TEXAS INDIGENT DEFENSE COMMISSION (TIDC) HAYS COUNTY INDIGENT DEFENSE COORDINATOR (IDC) PROGRAM GRANT IN THE AMOUNT OF \$51,531 AND AMEND THE BUDGET ACCORDINGLY.**

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the execution of the FY21 Texas Indigent Defense Commission (TIDC) Hays County Indigent Defense Coordinator (IDC) Program grant in the amount of \$51,531 and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

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**Clerk's Note:** Executive Session began at 10:21 a.m. and resumed back into open court at 10:50 a.m.

**EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.087 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS ASSOCIATED WITH PROJECT RECOIL. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.**

No action taken.

**Clerk's Note Agenda Item #35 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. POSSIBLE ACTION TO FOLLOW IN OPEN COURT. - **WAS PULLED.**

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

Judge Becerra announced there is no burn ban at this time.

**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. The estimated cost for outsourcing was \$52,960.00 for the week of October 4 – October 10, 2020. The number of outsourced males was 148 inmates and females were 0 inmates. No action taken.

**Clerk's Note Agenda Item #38 RE:** DISCUSSION OF ISSUES RELATED TO THE HAYS COUNTY CENSUS PROGRAM INCLUDING UPDATES FROM JESSICA MEJIA. - **WAS PULLED.**

**Clerk's Note Agenda Item #39 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 #40 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 Jones to adjourn court at 10:51 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 October 13, 2020.



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

