

HAYS COUNTY COMMISSIONERS' COURT MINUTES



DECEMBER 8, 2020

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 8th DAY OF DECEMBER 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	ABSENT
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](https://www.google.com).

THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Pastor Jeff Latham, San Marcos Westover Baptist Church, 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 a public comment regarding the Appraisal Review Board (ARB).

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

Eric Schneider, Medical Epidemiologist for Hays County Health Department gave the update on COVID-19 cases. Eric Schneider noted positive cases are on the rise as was predicted due to the recent holiday. He also noted that the county is administering more tests which is also a factor to the rise in positive cases. Commissioner Smith discussed lower numbers of COVID-19 hospitalizations than anticipated at this time. Alex Villalobos, Chief of Staff and Emergency Management Coordinator, stated all the hospitals have requested support staffing. Commissioner Shell stated Chief Switcher from Hays County EMS sent a graph of the hospitalization of the (MSA) metropolitan statistical area, which covers areas of the following counties; Travis, Hays, Williamson, Bastrop, maybe Caldwell. The graphs show an increase in positive cases and ICU COVID-19 patients. Commissioner Jones requested that Tammy Crumley, Director of Countywide Operations, oversee the COVID-19 testing information is updated on the website to include the holiday schedule. No action was taken.

35875 ADOPT A PROCLAMATION DECLARING DECEMBER 6TH - 12TH, 2020 AS NATIONAL INFLUENZA VACCINATION WEEK.

Dan Lyon made a public comment. Eric Schneider, Medical Epidemiologist for Hays County Health Department, stated there is still time to get a flu shot. He noted the different challenges people may face this year due to COVID-19. Commissioner Shell recognized employees for their work at the Health Department. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to adopt a Proclamation declaring December 6th - 12th, 2020 as National Influenza Vaccination Week. All present voted "Aye." MOTION PASSED.**

35876 APPROVE PAYMENTS OF COUNTY INVOICES.

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

35877 APPROVE THE PAYMENT OF UNITED HEALTHCARE CLAIMS.

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

**35878 APPROVE COMMISSIONERS COURT MINUTES OF NOVEMBER 24, 2020.**

A motion was made by Commissioner Smith, seconded by Commissioner Jones to approve Commissioners Court Minutes of November 24, 2020. All present voted "Aye." MOTION PASSED.

35879 APPROVE THE PAYMENT OF THE DECEMBER 15, 2020 PAYROLL DISBURSEMENTS IN AN AMOUNT NOT TO EXCEED \$2,995,000.00 EFFECTIVE DECEMBER 15, 2020 AND POST TOTALS FOR WAGES, WITHHOLDINGS, DEDUCTIONS AND BENEFITS ON THE HAYS COUNTY WEBSITE ONCE FINALIZED.

Marisol Alonzo-Villarreal, Auditor's Office, requested that an additional \$20,638.62 be added to the disbursements for this week. The cost come from the COVID-19 assistance program that was approved by the Commissioner's court. A motion was made by Commissioner Smith, seconded by Commissioner Jones to approve the payment of the December 15, 2020 payroll disbursements in an amount not to exceed \$2,995,000.00 effective December 15, 2020 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized. All present voted "Aye." MOTION PASSED.

35880 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR EIGHT SHORT-TERM RENTAL CABINS (8-ONE BEDROOM COTTAGES) LOCATED AT 4444 W RR 150, KYLE, TX 78640.

A motion was made by Commissioner Smith, seconded by Commissioner Jones to authorize On-Site Sewage Facility Permit for eight short-term rental cabins (8-one bedroom cottages) located at 4444 W RR 150, Kyle, TX 78640. All present voted "Aye." MOTION PASSED.

35881 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR ICONIC IMPRINT OFFICE/WAREHOUSE BUILDING LOCATED AT 14721 FITZHUGH ROAD, AUSTIN, TEXAS 78737.

A motion was made by Commissioner Smith, seconded by Commissioner Jones to authorize On-Site Sewage Facility Permit for Iconic Imprint office/warehouse building located at 14721 Fitzhugh Road, Austin, Texas 78737. All present voted "Aye." MOTION PASSED.

35882 APPROVE THE REAPPOINTMENT OF COMMISSIONER LON SHELL TO THE TAX INCREMENT REINVESTMENT ZONE (TIRZ) NUMBER 5 (DOWNTOWN) BOARD OF DIRECTORS FOR A TWO-YEAR TERM EXPIRING ON DECEMBER 31, 2022.

A motion was made by Commissioner Smith, seconded by Commissioner Jones to approve the reappointment of Commissioner Lon Shell to the Tax Increment Reinvestment Zone (TIRZ) Number 5 (Downtown) Board of Directors for a two-year term expiring on December 31, 2022. All present voted "Aye." MOTION PASSED.

35883 AUTHORIZE PAYMENT OF \$939.65 TO AMAZON FOR STANDING DESK CONVERTERS/ERGONOMIC PRODUCTS, WHERE NO PURCHASE ORDER WAS ISSUED AS REQUIRED BY THE COUNTY PURCHASING POLICY.

Jenifer O'Kane, Tax Assessor-Collector, stated she has staff who need a standing desk due to health reasons. Shari Miller, Human Resource Director, informed her the standing desk are a refundable item through the county's wellness campaign. There was an oversight when placing the order. Shari Miller explained the purchase order has been prepared. A motion was made by Commissioner Jones, seconded by Commissioner Smith to authorize payment of \$939.65 to Amazon for Standing Desk Converters/ergonomic products, where no purchase order was issued as required by the County Purchasing Policy. All present voted "Aye." MOTION PASSED.

35884 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN AMENDMENT TO RIGHT OF REVERTER IN RIGHT OF WAY DEDICATION DEED FOR PROPERTY DONATED BY SUNFIELD MUD #4 ON OR ABOUT DECEMBER 15, 2015 FOR THE FM 2001 WEST REALIGNMENT PROJECT EXTENDING THE TERMINATION DATE OF THE DONATION AN ADDITIONAL FIVE YEARS.

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Commissioner Jones thanked Sunfield for their donation. He stated that TXDOT will fund the project with State money instead of federal dollars. The Buda bypass should be in this March. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the County Judge to execute an Amendment To Right of Reverter In Right of Way Dedication Deed for property donated by Sunfield MUD #4 on or about December 15, 2015 for the FM 2001 West realignment project extending the termination date of the donation an additional five years. All present voted "Aye." MOTION PASSED.**

35885 APPROVE THE APPOINTMENT OF JOSHUA HARPER TO SERVE ON EMERGENCY SERVICES DISTRICT #2, A TWO YEAR TERM ENDING DECEMBER 31, 2022.

Commissioner Jones thanked all the board members for their service. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the appointment of Joshua Harper to serve on Emergency Services District #2, a two year term ending December 31, 2022. All present voted "Aye." MOTION PASSED.**

35886 APPROVE THE REAPPOINTMENT OF STACY MORGAN TO SERVE ON EMERGENCY SERVICES DISTRICT #2, A TWO YEAR TERM ENDING DECEMBER 31, 2022.

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the reappointment of Stacy Morgan to serve on Emergency Services District #2, a two year term ending December 31, 2022. All present voted "Aye." MOTION PASSED.

35887 APPROVE THE REAPPOINTMENTS OF PAUL KASKIE, SCOTT STEVENS, AND JIM WEATHERFORD TO SERVE ON EMERGENCY SERVICES DISTRICT #8, TWO YEAR TERMS ENDING DECEMBER 31, 2022.

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the reappointments of Paul Kaskie, Scott Stevens, and Jim Weatherford to serve on Emergency Services District #8, two year terms ending December 31, 2022. All present voted "Aye." MOTION PASSED.

35888 APPROVE THE REAPPOINTMENTS OF SUSAN MECKEL AND ERIC HOLEN TO SERVE ON EMERGENCY SERVICES DISTRICT #5, TWO YEAR TERMS ENDING DECEMBER 31, 2022.

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the reappointments of Susan Meckel and Eric Holen to serve on Emergency Services District #5, two year terms ending December 31, 2022. All present voted "Aye." MOTION PASSED.

35889 APPROVE THE REAPPOINTMENT OF JAMES HOLT TO THE PLUM CREEK CONSERVATION DISTRICT FOR A FOUR YEAR TERM ENDING DECEMBER 31, 2024.

A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve the reappointment of James Holt to the Plum Creek Conservation District for a four year term ending December 31, 2024. All present voted "Aye." MOTION PASSED.

35890 APPROVE THE REAPPOINTMENTS OF JERRY BORCHERDING, DIRECTOR OF TRANSPORTATION, AS THE PRIMARY VOTING MEMBER ON THE TECHNICAL ADVISORY COMMITTEE OF CAMPO, AND WINTON PORTERFIELD, HAYS COUNTY PLANNER, AS THE ALTERNATE VOTING MEMBER.

Commissioner Jones noted a change in the appointments from Tim Van de Vorde to Winton Porterfield. **A motion was made by Commissioner Jones, seconded by Commissioner Smith to approve the reappointments of Jerry Borcharding, Director of Transportation, as the primary voting member on the Technical Advisory Committee of CAMPO, and Winton Porterfield, Hays County Planner, as the alternate voting member. All present voted "Aye." MOTION PASSED.**



- 35891 APPROVE THE APPOINTMENT OF JOHN NETT, CITY OF BUDA ENGINEER AND FLOODPLAIN ADMINISTRATOR AS THE PRIMARY VOTING MEMBER ON THE TECHNICAL ADVISORY COMMITTEE OF CAMPO, AND APPOINT CHAD GILPIN, CITY OF DRIPPING SPRINGS ENGINEER, AS THE ALTERNATE VOTING MEMBER.**

A motion was made by Commissioner Jones, seconded by Commissioner Smith to approve the appointment of John Nett, City of Buda Engineer and Floodplain Administrator as the primary voting member on the Technical Advisory Committee of CAMPO, and appoint Chad Gilpin, City of Dripping Springs Engineer, as the alternate voting member. All present voted "Aye." MOTION PASSED.

- 35892 APPROVE THE REAPPOINTMENTS OF DENNIS LANE AND ROBERT LUDDY TO THE BOARD HAYS COUNTY EMERGENCY SERVICES DISTRICT #1, TERMS ENDING DECEMBER 31, 2022.**

A motion was made by Commissioner Jones, seconded by Commissioner Smith to approve the reappointments of Dennis Lane and Robert Luddy to the Board Hays County Emergency Services District #1, terms ending December 31, 2022. All present voted "Aye." MOTION PASSED.

- 35893 AUTHORIZE THE OFFICE OF EMERGENCY SERVICES TO HOST THE ANNUAL LOCAL EMERGENCY PLANNING COMMITTEE LUNCHEON AND USE \$475.00 TO PROVIDE LUNCH FOR THE ATTENDEES.**

Judge Becerra thanked Mike Jones for his work on this item. Mike Jones, Emergency Services Director, spoke. A motion was made by Commissioner Jones, seconded by Commissioner Smith to authorize the Office of Emergency Services to host the annual Local Emergency Planning Committee Luncheon and use \$475.00 to provide lunch for the attendees. All present voted "Aye." MOTION PASSED.

- 35894 AUTHORIZE ON-SITE SEWAGE FACILITY PERMIT FOR 2 MOBILE HOMES AT 1851 MATHIAS LN, KYLE, TX 78640.**

A motion was made by Commissioner Jones, seconded by Commissioner Smith to authorize On-Site Sewage Facility Permit for 2 mobile homes at 1851 Mathias Ln, Kyle, TX 78640. All present voted "Aye." MOTION PASSED.

- 35895 AUTHORIZE A SOLE SOURCE PURCHASE OF TWO PORTACOUNT MASK FIT TESTERS FROM TSI, INC. VALUED AT \$36,450 FOR THE LOCAL HEALTH DEPARTMENT RELATED TO COVID-19 RESPONSE AND RECOVERY EFFORTS.**

A motion was made by Commissioner Jones, seconded by Commissioner Smith to authorize a sole source purchase of two PortaCount Mask Fit Testers from TSI, Inc. valued at \$36,450 for the Local Health Department related to Covid-19 response and recovery efforts. All present voted "Aye." MOTION PASSED.

- 35896 APPROVE OUT OF STATE TRAVEL FOR MEMBERS OF THE HAYS COUNTY VETERANS COURT TEAM TO ATTEND THE NATIONAL ASSOCIATION OF DRUG COURT PROFESSIONALS (NADCP) RISE 21 CONFERENCE IN NATIONAL HARBOR, MD MAY 12-15, 2021.**

A motion was made by Commissioner Jones, seconded by Commissioner Smith to approve out of state travel for members of the Hays County Veterans Court team to attend the National Association of Drug Court Professionals (NADCP) Rise 21 Conference in National Harbor, MD May 12-15, 2021. All present voted "Aye." MOTION PASSED.

- 35897 EXECUTE AN INTERLOCAL AGREEMENT BETWEEN HAYS COUNTY AND THE CITY OF SAN MARCOS RELATED TO THE COUNTY'S OLD BASTROP HIGHWAY (CR 266) PROJECT AS PART OF THE 2016 BOND PROGRAM AND AMEND THE BUDGET ACCORDINGLY.**



A motion was made by Commissioner Jones, seconded by Commissioner Smith to execute an Interlocal Agreement between Hays County and the City of San Marcos related to the County's Old Bastrop Highway (CR 266) Project as part of the 2016 bond program and amend the budget accordingly. All present voted "Aye." MOTION PASSED.

35898 AUTHORIZE THE COUNTY JUDGE TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 3 TO THE PROFESSIONAL SERVICES AGREEMENT (PSA) BETWEEN HAYS COUNTY AND REYNOLDS, SMITH & HILLS CS, INC. (RS&H) FOR THE FM 1626 SOUTH CONSTRUCTION MANAGEMENT PROJECT AS PART OF THE PASS-THROUGH FINANCE PROGRAM IN HAYS COUNTY, INCREASING THE COMPENSATION CAP BY \$198,089 FROM \$3,789,155 TO \$3,987,244; AUTHORIZE A DISCRETIONARY EXEMPTION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE SECTION 262.024(A)(4).

Commissioner Jones stated there are a few clean up things that need to be completed. There are some liquidated damages that need to be reviewed. A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the County Judge to execute Supplemental Agreement No. 3 to the Professional Services Agreement (PSA) between Hays County and Reynolds, Smith & Hills CS, Inc. (RS&H) for the FM 1626 South construction management project as part of the Pass-Through Finance Program in Hays County, increasing the Compensation Cap by \$198,089 from \$3,789,155 to \$3,987,244; authorize a discretionary exemption pursuant to Texas Local Government Code Section 262.024(a)(4). All present voted "Aye." MOTION PASSED.

35899 AUTHORIZE THE COUNTY JUDGE TO EXECUTE CONTRACT AMENDMENT NO. 2 TO THE CONTRACT BETWEEN HAYS COUNTY AND HNTB CORPORATION ON THE FM 2001 REALIGNMENT (EXTENSION OF WHITE WING TRAIL) WEST PROJECT AS PART OF THE 2016 ROAD BOND PROGRAM.

A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the County Judge to execute Contract Amendment No. 2 to the Contract between Hays County and HNTB Corporation on the FM 2001 Realignment (Extension of White Wing Trail) West project as part of the 2016 Road Bond Program. All present voted "Aye." MOTION PASSED.

35900 AWARD A CONTRACT FOR IFB 2021-B02 DACY LANE ROAD IMPROVEMENTS TO JORDAN FOSTER CONSTRUCTION, LLC.

Commissioner Jones stated this is the start construction. He noted the project is still under budget. Commissioner Shell congratulated Commissioner Jones and Commissioner Inglasbe. A motion was made by Commissioner Jones, seconded by Commissioner Shell to award a contract for IFB 2021-B02 Dacy Lane Road Improvements to Jordan Foster Construction, LLC. All present voted "Aye." MOTION PASSED.

35901 APPROVE A CONTINUATION OF THE LOCAL DISASTER DECLARATION ORIGINALLY PROCLAIMED BY THE COUNTY JUDGE ON OR ABOUT MARCH 15, 2020, CONTINUED BY RESOLUTION OF THE COMMISSIONERS COURT ON MARCH 16, 2020 AND EXTENDED BY THE COURT ON JULY 14, 2020 AND SEPTEMBER 15, 2020.

Mark Kennedy, General Counsel, stated the current declaration will expire on December 15, 2020. He suggested a 63-day extension which will stand until February. He noted the court can rescind the declaration at any time with action of the court. A motion was made by Commissioner Jones, seconded by Commissioner Shell to approve a continuation of the Local Disaster Declaration originally proclaimed by the County Judge on or about March 15, 2020, continued by resolution of the Commissioners Court on March 16, 2020 and extended by the Court on July 14, 2020 and September 15, 2020. All present voted "Aye." MOTION PASSED.

35902 AUTHORIZE THE COUNTY JUDGE TO EXECUTE LETTER AMENDMENT #1 TO THE CONTRACT BETWEEN HAYS COUNTY AND LANGFORD COMMUNITY MANAGEMENT SERVICES RELATED TO RFP2017-P08 CDBG-DR MANAGEMENT SERVICES EXECUTED ON OR ABOUT SEPTEMBER 12, 2017 TO INCREASE THE COMPENSATION FROM \$415,000 TO \$508,147.24.

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Commissioner Shell stated the increase on the compensation is still below what the General Land Office (GLO) allows for reimbursements. **A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute Letter Amendment #1 to the contract between Hays County and Langford Community Management Services related to RFP2017-P08 CDBG-DR Management Services executed on or about September 12, 2017 to increase the compensation from \$415,000 to \$508,147.24. All present voted "Aye." MOTION PASSED.**

35903 APPOINT COMMISSIONER SMITH AS A HAYS COUNTY REPRESENTATIVE TO SERVE ON THE CORE 4 POLICY GROUP TO REPLACE THE HAYS COUNTY POSITION PRESENTLY FILLED BY COMMISSIONER INGALSBE.

Commissioner Smith stated he would be happy to serve on the board. Discussion was had about the action to take if Commissioner Smith's precinct changes and no longer includes a portion of San Marcos. The appointment could be changed at the discretion of the court. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to appoint Commissioner Smith as a Hays County representative to serve on the Core 4 Policy Group to replace the Hays County position presently filled by Commissioner Ingalsbe. All present voted "Aye." MOTION PASSED.**

35904 ACCEPT A \$52,906.41 SOFTWARE PROPOSAL FROM SHI GOVERNMENT SOLUTIONS FOR THE TRANSPORTATION DEPARTMENT TO UPGRADE THE CARTEGRAPH OPERATIONS & RECORDS MANAGEMENT SYSTEMS TO A WEB-BASED SERVICE (CARTEGRAPH OMS) AND AMEND THE BUDGET ACCORDINGLY.

Commissioner Jones stated this is for the transportation department. This is necessary equipment for their daily work. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to accept a \$52,906.41 Software Proposal from SHI Government Solutions for the Transportation Department to upgrade the Cartegraph Operations & Records Management Systems to a web-based service (Cartegraph OMS) and amend the budget accordingly. All present voted "Aye." MOTION PASSED.**

35905 ACCEPT A \$8,250 PROPOSAL FROM THE LOWER COLORADO RIVER AUTHORITY (LCRA) RELATED TO FINAL REMOBILIZATION OF THE PSAP/LEC COMMUNICATIONS TOWER AT THE PUBLIC SAFETY BUILDING; AUTHORIZE A DISCRETIONARY EXEMPTION PER TEXAS LOCAL GOVERNMENT CODE 262.024(A)(7)(D) AND AMEND THE BUDGET ACCORDINGLY.

Commissioner Shell stated this item is to relocate the existing tower at the Law Enforcement Center to the new Safety Building. He noted the discretionary exemption is being used since LCRA is the only company the county can use since the equipment and work belong to LCRA. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to accept a \$8,250 Proposal from the Lower Colorado River Authority (LCRA) related to final remobilization of the PSAP/LEC Communications Tower at the Public Safety Building; authorize a discretionary exemption per Texas Local Government Code 262.024(a)(7)(D) and amend the budget accordingly. All present voted "Aye." MOTION PASSED.**

35906 AUTHORIZE THE JUSTICE OF THE PEACE PCT. 2 OFFICE TO HIRE THE JUSTICE CLERK, SLOT 0855-006 AT THE 25TH PERCENTILE EFFECTIVE DECEMBER 16, 2020.

Commissioner Jones noted the person that will fill this position has experience with the county. She will fit into this position well which is why the request is being made. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize the Justice of the Peace Pct. 2 Office to hire the Justice Clerk, slot 0855-006 at the 25th percentile effective December 16, 2020. All present voted "Aye." MOTION PASSED.**

35907 AUTHORIZE THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE HAYS COUNTY VETERAN'S TREATMENT COURT AND INFINITE RECOVERY RELATED TO TREATMENT SERVICES FOR VETERANS.

Commissioner Jones stated this is a good program. **A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the execution of a Memorandum of Understanding between the Hays County Veteran's Treatment Court and Infinite Recovery related to treatment services for veterans. All present voted "Aye." MOTION PASSED.**



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35908 AUTHORIZE THE COUNTY JUDGE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT (PSA) BETWEEN HAYS COUNTY AND GARVER, LLC FOR PROFESSIONAL ENGINEERING, ENVIRONMENTAL AND SURVEYING SERVICES RELATED TO THE ENTRY ROAD TO SENTINEL PEAK PRESERVE.

Commissioner Shell stated this contract is being brought back to court to include the service road that will access the Sentinel Peak Reserve. He noted funds for this project will come from the 07 Park Bond and the Roads Department. **A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute a Professional Services Agreement (PSA) between Hays County and Garver, LLC for professional engineering, environmental and surveying services related to the entry road to Sentinel Peak Preserve and amend the budget accordingly. All present voted "Aye." MOTION PASSED.**

35909 AUTHORIZE THE COUNTY JUDGE TO EXECUTE AN INTERLOCAL AGREEMENT FOR OPERATIONS AND MAINTENANCE OF THE COMBINED EMERGENCY COMMUNICATIONS CENTER BETWEEN HAYS COUNTY, THE CITY OF KYLE, TEXAS, THE CITY OF BUDA, TEXAS, AND TEXAS STATE UNIVERSITY FOR COMBINED EMERGENCY COMMUNICATION SERVICES, AND AUTHORIZE THE AUDITOR'S OFFICE TO PRORATE THE ANNUAL CHARGES TO PARTNER AGENCIES FOR THE PARTIAL FY21. PRORATED COSTS FOR FY 21 WILL BE BILLED BASED ON THE FIRST DAY OF OPERATION FOR EACH AGENCY, WHICH IS THE DATE THE AGENCY'S EMERGENCY CALLS ARE PROCESSED BY THE CECC. THE SHERIFF WILL NOTIFY THE AUDITOR'S OFFICE OF EACH AGENCY'S FIRST DAY OF OPERATION.

Commissioner Shell stated the county has been working with their partners to get this completed. He noted there are other boards that conduct oversight on this agreement. This new system will help communications for emergencies and disasters. **A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the County Judge to execute an Interlocal Agreement for Operations and Maintenance of the Combined Emergency Communications Center between Hays County, the City of Kyle, Texas, the City of Buda, Texas, and Texas State University for combined emergency communication services, and authorize the Auditor's Office to prorate the annual charges to partner agencies for the partial FY21. Prorated costs for FY 21 will be billed based on the first day of operation for each agency, which is the date the agency's emergency calls are processed by the CECC. The Sheriff will notify the Auditor's Office of each agency's first day of operation. All present voted "Aye." MOTION PASSED.**

35910 EXECUTE A \$70,820 MASTER SERVICES AGREEMENT WITH NEMO-Q, INC. PURSUANT TO RFP 2020-P12 FOR A CUSTOMER MANAGEMENT QUEUING SYSTEM AND AMEND THE BUDGET ACCORDINGLY.

Jeff McGill, Director of Information Technology, stated this contract with Nemo-Q has been finalized. This queuing system will be available to the public at the Hays County Government Center in San Marcos before end of the year. Other areas will be available in January or February. Kiosks are currently installed in the tax office, county clerk's office, and the Dripping Springs precinct building. Additional kiosks will be installed in the rotunda area in the Hays County Government Center. The existing kiosks at the precinct building will be reprogrammed and moved to public areas. Mark Kennedy, General Counsel, noted for the recorded that there are a few non-substantive changes that still need to be made. Marisol Alonzo-Villarreal, Auditor, stated that funding for an additional \$6,000.00 would need to be agreed next year. The funding will depend on the placement of the kiosks. **A motion was made by Commissioner Jones, seconded by Commissioner Shell to execute a \$70,820 Master Services Agreement with Nemo-Q, Inc. pursuant to RFP 2020-P12 for a Customer Management Queuing System and amend the budget accordingly. All present voted "Aye." MOTION PASSED.**

Clerk's Note: Executive Session began at 10:27 a.m. and resumed back into open court at 11:10 a.m.

35911 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.

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A motion was made by Commissioner Jones, seconded by Commissioner Shell to authorize execution of a possession and use agreement between F.M. 158 Land, Ltd and Hays County, Texas related to the eventual acquisition and the present possession and use of approximately 17.599 acres of land in Precinct 1, as presented in Executive Session. All present voted "Aye." MOTION PASSED.

35912 EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND THE AUDITOR'S OFFICE HAYS COUNTY USE OF CARES ACT FUNDING PURSUANT TO THE COVID-19 LOCAL DISASTER DECLARATION. POSSIBLE ACTION TO FOLLOW IN OPEN COURT.

Vickie Dorsett, Auditor's office announced the modifications that have been made. She listed the deadlines for the applications and the qualifications for the cap limits. A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize execution of an amendment to the agreement between Hays County and Blanco River Regional Recovery Team (BR3T) Allowing for an increase to funding provided under the agreement , as discussed in Executive Session and pursuant to the assistant categories, amounts, caps, and clarifications stated by the Auditor's Office. All present voted "Aye." MOTION PASSED.

EXECUTIVE SESSION PURSUANT TO SECTIONS 551.071 AND 551.074 OF THE TEXAS GOVERNMENT CODE: CONSULTATION WITH COUNSEL AND DELIBERATION REGARDING THE APPOINTMENT AND DUTIES OF THE HAYS COUNTY JUSTICE OF THE PEACE IN PRECINCT 5 OFFICE. POSSIBLE DISCUSSION AND/OR ACTION MAY FOLLOW IN OPEN COURT.

No action was taken.

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

Judge Becerra stated the burn ban is still in effect as recommended by the Fire Marshall. No action was taken.

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 \$44905.00 for the week of November 22 – November 28, 2020. The number of outsourced males was 130 inmates and females were 0 inmates. The number of arrest made by agency are as follows; Buda Police Department - 1, Department of Public Safety – 4, Hays County Sheriff's Department – 27, this includes court ordered commitments, warrant pick-ups from all agencies, and self-surrender warrants from all agencies, Kyle Police Department – 22, San Marcos Police Department - 23, Texas State Police Department – 1. No action taken.

Clerk's Note Agenda Item #43 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 #44 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 11:23 p.m.

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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 December 8, 2020.



A handwritten signature in cursive script that reads "Elaine H. Cardenas".

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

