HAYS COUNTY COMMISSIONERS' COURT MINUTES

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JUNE 7, 2022

STATE OF TEXAS *
COUNTY OF HAYS *

ON THIS THE 7th DAY OF JUNE A.D., 2022, 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://hayscountytx.com/commissioners-court/court-video/ Transcript can be translated into any language through Google.com.

THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Commissioner Ingalsbe 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 warning the public about snakes in county parks. He read a letter from Ashley Whittenberger concerning the public's access to public parks. Vanessa Westbrook made a public comment inviting the public to attend the Juneteenth celebration in Kyle. Christopher Calkins made a public comment inviting the public and the court to the first annual People's Walk and spoke about Kyle AmVets Post 115's activities that support veterans. Laney Rhea made a public comment concerning county road quality and asked for better maintenance.

37661 Adopt a proclamation declaring June 7, 2022 Lehman High School Lady Lobos State Champions day and recognize the Powerlifting Individual State Champions.

Commissioner Jones praised the students for their achievement. Karen Zuniga, Lehman High School Principal, stated the high school has won 3 out of 4 State Championships and thanked the court for the recognition.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to adopt a proclamation declaring June 7, 2022 Lehman High School Lady Lobos State Champions day and recognize the Powerlifting Individual State Champions.

Vote: 5 - 0 Passed - Unanimously

37662 Adopt a Proclamation recognizing the winners of the Hays County Historical Commission 2022 Juneteenth Essay Contest.

Vanessa Westbrook, Chair of the African American Heritage Committee of the Hays County Historical Commission, presented the winners of the 2022 Juneteenth Essay Contest and thanked the sponsors for donating prizes. Elaine Cardenas, Hays County Clerk, asked where the essays can be read. Westbrook responded essays can be read on the Hays County Historical Commission website.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a Proclamation recognizing the winners of the Hays County Historical Commission 2022 Juneteenth Essay Contest.

Vote: 5 - 0 Passed - Unanimously

37663 Adopt a Proclamation declaring June 2022 as Hays County Month Long Celebration of Juneteenth.

Pastor Jonafa Banbury, Secretary of the Dunbar Heritage Association, thanked the court for the proclamation, which documents the history of Hays County celebrations, and stated that Juneteenth is now a federal holiday. She spoke about the significance of the holiday and invited the public to the Dunbar Heritage Association's celebrations. Rose Brooks spoke about her cake auction which has occurred for 50 years and raises money for scholarships. David Peterson, Precinct 1 Constable, promoted the Unity Walk and praised the mentors of the African American community. Pastor Derrick Benn, Greater Bethel Baptist Church, invited the public to the Unity Walk and spoke about the importance of unity and racial reconciliation. Constable Peterson thanked the court for recognizing the holiday. Dex Ellison, Kyle City Council member, invited the public to various City of Kyle Juneteenth events.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to adopt a Proclamation declaring June 2022 as Hays County Month Long Celebration of Juneteenth.

Vote: 5 - 0 Passed - Unanimously

37664 Approve payments of County invoices.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve payments of County invoices.

Vote: 5 - 0 Passed - Unanimously

37665 Approve the payment of Juror checks.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to approve the payment of Juror checks.

Vote: 5 - 0 Passed - Unanimously

37666 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.

Vote: 5 - 0 Passed - Unanimously

37667 Approve the payment of the June 15, 2022 payroll disbursements in an amount not to exceed $3,155,000.00 effective June 15, 2022 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 June 15, 2022 payroll disbursements in an amount not to exceed $3,155,000.00 effective June 15, 2022 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

Vote: 5 - 0 Passed - Unanimously

37668 Authorize the Sheriff's Office to accept a donation valued at $500.00 to the 2022 Jr. Deputy program from VFW Post 6441 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Sheriff's Office to accept a donation valued at $500.00 to the 2022 Jr. Deputy program from VFW Post 6441 and amend the budget accordingly.

Vote: 5 - 0 Passed - Unanimously

37669 Authorize the Hays County Judge to execute an application by the Hays Co. Constable, Pct. 4 for participation in the Texas 1033 Surplus Program.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the Hays County Judge to execute an application by the Hays Co. Constable, Pct. 4 for participation in the Texas 1033 Surplus Program.

Vote: 5 - 0 Passed - Unanimously

37670 Authorize the Sheriff's Office to use existing funds to purchase 30 each radio and equipment drawers for FY 2022 patrol vehicles valued at $71,250.00 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Sheriff's Office to use existing funds to purchase 30 each radio and equipment drawers for FY 2022 patrol vehicles valued at $71,250.00 and amend the budget accordingly.

Vote: 5 - 0 Passed - Unanimously

37671 Authorize the Sheriff's Office to use existing funds for the purchase of a camera and accessories for a Criminalist position valued at $5,500.00 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Sheriff's Office to use existing funds for the purchase of a camera and accessories for a Criminalist position valued at $5,500.00 and amend the budget accordingly.

Vote: 5 - 0 Passed - Unanimously

37672 Authorize the County Judge to execute a Texas Workforce Commission Data Exchange Request and Safeguard Plan related to an Information Release Contract for the Hays County Constable for Precinct #3.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a Texas Workforce Commission Data Exchange Request and Safeguard Plan related to an Information Release Contract for the Hays County Constable for Precinct #3.

Vote: 5 - 0 Passed - Unanimously

37673 Authorize the Constable Pct. 3 Office to purchase vehicle equipment from Dana Safety Supply for the 2015 Ford F-150 law enforcement vehicle and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Constable Pct. 3 Office to purchase vehicle equipment from Dana Safety Supply for the 2015 Ford F-150 law enforcement vehicle and amend the budget accordingly.

Vote: 5 - 0 Passed - Unanimously

37674 Authorize the submission of a grant application to the Department of Justice, Office of Community Oriented Policing Services FY2022 COPS Hiring Program (CHP) in the amount of $500,000.00.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the submission of a grant application to the Department of Justice, Office of Community Oriented Policing Services FY2022 COPS Hiring Program (CHP) in the amount of $500,000.00.

Vote: 5 - 0 Passed - Unanimously

37675 Authorize the contract renewal of RFP 2021-P01 Elevator Maintenance and Repair Service with Otis Elevator Company.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the contract renewal of RFP 2021-P01 Elevator Maintenance and Repair Service with Otis Elevator Company.

Vote: 5 - 0 Passed - Unanimously

37676 Approve specifications for IFB 2022-B12 Belterra Drive - Remove & replace Hot Mix and authorize Purchasing to solicit for bids and advertise.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve specifications for IFB 2022-B12 Belterra Drive - Remove & replace Hot Mix and authorize Purchasing to solicit for bids and advertise.

Vote: 5 - 0 Passed - Unanimously

37677 Approve specifications for IFB 2022-B13 Elder Hill Road - Remove & Replace Hot Mix and authorize Purchasing to solicit for bids and advertise.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve specifications for IFB 2022-B13 Elder Hill Road - Remove & Replace Hot Mix and authorize Purchasing to solicit for bids and advertise.

Vote: 5 - 0 Passed - Unanimously

37678 Approve specifications for RFQ 2022-Q03 Engineering Services - RM 2325 Sidewalk and authorize Purchasing to solicit for proposals and advertise.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve specifications for RFQ 2022-Q03 Engineering Services - RM 2325 Sidewalk and authorize Purchasing to solicit for proposals and advertise.

Vote: 5 - 0 Passed - Unanimously

37679 Approve Utility Permits.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to approve Utility Permits.

Vote: 5 - 0 Passed - Unanimously

37680 Authorize the Hays County Budget Officer and Hays County Budget Office to occupy the office space within the Hays County Courthouse.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Hays County Budget Officer and Hays County Budget Office to occupy the office space within the Hays County Courthouse.

Vote: 5 - 0 Passed - Unanimously

37681 Authorize an amendment to the Building Maintenance Department's operating budget for building maintenance and repairs and janitorial services as needed for the remainder of fiscal year 2022.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize an amendment to the Building Maintenance Department's operating budget for building maintenance and repairs and janitorial services as needed for the remainder of fiscal year 2022.

Vote: 5 - 0 Passed - Unanimously

37682 Authorize the County Judge to execute an amended Interlocal Cooperation Agreement Between Hays County and Burnet County for Jail Services related to the outsourcing of Hays County inmates.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute an amended Interlocal Cooperation Agreement Between Hays County and Burnet County for Jail Services related to the outsourcing of Hays County inmates.

Vote: 5 - 0 Passed - Unanimously

Clerk's Note Agenda Item #G-20 RE: *Authorize the County Judge to execute a Contract Amendment with Kyle Landscaping Services related to Cemetery Maintenance pursuant to IFB 2022-B04, adding Antioch Cemetery ($140.00 per visit for the front and $240.00 once per month for the back).* - **WAS PULLED.**

37683 Discussion and possible action to authorize the County Judge to execute the 6th 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.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute the 6th 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.

Vote: 5 - 0 Passed - Unanimously

37684 Discussion and possible action to authorize the County Judge to execute an Advanced Funding Agreement with Lennar Homes of Texas Land and Construction LTD related to Phase I of Waterstone subdivision in Precinct 1, and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute an Advanced Funding Agreement with Lennar Homes of Texas Land and Construction LTD related to Phase I of Waterstone subdivision in Precinct 1, and amend the budget accordingly.

Vote: 5 - 0 Passed - Unanimously

37685 Discussion and possible action to authorize the County Judge to execute an Advanced Funding Commitment Agreement with the Valor Texas Education Foundation to facilitate construction of a left turn lane as part of the county's widening of Windy Hill Road in Precinct 1.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an Advanced Funding Commitment Agreement with the Valor Texas Education Foundation to facilitate construction of a left turn lane as part of the county's widening of Windy Hill Road in Precinct 1.

Vote: 5 - 0 Passed - Unanimously

37686 Discussion and possible action to authorize the County Judge to execute an Interlocal Agreement between Hays County and the City of Buda relating to the County's Robert S. Light Boulevard roadway rehabilitation project between RM 967 and I-35 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute an Interlocal Agreement between Hays County and the City of Buda relating to the County's Robert S. Light Boulevard roadway rehabilitation project between RM 967 and I-35 and amend the budget accordingly.

Vote: 5 - 0 Passed - Unanimously

37687 Discussion and possible action to approve a resolution requesting the Texas Department of Transportation (TxDOT) to initiate the process to remove a segment of existing FM 2001 from the State Highway System and convey to Hays County for future ownership of the right-of-way and maintenance, and to add a segment of future FM 2001 to the State Highway System for State future ownership of the right-of-way and maintenance.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to approve a resolution requesting the Texas Department of Transportation (TxDOT) to initiate the process to remove a segment of existing FM 2001 from the State Highway System and convey to Hays County for future ownership of the right-of-way and maintenance, and to add a segment of future FM 2001 to the State Highway System for State future ownership of the right-of-way and maintenance.

Vote: 5 - 0 Passed - Unanimously

37688 Discussion and possible action to authorize the County Judge to execute an Interlocal Agreement between Hays County and the City of San Marcos relating to the County's FM 621 Safety Improvements project and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute an Interlocal Agreement between Hays County and the City of San Marcos relating to the County's FM 621 Safety Improvements project and amend the budget accordingly.

Vote: 5 - 0 Passed - Unanimously

37689 Hold a public hearing with possible action to establish a 3-way stop location on Goforth Rd at the intersection with Foster Place, per a recent traffic study.

Judge Becerra opened the Public Hearing at 9:53 a.m. No comments were made. Judge Becerra closed the Public Hearing at 9:54 a.m.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to establish a 3-way stop location on Goforth Rd at the intersection with Foster Place, per a recent traffic study.

Vote: 5 - 0 Passed - Unanimously

37690 Discussion and possible action to accept the maintenance bond rider extension from DNT Construction until December 12, 2022: Turnersville Road & Campo Del Sol Parkway Extension project, Maintenance bond #PB03016800230M in the amount of $121,243.00.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept the maintenance bond rider extension from DNT Construction until December 12, 2022: Turnersville Road & Campo Del Sol Parkway Extension project, Maintenance bond #PB03016800230M in the amount of $121,243.00.

Vote: 5 - 0 Passed - Unanimously

37691 Discussion and possible action to accept the Irrevocable Standby Letter of Credit No. 55110289 for street and drainage improvements for the Mansions of Buda subdivision project in the amount of $1,202,038.38.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept the Irrevocable Standby Letter of Credit No. 55110289 for street and drainage improvements for the Mansions of Buda subdivision project in the amount of $1,202,038.38.

Vote: 5 - 0 Passed - Unanimously

37692 Hold a public hearing with possible action to reduce the current speed limit of 40 MPH on Elder Hill Road, per a recent traffic study, to 30 MPH from FM 150 to approximately 800 feet east of La Ventana Parkway, then 35 MPH to approximately 500 feet west of Panther Creek Road, then 30 MPH to RR.

Judge Becerra opened a Public Hearing at 9:56 a.m. No comments were made. Judge Becerra closed the Public Hearing at 9:56 a.m. Commissioner Smith stated the Transportation Department did a study on traffic improvements for this area and this is the first step of likely many improvements.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to reduce the current speed limit of 40 MPH on Elder Hill Road, per a recent traffic study, to 30 MPH from FM 150 to approximately 800 feet east of La Ventana Parkway, then 35 MPH to approximately 500 feet west of Panther Creek Road, then 30 MPH to RR.

Vote: 5 - 0 Passed - Unanimously

37693 Discussion and possible action to approve the selection of Halff Associates, Inc. to provide right of way acquisition services for the RM 12 safety improvements near the intersection of Skyline Drive project in Precinct 3; and to authorize staff and counsel to negotiate a contract.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the selection of Halff Associates, Inc. to provide right of way acquisition services for the RM 12 safety improvements near the intersection of Skyline Drive project in Precinct 3; and to authorize staff and counsel to negotiate a contract.

Vote: 5 - 0 Passed - Unanimously

37694 Discussion and possible action to approve the selection of Cobb Fendley & Associates, Inc. to provide utility coordination services for the RM 12 safety improvements near the intersection of Skyline Drive project in Precinct 3; and to authorize staff and counsel to negotiate a contract.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the selection of Cobb Fendley & Associates, Inc. to provide utility coordination services for the RM 12 safety improvements near the intersection of Skyline Drive project in Precinct 3; and to authorize staff and counsel to negotiate a contract.

Vote: 5 - 0 Passed - Unanimously

37695 Discussion and possible action to accept an updated Proposal from Water & Earth Technologies (WET) related to the Upstream remote camera on the FM 150 double crossing of Onion Creek; authorize a discretionary exemption pursuant to Local Government Code, Ch. 262.024 (a)(7)(D) and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Jones to accept an updated Proposal from Water & Earth Technologies (WET) related to the Upstream remote camera on the FM 150 double crossing of Onion Creek; authorize a discretionary exemption pursuant to Local Government Code, Ch. 262.024 (a)(7)(D) and amend the budget accordingly.

Vote: 5 - 0 Passed - Unanimously

37696 Discussion and possible action to add one new Deputy Clerk III position with computer equipment for the District Clerk's Office effective July 1, 2022, and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to add one new Deputy Clerk III position with computer equipment for the District Clerk's Office effective July 1, 2022, and amend the budget accordingly.

Vote: 5 - 0 Passed - Unanimously

37697 Discussion and possible action to accept a Proposal from Water & Earth Technologies (WET) related to the reinstallation of the LWX at Cotton Gin at Porter Creek; authorize a discretionary exemption pursuant to Local Government Code, Ch. 262.024 (a)(7)(D) and amend the budget accordingly.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to accept a Proposal from Water & Earth Technologies (WET) related to the reinstallation of the LWX at Cotton Gin at Porter Creek; authorize a discretionary exemption pursuant to Local Government Code, Ch. 262.024 (a)(7)(D) and amend the budget accordingly.

Vote: 5 - 0 Passed - Unanimously

37698 Discussion and Possible Action to determine that drought conditions exist and to adopt an order under Section 352.051 of the Texas Local Governement Code, prohibiting the sale or use of restricted fireworks, defined as "skyrockets with sticks" and "missiles with fins", in the unincorporated area of Hays County, providing for the expiration of said order if the Hays County Fire Marshal determines that drought conditions no longer exist prior to end of the sales period for the July 4th fireworks season.

Mark Kennedy, General Counsel, stated state law requires the court to order this by June 15th for the 4th of July fireworks season. Mark Wobus, Fire Marshal, spoke about the worsening drought conditions. Commissioner Jones asked how this order would affect local fireworks businesses and city displays. Wobus stated businesses can still sell fireworks, just not the restricted kind, and cities would determine their own displays. Kennedy recommended the motion be contingent on the Keetch-Byram Drought Index (KBDI) existing at 575 or greater prior to June 15th. Commissioner Shell amended the motion.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to adopt an order under Section 352.051 of the Texas Local Governement Code, prohibiting the sale or use of restricted fireworks, defined as "skyrockets with sticks" and "missiles with fins", in the unincorporated area of Hays County, contingent upon the KBDI being 575 or higher on June 15th, and providing for the expiration of said order if the Hays County Fire Marshal determines that drought conditions no longer exist prior to end of the sales period for the July 4th fireworks season.

Vote: 5 - 0 Passed - Unanimously

37699 Discussion and possible action to double fill the Transportation Department's Financial Superintendent and Bookkeeper/Purchasing Coordinator positions for a four-week period retroactive to June 3, 2022.

A motion was made by Commissioner Jones, seconded by Commissioner Ingalsbe to double fill the Transportation Department's Financial Superintendent and Bookkeeper/Purchasing Coordinator positions for a four-week period retroactive to June 3, 2022.

Vote: 5 - 0 Passed - Unanimously

Clerk's Note: *Resolution # 37699 was re-opened after Executive Session.*

A motion was made by Commissioner Jones, seconded by Commissioner Smith to amend the previous motion to allow the Bookkeeping/Purchasing Coordinator to double fill at the employees current salary, as presented in Executive Session.

Vote: 5 - 0 Passed - Unanimously

37700 Discussion and possible action to authorize the County Judge to execute a Professional Services Agreement related to RFP 2022-P09 Comprehensive Classification and Compensation Study between Hays County and Management Advisory Group International, Inc., and amend the budget accordingly.

Shari Miller, Human Resources Director, spoke about the RFP timeline and it's September deadline. Commissioner Smith stated that having data as soon as possible will help with the budget process.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize the County Judge to execute a Professional Services Agreement related to RFP 2022-P09 Comprehensive Classification and Compensation Study between Hays County and Management Advisory Group International, Inc., and amend the budget accordingly.

Vote: 5 - 0 Passed - Unanimously

37701 Discussion and possible action to authorize the County Courts at Law to hire the Mental Health Court Caseworker position at the 50th percentile; and the Mental Health Court Administrator position at the 34th percentile effective June 16, 2022, and amend the budget accordingly.

Judge Becerra amended the motion to hire both positions at the 50th percentile. Judge O'Brien, County Court at Law 3, stated the salary exceptions are for applicants that meet the qualifications and allow the county to be competitive in the job market. Commissioner Ingalsbe thanked Judge O'Brien for his work in moving the Mental Health Court forward.

A motion was made by Commissioner Jones, seconded by Commissioner Smith to authorize the County Courts at Law to hire the Mental Health Court Caseworker position at the 50th percentile; and the Mental Health Court Administrator position at the 50th percentile effective June 16, 2022, and amend the budget accordingly.

Vote: 5 - 0 Passed - Unanimously

Clerk's Note: *Executive Session began at 10:16 a.m. and resumed back into open court at 2:24 p.m.*

Clerk's Note Agenda Item #K-1 RE: *Executive Session pursuant to Sections 551.071 and 551.074 of the Texas Government Code: consultation with counsel and deliberation regarding duties of all individual positions within the office of the Hays County Justice of the Peace 5. Possible discussion and/or action may follow in open court.* - **WAS PULLED.**

Executive Session pursuant to Sections 551.071 and 551.074 of the Texas Government Code: consultation with counsel and deliberation regarding duties of all individual positions of the Hays County County Clerk's Office. Possible discussion and/or action may follow in open court.

Judge Becerra stated the court is committed to the concerns raised and the item will be brought back in 2 weeks. No action taken.

37702 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 Dark Monday, Project Fire Engine Red, Project Fresh Lime, Project Gold Fish and Project Thin Mint. Possible discussion and/or action may follow in open Court.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Jones to authorize the County Judge to execute a Chapter 381 Economic Development Incentives Agreement between Hays County and Yarrington Logistics Owner, LP, as discussed and presented in Executive Session.

Vote: 5 - 0 Passed - Unanimously

Commissioner Ingalsbe stated this economic development incentive agreement is not built around job creation; instead it is focused on opportunities created by the development of Shelf Space developing 5 spec buildings totaling approximately 1,392,000 square feet on approximately 97 acres of land. The proposal is to pay 75% of the value of ad valorem tax value real property taxes collected from 2022 through 2029.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute a Chapter 381 Economic Development Incentives Agreement between Hays County and Hill Country Group, LLC, as discussed and presented in Executive Session.

Vote: 5 - 0 Passed - Unanimously

Commissioner Shell stated this is for a film production company located at the La Cima Development. The City of San Marcos will be considering a 380 agreement, and this will provide opportunities for jobs and commercial development for the community. This will be one of the largest film production studios in the United States. The value added is estimated to be $4 million in land development, almost $170 million in vertical construction, and almost $45 million in personal property. The incentives will begin in 2025 and run through 2029. Judge Becerra stated this project will help the county keep the tax rate low.

37703 Executive Session pursuant to Section 551.071 of the Texas Government Code: consultation with counsel regarding the outsourcing of inmates in the Hays County Corrections Facility, including interlocal agreements that facilitate outsourcing. Possible discussion and/or action may follow in Open Court.

Commissioner Shell spoke about the jail size and the need to outsource inmates to out-of-state facilities. Judge Becerra stated he is reluctant to do this and thanked the court for their work in solving this issue. He explained Hays County is not alone in jail overcrowding. Commissioner Shell stated this is in preparation for summer population increases and efficiency needs to be improved.

A motion was made by Commissioner Shell, seconded by Commissioner Jones to authorize the Office of General Counsel to include out-of-state jail facilities in its agreements with local governments for the outsourcing of inmates in the Hays County Jail Facility.

Vote: 5 - 0 Passed - Unanimously

Executive Session pursuant to Sections 551.071 and 551.074 of the Texas Government Code: consultation with counsel and deliberation regarding duties of all individual positions of the Hays County Transportation Department. Possible discussion and/or action may follow in open court.

No action taken.

37704 Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation regarding the purchase, exchange, lease and/or value of Right of Way located at or near Shady Bluff Drive in Pct. 3. Possible discussion and/or action may follow in open court.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute Public Access Easements in relation to small parcels of Right of Way along Shady Bluff Drive in Precinct 3 of Hays County.

Vote: 5 - 0 Passed - Unanimously

Clerk's Note: *Resolution # 37705 was opened during Executive Session.*

37705 Discussion and possible action related to the burn ban.

Mark Wobus, Fire Marshal, stated the Keetch-Byram Drought Index (KBDI) is now up to 546 and is raising about 10 points per day. He recommended the burn ban be implemented today. Mark Kennedy, General Counsel, stated an order reflecting the ban will be provided.

A motion was made by Judge Becerra, seconded by Commissioner Smith to implement a burn ban.
Vote: 5 - 0 Passed - Unanimously

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. Current maximum jail capacity is 410 inmates. Jail Standards recommends holding 10% open, lowering current capacity to 368 inmates. The jail's daily average was 684 inmates for the week of May 29, 2022, with a peak of 690 inmates on June 3, 2022. The estimated cost for outsourcing inmates this week was $116,910. The average number of outsourced males is 215 and females is 37. This week's inmates were housed in the following counties: Atascosa, Blanco, Comal, Fort Bend, Grimes, Lee, Maverick and Red River. Judge Becerra emphasized that it is the Sheriff's responsibility to care for these inmates, not move them out of the jail, and asked that the next report includes the number of "Paper-Ready" Inmates. No action taken.

Clerk's Note Agenda Item #L-3 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 #L-4 RE: *Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP).* - **WAS PULLED.**

ADJOURNMENT

A motion was made by Commissioner Jones, seconded by Judge Becerra to adjourn court at 2:40 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 7, 2022.

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