

HAYS COUNTY COMMISSIONERS' COURT MINUTES



JANUARY 17, 2023

STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 17th DAY OF JANUARY A.D., 2023, 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
MICHELLE COHEN	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:

Pastor Darius Todd, Abundant Life Christian 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**

*Harvery Jenkins made a public comment concerning the death of Joshua Wright and high taxes. Rodrigo Amaya made a public comment concerning Hays County leadership and the death of Joshua Wright. Ryan Patrick Perkins made a public comment in support of the Hays County Historical Commission and Kate Johnson's leadership and contributions. Scott Ogle made a public comment concerning the use of steroids among police officers. Enrique Ospina made a public comment concerning election integrity. Sam Brannon made a public comment concerning election integrity and the Elections Office. Mary Mitchell made a public comment concerning election integrity. Dan Lyon made a public comment concerning increased development in Hays County.*

**38469** Adopt a Proclamation declaring January 2023 as National Crime Stoppers Month.

*Commissioner Ingalsbe recognized the Crime Stoppers organization for their work. Steve Meyer, Vice Chair of Hays County Crime Stoppers, thanked the Court for their support and spoke about their successful year, including hosting the upcoming statewide Campus Crime Stoppers conference. Commissioner Smith thanked Jeff Jordan for his contributions to the organization.*

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to adopt a Proclamation declaring January 2023 as National Crime Stoppers Month.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38470** Appoint, swear in, and confirm members of the Hays County Historical Commission, pursuant to Chapter 318 of the Texas Local Government Code.

*Commissioner Ingalsbe nominated Robert Frizzell and Linda Coker. Commissioner Shell nominated Cindy Meyer, Ralph Meyer, Echo Uribe, Ryan Patrick Perkins, and Rosina Ruiz Valle. Commissioner Smith nominated Sally Ramirez, Cynthia Allison, Marie Bassett, Delbert Bassett, and Jo Landon.*

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve the nominated members to the Hays County Historical Commission, pursuant to Chapter 318 of the Texas Local Government Code.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for Dripping Springs Hometown Missions.

*Rodrigo Amaya made a public comment concerning the cost of the item and the contract drafts. Eric Boehning, Ardurra Senior Project Manager, presented a plan to use ARPA funds for Dripping Springs Hometown Missions. Commissioner Smith spoke about the organization's work in the community.*

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for the Greater San Marcos Youth Council.

*Rodrigo Amaya made a public comment concerning the cost of the item and the contract drafts. Eric Boehning, Ardurra Senior Project Manager, presented a plan to use ARPA funds for the Greater San Marcos Youth Council. Commissioner Shell stated he would like to contribute \$100,000 from the Precinct 3 allocation. Commissioner Ingalsbe stated she is willing to contribute \$36,000 from the Precinct 1 allocation.*

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for the Wimberley 4H Buyer's Pool.

*Rodrigo Amaya made a public comment concerning the cost of the item and the contract drafts. Eric Boehning, Ardurra Senior Project Manager, presented a plan to use ARPA funds for the Wimberley 4H Buyer's Pool.*

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for the Centro Cultural Hispano De San Marcos.

*Rodrigo Amaya made a public comment concerning the cost of the item and the contract drafts. Eric Boehning, Ardurra Senior Project Manager, presented a plan to use ARPA funds for the Centro Cultural Hispano De San Marcos. Commissioner Ingalsbe stated additional funds will most likely be contributed in the future.*

Presentation by Ardurra regarding use of American Rescue Plan Act (ARPA) funds for the Hays County Child Protective Board.

*Rodrigo Amaya made a public comment concerning the cost of the item and the contract drafts. Eric Boehning, Ardurra Senior Project Manager, presented a plan to use ARPA funds for the Hays County Child Protective Board. Commissioner Smith stated he would like to contribute an additional \$50,000 from the Precinct 4 allocation.*

**Clerk's Note:** Judge Becerra called for a recess that began at 10:26 a.m. and resumed back into open court at 10:38 a.m.

**38471** Approve payments of County invoices.

*Marisol Villarreal-Alonso, Hays County Auditor, added an invoice payable to Neighborhood Defender Service to the item. Mark Kennedy, General Counsel, clarified this invoice is for \$376,097.*

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

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38472** Approve the payment of Juror checks.

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

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38473** Approve the payment of United Healthcare claims.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve the payment of United Healthcare claims.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38474** Approve Commissioners Court Minutes of December 6, 2022 and December 20, 2022.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of December 6, 2022 and December 20, 2022.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38475** Authorize the County Judge to execute the annual renewal agreement between Hays County and American Aerobic Management Systems (AAMS) in the amount of \$2,985.00 for the annual maintenance and inspections of all Hays County septic systems.

*Rodrigo Amaya made a public comment concerning language in the renewal agreement. Mark Kennedy, General Counsel, stated the terms of the agreement are acceptable.*

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute the annual renewal agreement between Hays County and American Aerobic Management Systems (AAMS) in the amount of \$2,985.00 for the annual maintenance and inspections of all Hays County septic systems.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38476** Authorize the acceptance of a grant award from the Office of the Governor, FY23 Ballistic Shield Grant Program in the amount of \$192,006.85 and amend the budget accordingly.

*Rodrigo Amaya made a public comment against the item.*

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the acceptance of a grant award from the Office of the Governor, FY23 Ballistic Shield Grant Program in the amount of \$192,006.85 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38477** Authorize the County Judge to execute Amendment No. 1 to the Department of State Health Services, Regional Local Services Systems Contract.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the County Judge to execute Amendment No. 1 to the Department of State Health Services, Regional Local Services Systems Contract.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38478** Authorize the Treasurer's Office to submit a Vendor Maintenance Direct Deposit Form to the Texas Department of Criminal Justice for the Sheriff's Office related to eligible reimbursements for prisoner transfers.

*Rodrigo Amaya made a public comment concerning information included in the back-up. Commissioner Ingalsbe clarified the information included in the back-up.*

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Treasurer's Office to submit a Vendor Maintenance Direct Deposit Form to the Texas Department of Criminal Justice for the Sheriff's Office related to eligible reimbursements for prisoner transfers.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38479** Approve and confirm the appointment of John Pozuc as a regular full-time Deputy Constable in the Hays County Constable Precinct 4 Office.

*Ron Hood, Hays County Constable Precinct 4, presented the officer to the Court and reviewed his qualifications.*

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve and confirm the appointment of John Pozuc as a regular full-time Deputy Constable in the Hays County Constable Precinct 4 Office.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38480** Approve and confirm the appointment of Juan Zesati as a regular full-time Deputy Constable in the Hays County Constable, Precinct 4 Office.

*Ron Hood, Hays County Constable Precinct 4, presented the officer to the Court and reviewed his qualifications.*

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve and confirm the appointment of Juan Zesati as a regular full-time Deputy Constable in the Hays County Constable, Precinct 4 Office.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38481** Accept the 2022 Racial Profiling Report from the Hays County Constable Office Precinct 1.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to accept the 2022 Racial Profiling Report from the Hays County Constable Office Precinct 1.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38482** Authorize payment to Hill Country Trophy in the amount of \$528.75 for employee service awards where no purchase order was issued as required per the Hays County Purchasing Policy.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize payment to Hill Country Trophy in the amount of \$528.75 for employee service awards where no purchase order was issued as required per the Hays County Purchasing Policy.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38483** Approve Resolution Amending Authorized Representatives agreement with TexPool.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve Resolution Amending Authorized Representatives agreement with TexPool.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38484** Approve renewal of the Microsoft Enterprise Enrollment Agreement with SHI Governmental Solutions for three (3) additional years, effective October 1, 2022.

*Rodrigo Amaya made a public comment concerning the dates on the agreement. Jeff McGill, Director of Information Technology, clarified this agreement was executed in October 2022 but is needing the Judge's signature.*

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve renewal of the Microsoft Enterprise Enrollment Agreement with SHI Governmental Solutions for three (3) additional years, effective October 1, 2022.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38485** Approve renewal of IFB 2021-B04 Lawn & Landscape Services with Texan Landscape LLC for one (1) additional year.

*Rodrigo Amaya made a public comment concerning the price of the services. Tammy Crumley, Director of Countywide Operations, clarified the rates charged by the company and the coverage provided.*

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve renewal of IFB 2021-B04 Lawn & Landscape Services with Texan Landscape LLC for one (1) additional year.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38486** Approve renewal of IFB 2022-B07 Road Building Materials - Hot Mix Overlay with Colorado Materials, Ltd. and Asphalt Inc. LLC, dba Lone Star Paving Company for one(1) additional year with the proposed price increases.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve renewal of IFB 2022-B07 Road Building Materials - Hot Mix Overlay with Colorado Materials, Ltd. and Asphalt Inc. LLC, dba Lone Star Paving Company for one(1) additional year with the proposed price increases.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38487** Approve renewal of IFB 2022-B06 Road Building Materials - Limestone Rock Asphalt, Cold Mix with Vulcan Construction Materials, LLC. for one (1) additional year with the proposed price increases.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve renewal of IFB 2022-B06 Road Building Materials - Limestone Rock Asphalt, Cold Mix with Vulcan Construction Materials, LLC. for one (1) additional year with the proposed price increases.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38488** Approve renewal of IFB 2022-B05 Countywide Portable Toilets and Handwashing Station Rental Services with United Site Services of Texas, Inc.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve renewal of IFB 2022-B05 Countywide Portable Toilets and Handwashing Station Rental Services with United Site Services of Texas, Inc.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38489** Authorize the submission of a preliminary application of the Texas Department of Transportation (TxDOT), FY23 Transportation Alternatives Set Aside Grant Program in the amount of \$1,393,181.23.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the submission of a preliminary application of the Texas Department of Transportation (TxDOT), FY23 Transportation Alternatives Set Aside Grant Program in the amount of \$1,393,181.23.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38490** Approve Utility Permits.

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

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38491** Approve specifications for IFB 2023-B13 Contractor for IT-Elections Building Renovation and authorize Purchasing to solicit for bids and advertise.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve specifications for IFB 2023-B13 Contractor for IT-Elections Building Renovation and authorize Purchasing to solicit for bids and advertise.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38492** Approve out-of-state travel, utilizing the Sheriff's Office Continuing Education Funds, for Lt. Clint Pulpan to attend Force Science Certification on March 6-10, 2023, in Columbia, South Carolina.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve out-of-state travel, utilizing the Sheriff's Office Continuing Education Funds, for Lt. Clint Pulpan to attend Force Science Certification on March 6-10, 2023, in Columbia, South Carolina.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38493** Approve time extension of RFP 2022-P01 Hays County Property-Civic Center Road and Clovis Barker Road with Casey Development, LTD until June 30, 2023.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve time extension of RFP 2022-P01 Hays County Property-Civic Center Road and Clovis Barker Road with Casey Development, LTD until June 30, 2023.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38494** Approve renewal of IFB 2020-B04 Concrete with Brauntex Materials and Lauren Concrete.

*Rodrigo Amaya made a public comment concerning the dates in the contract.*

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to approve renewal of IFB 2020-B04 Concrete with Brauntex Materials and Lauren Concrete.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38495** Authorize the purchase of three (3) truck tool boxes valued at \$1,781.85 for the Development Services Department and amend the budget accordingly.

*Rodrigo Amaya made a public comment concerning the cost of the item. Commissioner Smith and Marcus Pacheco, Director of Development Services, explained why these tool boxes were chosen.*

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the purchase of three (3) truck tool boxes valued at \$1,781.85 for the Development Services Department and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38496** Authorize a purchasing waiver for the Sheriff's Office to utilize Magnet Forensics for investigative purposes and authorize the execution of a yearly service agreement valued at \$3,730.00.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize a purchasing waiver for the Sheriff's Office to utilize Magnet Forensics for investigative purposes and authorize the execution of a yearly service agreement valued at \$3,730.00.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

Authorize the internal reporting structure of the Office of Emergency Services to report to the Office of Emergency Management Director under the County Judge's authority.

*Judge Becerra explained his goal of improving communication between the Emergency Services and Emergency Management Offices. Commissioner Smith expressed concern over removing oversight from the Commissioners. The Court discussed with Mike Jones, Director of Emergency Services, how these changes would affect the department. Judge Becerra tabled the item and stated it will be discussed during Executive Session. No action taken.*

**38497** Authorize the Treasurer's Office to purchase two Waveworks office desks from Tangram valued at \$2,942.32 and amend the budget accordingly.

*Rodrigo Amaya made a public comment thanking Daphne Tenorio, Hays County Treasurer, for the information provided in the back-up.*

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize the Treasurer's Office to purchase two Waveworks office desks from Tangram valued at \$2,942.32 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38498** Establish the Community Liaison Manager position within the County Judge's Office at a grade 114 and authorize the purchase of additional supplies, training and equipment and amend the budget accordingly.

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to establish the Community Liaison Manager position within the County Judge's Office at a grade 114 and authorize the purchase of additional supplies, training and equipment and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38499** Authorize the Pre-Trial Services Department to purchase one Zephyrus Ergonomic Bonded Leather High-Back Executive Chair from Office Depot, accept a donation for the purchase, and amend the budget accordingly.

*Rodrigo Amaya made a public comment concerning the cost of the item. Dan Lyon made a public comment concerning the cost of the item. Commissioner Shell explained why the Court must approve this item. Judge Becerra spoke about the Court's guidelines for purchasing. Commissioner Shell suggested reevaluating the Court's purchasing policy in the future. Stephanie Hunt, First Assistant County Auditor, spoke about previous purchasing practices. Commissioner Shell amended his motion to include a Not to Exceed amount for the chair and a \$100 donation from him to the County to help offset the cost. Vickie Dorsett, Hays County Budget Officer, explained the Pre-Trial Services Department's budget is in the ARPA fund and suggested moving this purchase to the County General Fund.*

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the Pre-Trial Services Department to purchase one Zephyrus Ergonomic Bonded Leather High-Back Executive Chair from Office Depot, not to exceed \$475, accept a \$100 donation from Lon Shell for the purchase, and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38500** Discussion and possible action to authorize the County Judge to execute an Advanced Funding Agreement (AFA) between Hays County and Texas Department of Transportation (TXDOT) related to the design and construction of traffic signals along FM 110.

*Commissioner Ingalsbe stated this will expedite the project and improve safety. Commissioner Shell thanked Commissioner Ingalsbe for her work on this project.*

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute an Advanced Funding Agreement (AFA) between Hays County and Texas Department of Transportation (TXDOT) related to the design and construction of traffic signals along FM 110.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38501** Discussion and possible action to consider the acceptance of road construction & surface drainage improvements, release of the subdivision bond #70NGP200080 in the amount of \$2,305,404.09, and acceptance of the 2-year maintenance bond #276971Q in the amount of \$264,822.59 for Hymeadow subd., Section 2, Phase 2.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept road construction & surface drainage improvements, release the subdivision bond #70NGP200080 in the amount of \$2,305,404.09, and accept the 2-year maintenance bond #276971Q in the amount of \$264,822.59 for Hymeadow subd., Section 2, Phase 2.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38502** Discussion and possible action to consider the acceptance of road construction & surface drainage improvements, release of the bond #K40280649 in the amount of \$1,516,062.79, acceptance of the 2-year maintenance bond #PB03016800800M in the amount of \$177,475.03, and acceptance of the 1-year revegetation bond #PB03016800933 in the amount of \$63,324.15 for Crosswinds subd., Phase 5A & B.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to accept road construction & surface drainage improvements, release the bond #K40280649 in the amount of \$1,516,062.79, accept the 2-year maintenance bond #PB03016800800M in the amount of \$177,475.03, and accept the 1-year revegetation bond #PB03016800933 in the amount of \$63,324.15 for Crosswinds subd., Phase 5A & B.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38503** Discussion and possible action to consider the acceptance of road construction & surface drainage improvements, release of the subdivision bond #PB10169600208 in the amount of \$1,997,294.74, and acceptance of the 2-year maintenance bond #EACX4027600 in the amount of \$254,453.91 for Mulberry Meadows, Phase 1 PICP.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to accept road construction & surface drainage improvements, release the subdivision bond #PB10169600208 in the amount of \$1,997,294.74, and accept the 2-year maintenance bond #EACX4027600 in the amount of \$254,453.91 for Mulberry Meadows, Phase 1 PICP.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38504** Discussion and possible action to approve the selection of Volkert, Inc. to provide construction, engineering & inspection (CE&I) services on an On-Call bases related to road improvement projects in Hays County; and authorize staff and counsel to negotiate a contract, as well as a Work Authorization #1 for CE&I services on the Robert S. Light Blvd project from RM 967 to IH-35 SBFR.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the selection of Volkert, Inc. to provide construction, engineering & inspection (CE&I) services on an On-Call bases related to road improvement projects in Hays County; and authorize staff and counsel to negotiate a contract, as well as a Work Authorization #1 for CE&I services on the Robert S. Light Blvd project from RM 967 to IH-35 SBFR.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38505** Discussion and possible action to accept fiscal surety for street and drainage improvements in the amount of \$133,292.43 for the Driftwood Golf and Ranch Club, Phase One, Block A, Lot 38, Replat (Performance Bond #4460965).

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept fiscal surety for street and drainage improvements in the amount of \$133,292.43 for the Driftwood Golf and Ranch Club, Phase One, Block A, Lot 38, Replat (Performance Bond #4460965).

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38506** Discussion and possible action to accept fiscal surety for street and drainage improvements in the amount of \$279,153.34 for the Driftwood Ranch, Phase 3, Section 2 Subdivision (Performance Bond #4460964).

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept fiscal surety for street and drainage improvements in the amount of \$279,153.34 for the Driftwood Ranch, Phase 3, Section 2 Subdivision (Performance Bond #4460964).

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38507** Discussion and possible action to consider the acceptance of road construction & surface drainage improvements, release of the Letter of Credit #20224128 in the amount of \$576,000.49, acceptance of the 2-year maintenance bond #PB03016800920 in the amount of \$71,580.67, and acceptance of the 1-year revegetation bond #PB03016800916 in the amount of \$26,778.02 for 6 Creeks subd., Phase 1, Section 5B.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept road construction & surface drainage improvements, release the Letter of Credit #20224128 in the amount of \$576,000.49, accept the 2-year maintenance bond #PB03016800920 in the amount of \$71,580.67, and accept the 1-year revegetation bond #PB03016800916 in the amount of \$26,778.02 for 6 Creeks subd., Phase 1, Section 5B.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38508** Discussion and possible action to accept fiscal surety for street and drainage improvements in the amount of \$2,174,384.25 for Headwaters at Barton Creek Subdivision, Phase 3 (Subdivision/Site Improvement Bond #ES00012802).

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept fiscal surety for street and drainage improvements in the amount of \$2,174,384.25 for Headwaters at Barton Creek Subdivision, Phase 3 (Subdivision/Site Improvement Bond #ES00012802).

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38509** Discussion and possible action to authorize a purchasing waiver for the Transportation Department to purchase a replacement traffic counter w/metal housing from MetroCount USA, Inc. in the amount of \$970.00 as a result of irreparable damages sustained during a recent traffic study and amend the budget accordingly.

A motion was made by Commissioner Michelle Cohen, seconded by Commissioner Smith to authorize a purchasing waiver for the Transportation Department to purchase a replacement traffic counter w/metal housing from MetroCount USA, Inc. in the amount of \$970.00 as a result of irreparable damages sustained during a recent traffic study and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38510** Discussion and possible action to authorize the County Judge to execute Work Authorization #3 in the amount of \$102,735.00 between Hays County and Halff Associates, Inc., related to the 2020 Parks and Open Space Bond Program Master Services Agreement.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute Work Authorization #3 in the amount of \$102,735.00 between Hays County and Halff Associates, Inc., related to the 2020 Parks and Open Space Bond Program Master Services Agreement.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38511** Discussion and possible action to authorize the County Judge to execute an agreement between Hays County and Halff Associates, Inc. for a topographic design survey of Sentinel Peak Preserve in the amount of \$37,620.00 and authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the County Judge to execute an agreement between Hays County and Halff Associates, Inc. for a topographic design survey of Sentinel Peak Preserve in the amount of \$37,620.00 and authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4).

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38512** Discussion and possible action to accept the renaming of a street name as originally platted in Anthem Phase 2 Subdivision.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to accept the renaming of a street name as originally platted in Anthem Phase 2 Subdivision.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38513** Discussion and possible action to award a contract for IFB 2023-B10 Culverts with Contech Engineered Solutions, LLC.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to award a contract for IFB 2023-B10 Culverts with Contech Engineered Solutions, LLC.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38514** Discussion and Possible action to award RFP 2023-P03 Countywide Plumbing to SI Mechanical, LLC. and authorize staff and General Counsel to negotiate a contract.

A motion was made by Commissioner Shell, seconded by Commissioner Smith to award RFP 2023-P03 Countywide Plumbing to SI Mechanical, LLC. and authorize staff and General Counsel to negotiate a contract.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

Discussion and possible action related to the appointment of members to the Hays County Historical Commission, pursuant to Chapter 318 of the Texas Government Code.

*Commissioner Ingalsbe suggested either authorizing the current Commission to continue their work until a full list of nominees is presented at the next Court meeting, or appointing the available applicants and returning with the remaining at the next meeting. Judge Becerra and Commissioner Cohen discussed taking more time in order to find more applicants. Anita Collins, Executive Assistant to the Hays County Judge, spoke about recent issues with the Commission, including a lack of meeting minutes and annual reports. Commissioner Shell gave support for the Historical Commission and suggested appointing the current applicants so that they may begin working. Commissioner Smith stated he would like to make appointments today and bring back the remaining at the next meeting. The Court discussed their options moving forward. Pat Gibson, Application Committee Chair for the Hays County Historical Commission, spoke about the application process and the need to finalize the members. Marie Bassett, Historical Marker Chair for the Hays County Historical Commission, stated projects have been put on hold until members are appointed and asked for action. Judge Becerra asked for all applications to be sent to the Court. Lila Knightt, Secretary of the Hays County Historical Commission, raised concerns about conducting business without elected officers. No action taken.*

Discussion and possible action regarding Project Midnight Blue in Precinct 2.

*Dan Lyon made a public comment against the Greater San Marcos Partnership. Victoria Vargas, Director of Economic Development for the City of Kyle, introduced Jeff Barton and Project Midnight Blue, a mixed-use development in Precinct 2. Jeff Barton presented Project Midnight Blue and asked the Court for support. Judge Becerra thanked Barton for his work on this project. Commissioner Ingalsbe gave support for the project, especially the planned public park and trail system. Commissioner Cohen gave support for the project and stated she would like to speak with Kyle City Council for more information. Commissioner Shell gave support for the project and asked for more details on the total investment in the public infrastructure and the expected increase in taxable value. Commissioner Smith gave support for the project and its parks and open space plans. No action taken.*

**38515** Discussion and possible action to authorize the County Judge to execute a \$75,000.00 capital funding contract with The Housing Authority of the City of Kyle, TX related to facility improvements as approved during the FY23 budget process.

*Commissioner Ingalsbe stated this will fund repairs to the Pete Dressen and Charles Young buildings, which provide housing to low-income families.*

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a \$75,000.00 capital funding contract with The Housing Authority of the City of Kyle, TX related to facility improvements as approved during the FY23 budget process.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**



**38516** Discussion and possible action to authorize the Information Technology Director to execute equipment quotes for ordering new or replacement Cradlepoint devices through RCN Technologies.

*Jeff McGill, Director of Information Technology, explained how this will speed up the process of equipping law enforcement and first responder vehicles.*

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the Information Technology Director to execute equipment quotes for ordering new or replacement Cradlepoint devices through RCN Technologies.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38517** Discussion and possible action to authorize Road Supervisor, slot 1035-007 with the Transportation Department to take a county issued vehicle to his residence outside the county.

*Commissioner Shell explained that employees who respond to emergencies are able to take a County vehicle to their residence if they live within Hays County or up to 20 miles from their principal office location.*

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize Road Supervisor, slot 1035-007 with the Transportation Department to take a county issued vehicle to his residence outside the county.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**Clerk's Note:** Executive Session began at 12:26 p.m. and resumed back into open court at 2:29 p.m.

**Clerk's Note Agenda Item #K-1 RE:** *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. - WAS PULLED.*

**38518** 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 real property associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court.

*Commissioner Ingalsbe stated this is one more segment (approximately 10 miles) to provide connectivity to existing Park Improvements and mobility in and around Greater San Marcos.*

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, related to the Purgatory Creek Improvements Project, submitted as a Parks and Open Space Advisory Commission Round 2 Project, to be utilized for Parkland Purposes, as discussed and presented in Executive Session, and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

*Commissioner Shell stated this is for a Texas Parks and Wildlife Department recreational trails program.*

A motion was made by Commissioner Shell, seconded by Commissioner Ingalsbe to authorize General Counsel to participate in submitting, on behalf of Hays County and with participation by partnering entities, a trails grant application for a connecting trail between existing Hays County conservation properties in Precinct 3 of Hays County; and to authorize payment of 1/3 of the costs of surveying along this proposed segment, to be paid from the "General Counsel - Legal" budget.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**Clerk's Note Agenda Item #K-3 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, lease and/or value of real property owned by Hays County located at Clovis Barker Road and Civic Center Loop, San Marcos in Pct.1. Possible discussion and/or action may follow in open court. - WAS PULLED.*

**38519** 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 Hays County Office of Emergency Services. Possible discussion and/or action may follow in open court.

*Judge Becerra stated there are no changes to employment and any hiring decisions for the Director position must come to Commissioners Court. Commissioner Shell clarified this is for communication purposes only.*

A motion was made by Judge Becerra, seconded by Commissioner Ingalsbe to update the communication path from Office of Emergency Services directly to Office of Emergency Management with no organizational changes.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38520** 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 real property owned by Hays County located at 401 Veterans Drive, Kyle 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 a lease agreement between Hays County and CenTex AmVets Post 115, for ongoing use of County-owned property at 401 Veteran's Drive, as discussed and presented in Executive Session.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with General Counsel and deliberation regarding the purchase, exchange, lease, or value of real property located at or near the corner of FM150 and SH21, in Precinct 1 of Hays County. Possible action may follow in open Court.

*No action taken.*

**38521** 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 FM 621 in Pct. 1. Possible discussion and/or action may follow in open court.

*Commissioner Ingalsbe stated this is for the Acquisition of Easement needed for Crystal Clear Special Utilities District.*

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize execution of a purchase agreement for easements on Parcel 6 of the FM 621 Improvement Project located in Precinct 1, owned by HK Baugh Ranch, LLC, and authorize disbursement of purchase price plus any associated closing costs, as presented in Executive Session.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

*Commissioner Ingalsbe stated this includes the Acquisition of Right of Way of Parcel 7 owned by HK Riley's Point, LLC, and the Acquisition of Easement needed for Crystal Clear Special Utilities District.*

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Smith to authorize execution of a purchase agreement for easements on Parcel 7 of the FM 621 Improvement Project located in Precinct 1, owned by HK Riley's Point, LLC, and authorize disbursement of purchase price plus any associated closing costs, as presented in Executive Session.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38522** Executive Session pursuant to Sections 551.071 and 551.074 of the Texas Government Code: consultation with counsel and deliberation regarding duties of positions within the Hays County Treasurer's Office. Possible discussion and/or action may follow in open court.

A motion was made by Commissioner Michelle Cohen, seconded by Commissioner Ingalsbe to authorize the County Treasurer to fill the vacant Treasury Services Manager slot 0076-001 as a temporary employee at an hourly rate of \$38.46 with no County benefits, effective January 18, 2023 through September 30, 2023, as discussed in Executive Session.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**38523** 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 Auditor's Office. Possible discussion and/or action may follow in open court.

A motion was made by Commissioner Ingalsbe, seconded by Judge Becerra to authorize the Auditor's Office to regrade the Internal Auditor II slot 0026-001 to a Senior Internal Auditor effective January 1, 2023, with a 3% salary increase, as discussed in Executive Session.

AYE: Commissioner Ingalsbe, Commissioner Michelle Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**Clerk's Note Agenda Item #L-1 RE:** *Discussion and possible action related to the burn ban.* - **WAS PULLED.**

**Clerk's Note Agenda Item #L-2 RE:** *Discussion related to the Hays County inmate population, to include current population counts and costs.* - **WAS PULLED.**

**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 Shell, seconded by Judge Becerra to adjourn court at 2:34 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 JANUARY 17, 2023.



*Elaine H. Cardenas*

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

